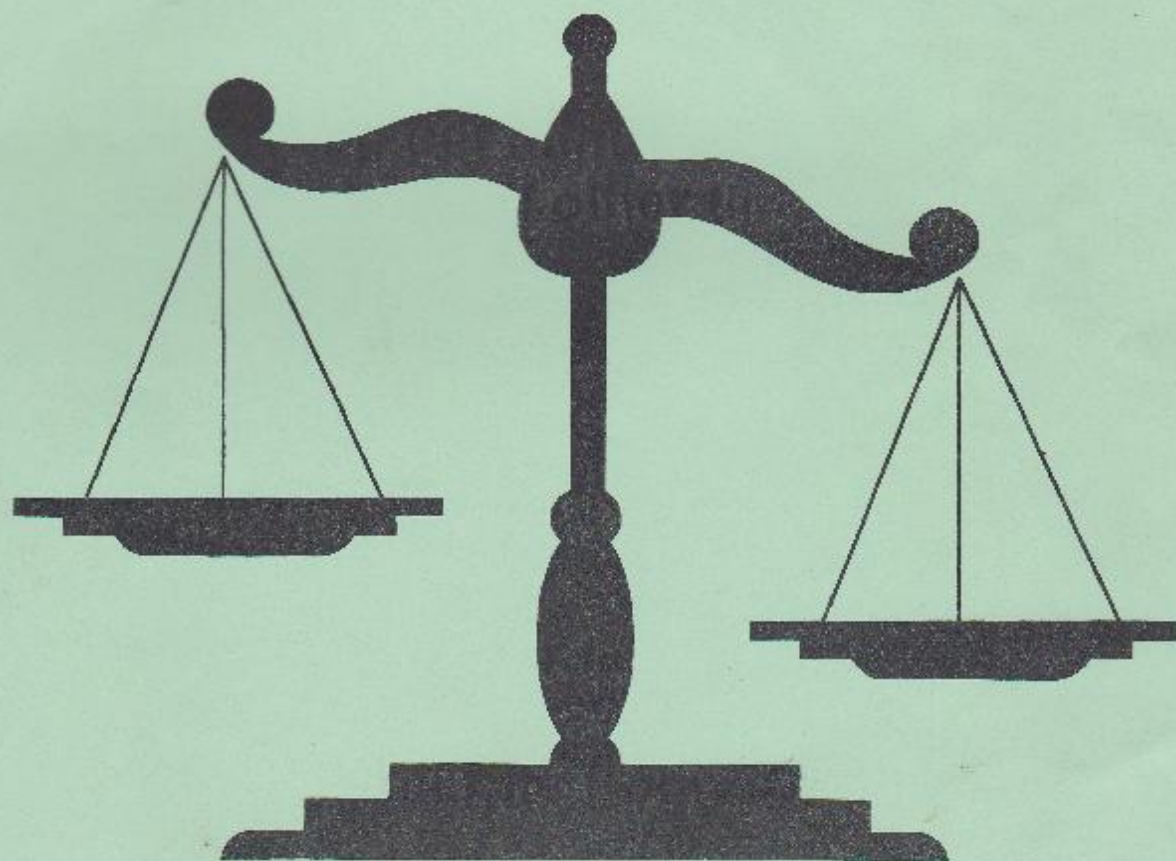


Nova Lepidoptera

The Barclay James Harvest Magazine

Number 29

June 1995



BJH In Court: The Verdict

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Members' letters and contributions are always welcome. Please don't forget to enclose a stamped addressed envelope or International Reply Coupon if you would like a personal reply.

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BJH VICTORIOUS!

Court case reaches its climax after ten years

In a fifty-two page judgement handed down on 21st March 1995, The Hon. Mr. Justice Blackburne dismissed the two actions brought by Robert Godfrey against John Lees, Les Holroyd, Melvin Pritchard, Stuart Wolstenholme, EMI Music Publishing Limited, Polydor Limited, RAK Publishing Limited and EMI Records Limited. As NL went to press we were waiting to hear whether Mr. Godfrey would lodge an appeal against the verdict, but we are hoping that this is the end of the matter, and that BJH will now be able to put it behind them and make a fresh start.

Claims

Mr. Godfrey was the band's "resident musical director" from about August 1969 to January 1971, and was involved in organising and conducting the "Barclay James Harvest Orchestra", as well as writing arrangements for some of the songs on the albums *Barclay James Harvest* and *Once Again*. In two separate writs, the first of which was issued way back in 1985, Mr. Godfrey ("the plaintiff") claimed damages for breach of contract, or additional payment, on the basis that he had been promised an equal share in the band's earnings, as he was regarded as the "fifth member" of Barclay James Harvest. He also claimed to be joint author of ten songs on the first two albums (the number of songs that he claimed was later reduced by stages to six), and that he should therefore receive royalties on them.

After numerous delays, mostly due to new submissions and altered claims from the plaintiff's side, the case finally reached the High Court in The Strand on February 6th, and it took two weeks for both sides to finish giving their evidence. Amongst the witnesses who appeared were John, Les and Mel themselves (Woolly was unable to attend because of illness). One of the many difficulties the band had was that, after the passage of so many years, witnesses were very difficult to track down, or, in the case of the most vital one, John Crowther (their manager at the time), had actually died.

Dismissed

Mr. Godfrey's two claims were both dismissed, although the judge did find that he had made sufficient contribution to six songs, namely "Dark Now My Sky", "When The World Has Woken", "The Sun Will Never Shine", "Mocking Bird", "Song For Dying" and "Galadriel", to establish joint authorship in the orchestrated arranged versions only. Even this minor victory proved to be a Pyrrhic one, however, since the judge ruled that, because of the excessive time which elapsed before Robert made his claims and because of the hard work which the band had put in to achieve success after he left, he would be "estopped", i.e. prevented from claiming any money or rights over the songs.

The real tragedy of the case is that it was brought using taxpayers' money from the Legal Aid Board, and that, although BJH managed to get some help from Legal Aid, it still cost them around £150,000 of their own money to fight it, money which they will not now be able to recover. It has also, undoubtedly, affected the band's creativity and caused serious problems, not only for John, Les and Mel, but also for Woolly. It now remains to be seen whether they can, as Les has said, "pick up the pieces as soon as possible".

Extracts from the judgement: p.6
Court sketch: p.13

New Boxed Set

As listeners to the hotline will already know, we have been asked to provide sleevenotes for EMI's latest BJH project, a miniature boxed set of the band's first four albums on CD. The box will contain the four CDs, each one in a glossy card reproduction of the original album artwork, plus a fold-out sheet with photos and notes.

Although the material is already available in CD format on the two Beat Goes On CDs, the box will make a nice collectors' item, and will retail at a reasonable price of around £22.00 or so. Swallowtail will be able to supply copies at a discount when the set is released later this year.

We did suggest that the band's Harvest label singles and B-sides could also be included, but the box is part of a series which are strictly confined to original albums as they first appeared. The uncertainty over the legal status of some of the EMI songs due to the court case cast doubt on the project, but it will now proceed as planned and should be available in August.

More CDs

At long last, we've managed to find a supplier for BJH's Polydor CDs who doesn't demand a minimum monthly order which would pay off a Third World country's national debt. The prices will be slightly higher than would be the case if we could buy direct from the record company, but you should still find that Swallowtail's prices are highly competitive, and you won't have to spend hours trudging round the shops! We should be able to supply most of the Polydor discs, although, as mentioned in the last NL, some of them are already deleted in the UK. I don't have details of the CDs available as yet, but will put full information about titles, prices and how to order onto the hotline (see back cover) as soon as we have it.

Woolly At Work

Woolly has been very ill recently as a result of stress brought on by the court case and the very real possibility that he and Jill could have lost their home and farm. However, I'm pleased to report that as a result of constant and merciless badgering by his so-called "friends", he has taken up his pen and begun working on music again!

At the moment there is just one song in progress, a re-working of an idea from dim distant BJH days, which may be included on a second volume of Martin Smith's *Mellotron Album*. The working title is the Welsh word "Hirtraeth", which translates roughly as a yearning or longing, and Woolly describes it as "Plainsong-y". Strawbs fans will be pleased to hear that amongst the other songs planned for this collection is a Dave Cousins/Blue Weaver track. It also looks likely that the first *Mellotron Album* will be repackaged and reissued before long.

Woolly has a long way to go on the road to recovery, so we shouldn't expect a new magnum opus just yet. However, the threat to the farm has been lifted and this is bound to make a difference. I'm sure that all club members will join us in wishing Woolly a speedy convalescence and more power to his writing elbow...

...Other Short Stories...

...The list of **sampler albums** including BJH tracks goes on forever! Latest additions are *World Hits 1980* (Spectrum CD 550 705-2), a UK release which includes "Life Is For Living", and , from Germany, *Love Is...* (Edel 0028542/4EDL, CD and cassette), an interesting concept album which includes only songs with "Love Is" in the title. Now work out which BJH song is on it!...

...Keith and Monika are now on-line, and you can send letters or orders to us by e-mail at **INTERNET:75337.1745 @compuserve.com**

THE FOLLOWING ARE actual extracts from Justice Blackburne's judgement in the Robert Godfrey v. BJH court case. Ever since the new fan club began in 1988, we've been aware of the progress (or at times, the lack of it) of this case, but were unable to keep you informed as there was a risk of prejudicing the band's defence. Now we would like to put you fully in the picture as to what the case was all about and why it has had such a devastating effect on the band, and the best way to do that, I believe, is simply to let you see what the judge actually said. I have tried to omit only the legal arguments and repetitious passages, without altering the sense or leaving out anything of significance. I have retained the original punctuation and spelling, and the only additions I have made are explanatory notes italicised in square brackets [like this].

“ This is the trial of two separate actions in which the plaintiff, who is a professional musician, claims to be an author and owner of the copyright in various musical works jointly with the first to fourth defendants... He seeks a declaration to that effect and injunctive or other relief including damages or an account of profits. His primary claim against them, however, is for damages for breach of contract, alternatively to payment on a quantum meruit basis, arising out of the exploitation by them of those and other musical works and activities.

His claims arise out of his association with those defendants during the period mid 1969 to January or so of 1971. At the time all five of them were in their early 20's. Since late 1966 the first to fourth defendants had been members of a popular music group called Barclay James Harvest...

He claims to be a joint author of and entitled to the copyright in six original music works: Dark Now My Sky, When The World Has Woken and The Sun Will Never Shine on the first album, and Mocking Bird, Song For Dying and Galadriel on the second album... The plaintiff's

primary claims go wider than establishing ownership of copyright in any of the six musical works. He claims that he participated in the authorship of those six works and in the band's other musical activities by preparing those and other works included in the two albums for recording and by performing and conducting them for the album recordings. He claims that he did all of this at the request of the defendants and in anticipation of sharing in the rewards from those activities... He claims that when he ended his association with the band in early 1971 he was given to understand by the band's manager, John Crowther, that "he would receive his fair share of royalties in due course". He also claims that during the winter of 1969 he made an agreement with the defendants whereby, in return for agreeing not to appear on stage, he would be treated by the defendants as the fifth member of the band and would share "equally in any fortunes which might thereafter accrue as a result of their joint efforts". He says that the defendants have not honoured this agreement. Accordingly he claims damages for breach of contract, alternatively a one fifth share of the income received by the defendants from the band's musical activities during the period that he was associated with it but restricted to income received during the six years prior to the issue of the writ in the action [*i.e. prior to June 1994*].

“the claims... relate to events which occurred upwards of 24 years ago”

One of the remarkable features of the plaintiff's claims is that they relate to events which occurred upwards of 24 years ago. The contractual claim was first asserted in June 1994, nearly 25 years after the approximate date ("during the winter of 1969") when the contract in question is said to have been made... Having regard to the passage of so many years since the relevant events, it was patently obvious that witnesses had the utmost difficulty in recalling what happened... I have had to approach the oral evidence relating to those events with the greatest caution.

Factual background: the band and the plaintiff's association with it

As I have mentioned, the band was formed in late 1966. the defendants - all four of them - who then constituted the band were from the Oldham area of Lancashire... The band's musical background was rhythm and blues and their skills were self-taught... By mid-1967 the band had turned professional but that is not to say that they earned very much. On the contrary throughout the period of their association with the plaintiff they lived a hand-to-mouth existence and were able to turn professional and to survive owing very largely to the interest in them taken and the financial support provided by their manager, John Crowther, who was a local businessman. He was not much older than they but recognised their talent and was willing to support and promote them. In April 1968 he signed a management agreement with them in return for 20% of the band's gross profits. In addition to providing them with funds and other support, including food, he provided them with a roof over their heads in the shape of "Preston House", a small and by all accounts spartan dwelling in Diggle which had previously served variously as a public house and farmhouse. Until the first defendant [John] moved out in 1968 to live with his girlfriend and her parents in their home a mile and a half away, the four defendants had lived in Preston House using one room as a communal dormitory and another as a rehearsal room. The other defendants continued to live there after the first defendant decamped to his girlfriend's home. A popular place of resort for the second to fourth defendants [Les, Mel and Woolly] - and, when he visited them, John Crowther - was its public house, the Hanging Gate.

The 1960's, especially the late 1960's, were as Mr. Milmo QC for the defendants charmingly described those distant days, "a time of great informality among youth". It was an informality which the band embraced. Mel Pritchard referred to the band's lifestyle as "free and easy" and to those times as an era of experimentation. Olwen Lees, as the first defendant's girlfriend later became, said that "we were all somewhat 'hippy' which really meant flared trousers, long

hair and so forth". The defendants, living in penurious circumstances in the village of Diggle on the edge of Saddleworth Moor, appear to have lived for their music, building up and rehearsing a growing repertoire of songs, going from time to time to gigs to earn a pound or two, and repairing to the Hanging Gate in their free moments.

"a bit of a braggart"

It was into this rather singular world that the plaintiff stepped sometime in the summer of 1969. He was in many respects of an altogether different nature from the defendants. From a well-to-do background with a family home in South Devon, he had been privately educated and had trained at the Royal Academy of Music and at the Royal College of Music where for a while he had harboured hopes of becoming a concert pianist. He then dropped out and espoused a hippy lifestyle. Where the defendants were, as their evidence before me showed, diffident in manner and speech he, by contrast, was, as he readily confessed, articulate, "pushy" and a bit of a braggart. The defendants, I judge, were somewhat in awe of him with his classical music background, talent at the piano and organ, ability to read sheet music (which the defendants, with the possible exception of Stuart Wolstenholme, could not) and smart southern accent. Mrs Lees described him as an "imposing and flamboyant character who stood out locally" and said that she regarded him as a "crazy London hippy".

There was an acute difference of recollection concerning a number of matters arising out of the plaintiff's association with the band... I do not consider it necessary to resolve all of these and other issues of fact, nor would I feel any confidence in attempting to do so given the passage of so many years since the events in question and the lack of practically any contemporary documentation to guide recollections. I had the impression that the plaintiff who gave his evidence fluently and fairly was, if anything, a little too forthcoming in his recollection of the details of these distant events to render his account wholly reliable. In

contrast, the evidence of the first, second and third defendants exhibited an undue reluctance to recall anything about their association with the plaintiff other than that he came unannounced to and thereafter resided in Diggle, that they didn't much like him, that he wrote orchestral parts to accompany some of their songs pursuant to arrangements which he had entered into either with John Crowther or with EMI but of which they knew nothing, that he was involved in a short concert tour by the band with an orchestra in the summer of 1970, accompanied the band to some of their gigs (but only took part in a few stage performances during a three week visit to Spain when he replaced the first defendant who was ill, and in the performances on the concert tour) and that he was paid £100 by John Crowther when he left in early 1971.

It is sufficient if I state my conclusions on the evidence so far as relevant to the issues which arise.

Following a first meeting between the plaintiff and the defendants at the Round House in December 1968, the five of them met on one or more subsequent occasions in London including a recording session at the EMI studios in Abbey Road when the band recorded two singles in which the plaintiff took part by playing the piano. In or about August 1969 at the band's invitation the plaintiff made his way to Diggle where he was accepted by the band, and where he remained until January or so of 1971. By then, owing to differences in temperament between them, he and the band had drifted apart with the break finally coming in early 1971. The actual parting followed a row between him and John Crowther.

I find that the plaintiff was invited to Diggle, and took up occupation with the band at Preston House, for the purpose of working with the band as an orchestral arranger of a number of its songs, that he carried out this role, that he became closely involved with the band's musical life, travelling with it to gigs (although not to all of them), that he took part in the

recording of the two albums as conductor of the orchestras used in the recording of the songs for which he had provided orchestral arrangements, and that he took a prominent part in organising and conducting a short and, as it happens, financially unsuccessful concert tour involving the band and an orchestra in the summer of 1970. I also find that, from time to time, he absented himself from Diggle and thus from the band and its activities.

“like D’Artagnan, not really a musketeer”

Although it was the plaintiff's wish to join the band as one of its members, he never did. He remained, as he candidly accepted in his evidence, an outsider or, as he described it, “like D’Artagnan, not really a musketeer”. In the concert programme for the concert tour during the summer of 1970 the plaintiff is described as being “recognised as the fifth member of the group” but it is plain from the remainder of the programme and from the evidence that I have heard that the band consisted only of the defendants and that the plaintiff's role was on the orchestral side. Indeed the concert programme described him as “the conductor for all four concerts ... the musical director and arranger” for the band. In any event it is not suggested that he ever became a partner with the defendants in their musical partnership. He was not a party to any formal management agreement between the band and John Crowther (although, as I have mentioned, one existed), was not a party to any formal recording agreement and was aware of but never became a party to any publishing agreement between the four band members and their music publishers or to any assignment by the band members to their musical publishers of the copyright in any of the band's songs. In this connection assignments to the music publishers were entered into of the copyright in, among others, *Dark Now My Sky* (in January 1969), *When The World Was Woken* and *The Sun Will Never Shine* (in February 1971), *Galadriel* (by the first defendant alone in December 1970), and *Song For Dying* and *Mocking Bird* (in June 1971).

I also find that the plaintiff was in receipt of financial and other support during his association with the band. It came largely from John Crowther but also, to some extent, from the proceeds of the gigs. It consisted of a roof over his head (at Preston House and, later during the association, elsewhere in Diggle) food and a regular payment. The plaintiff describes the payments as weekly but I do not think it was quite as regular as that. The payments that were received averaged a few pounds a week. When he left he was paid £100 by Mr Crowther.

Factual background: events since the end of the plaintiff's association with the band.

From the time that the plaintiff and the band parted company in early 1971 until the end of February 1985, a period of 14 years, the plaintiff appears, with two possible exceptions, to have made no effort to assert any kind of claim to share in the profits of the band, whether as a result of the express agreement or the common understanding or as a joint author and copyright owner of any of the musical works which were recorded on the two albums during his association with the band.

“At no time during the meeting did the plaintiff mention any grievance”

For a while, after the association ended, the plaintiff remained in contact, although only infrequently, with Stuart Wolstenholme. At no stage did the plaintiff mention his claims to him. In particular the plaintiff met him in 1976, at a concert given by the plaintiff's band (called “The Enid” at Salford University, but nothing was said about the plaintiff's claims on that occasion. Around 1975 or 1976, the plaintiff met the defendants backstage following a concert at the Corn Exchange in Cambridge.. The plaintiff was there with his band, the Enid. The plaintiff and the defendants had drinks and chatted. At no time during the meeting did the plaintiff mention any grievance he might have had with the band, much less assert or refer to any claim. This

omission is all the more remarkable because, according to the plaintiff's evidence, he had harboured a sense of grievance over the band's failure to acknowledge his contribution to the two albums (he described it as a thorn in his side throughout the 1970's) and had raised the matter with the band's agents on two earlier occasions but without any success.

The plaintiff was aware throughout these 14 years, down to the time when letters were eventually written asserting claims, that the band was continuing to perform. In particular he was aware that the band began to achieve success in 1980 as a result of a live concert in Berlin. An album of that concert issued in 1982 got into the UK charts. It became clear to the plaintiff that, after years of struggle and near bankruptcy, the band was at last beginning to enjoy real financial success.

The plaintiff claims that he was treated as the fifth member of the band and that it was agreed that, if the band were successful, he would share equally, ie take a fifth share, in the band's rewards. His evidence was that this was the basis on which he understood he was accepted by the band. It was only, he said, sometime during the winter of 1969/1970, after there had been a row over the Stuart Wolstenholme [*sic*] who had threatened to leave the band unless the plaintiff left, that the understanding which he had with the band crystallised into a binding agreement over his future role in and relationship with the band. The row, he said, had been precipitated by the wish of Leslie Holroyd and Melvin Pritchard that he should “join the band proper and be the band's keyboard player on stage”. He said that Stuart Wolstenholme felt that his position within the band would be threatened if the plaintiff were given that role. He said that Stuart Wolstenholme's ultimatum was discussed in his absence at John Crowther's house and that afterwards John Crowther and Leslie Holroyd came to him in the Hanging Gate where he was waiting and told him that Stuart Wolstenholme had agreed to withdraw his ultimatum and stay with the band so long as he, the plaintiff, never again asserted a wish to join the band proper and play on stage.

He said that when he finally parted company with the band in early 1971 he contacted John Crowther in the hope that he would intercede for him with the band members. He said that he was again given to understand by Mr Crowther, who was pessimistic about the future of the band, that he would get his fair share in due course if anything arose. The defendants denied that there was any row or crisis over Stuart Wolstenholme's role in the band, denied that any agreement had been made with the plaintiff concerning his future role in and share in the fortunes of the band, and denied that John Crowther had, in any event, any authority to give any such assurance to him. In particular Leslie Holroyd denied that he and John Crowther had made any agreement with the plaintiff in the Hanging Gate.

“Time plays notorious tricks with memory”

The fact seems to me that, as the years have passed, the width of this aspect of his claims has grown to the point where, by mid 1994, they encompassed an equal fifth share of all profits, howsoever derived and whensoever arising, from any musical activity carried on by the band during the period of his association with it. The very definite impression which I had of the plaintiff's evidence was that, looking back all those many years later, the plaintiff has searched his memory of those distant events, invested significance in vaguely recalled incidents and impressions and, unconsciously, elevated those recollections into the common understanding and, ultimately, the express agreement which he now asserts. Time plays notorious tricks with memory, particularly memory unaided by contemporary documentary evidence.

I do not therefore feel able to accept the plaintiff's evidence on these matters. I prefer the plaintiff's earlier denial that there was any agreement. As to any expectation that he would receive a share of profits, I have come to the conclusion that the matters on which the plaintiff relies are much too vague to give rise to any obligation on the defendants' part even if,

which I very much doubt, anything was said by the defendants or John Crowther at the time. In short, the plaintiff does not persuade me that on the balance of probabilities there was any common understanding such as he now asserts, much less that there was any enforceable agreement.

Is the plaintiff a joint owner of any and if so which of the six musical works?

What the claimant to joint authorship of a work must establish is that he has made a significant and original contribution to the creation of the work and that he has done so pursuant to a common design. It is not necessary that his contribution to the work is equal in terms of either quantity, quality or originality to that of his collaborators. nor, in the case of a song, does it matter that his contribution is to the orchestral arrangement of the song rather than to the song itself.

Dark Now My Sky. An earlier version of this song had been in the band's repertoire before the plaintiff arrived in Diggle in the summer of 1969. It is not in dispute that the plaintiff wrote the orchestral sequences. Those sequences constitute a major part of the overall work. The song passages are not the plaintiff's composition, but that does not prevent the plaintiff from sharing joint authorship of the recorded version of the work. In my view the plaintiff establishes his claim to joint authorship in this arrangement of the song.

When The World Has Woken. The evidence clearly shows that the arranged version which I heard was very much the result of the combined efforts of the plaintiff and Leslie Holroyd.

Mocking Bird. The core of this most attractive work lies in its three verses and ensuing choruses and in a four bar unaccompanied guitar passage which was referred to as “the sequence”.

“Mocking Bird... this most attractive work”

It is not in doubt that John Lees wrote the verse and chorus sections nor that the plaintiff wrote the extensive orchestral passages. Mr Lees claimed that the descending harmonic line in the sequence was his invention. The plaintiff claimed that it was his. The plaintiff did not persuade me that that descending harmonic line was his invention. Mocking Bird was, and I think remains, one of the band's greatest successes. Irrespective of who was responsible for the descending harmonic line in the sequence, it is plain that the plaintiff's contribution to the composition of this arrangement of the work was substantial.

Galadriel. This work was generously described by the plaintiff as John Lees's masterpiece. It is certainly a most attractive work. There is no dispute that the plaintiff had no hand in the composition and structure of the song which, the plaintiff accepts, was a finished work when he was introduced to it. Nor is it in dispute that the plaintiff wrote the orchestral arrangement which links the two half [*sic*] of the work in its recorded form. In my view the plaintiff's contribution is sufficient in importance and originality to qualify him as a joint author of the work. The link passage is, to my ear, an original and cleverly worked adaptation of the song's melodic line.

Song For Dying. I regard the plaintiff's claim to joint authorship of this and the next work as very borderline. The plaintiff claims, but the defendants deny, that he wrote a repeated rising guitar “scream” which features in the three chorus sequences. I am not satisfied that he did. Nevertheless, in my view, the plaintiff's piano contribution is sufficient but only just to qualify him as joint author of the work in the form which it took on the recording.

The Sun Will Never Shine. The plaintiff's contribution to this song consists of an extremely straightforward piano and organ accompaniment. I am of the view that his contribution to the work is sufficient in quantity and originality to qualify him as a joint author of it.

In the result I conclude that the plaintiff establishes, albeit to varying degrees, that he was a joint author of all six musical works.

The facts of this remarkable case show that the plaintiff allowed the defendants to assume to their detriment that, subject to whatever arrangements they had with their publishing and recording companies, they were entitled to exploit the six works as their own. He allowed them to labour under this assumption for fourteen years before asserting his rights. In the meantime they worked hard to earn a reputation for themselves and generate a market for their recordings. It would, in my judgement, be wholly unconscionable if, in these circumstances, the plaintiff should be free to deny what for so long he allowed the defendants to assume and seek in these proceedings to assert his rights.

“It would, in my judgement, be wholly unconscionable if... the plaintiff should be free to deny what for so long he allowed the defendants to assume...”

According to the unchallenged evidence of the first three defendants the sale of their records (not just of the six works in issue in these proceedings but of the many other works which the band performed and recorded) was generated by the band performing in concert and creating a following of fans who subsequently bought their records. The concerts themselves were expensive to mount, arduous to undertake and,

initially at any rate, unprofitable. I quote from Mr Lees's witness statement for a description of what was involved:

"With a band such as BJH, it is necessary to seek public approval by undertaking extensive engagements with a view to creating fans who will not only pay to see the actual show but who will then go out and buy records. In my general experience of the industry (and certainly in our case) until there has been substantial success the economics of the industry are that no profit will be made "on the road" but indeed there will be usually substantial losses. Ticket sales themselves will not cover expenses and artists such as Barclay James Harvest have to make a considerable ongoing "investment" in the hope of generating record sales and then have to wait a considerable period before those actual sales are translated into reported royalty earnings. Even when the royalty earnings are reported or accounted there still remains the fact that recording costs and any support to the cost of the shows has been recouped by the record company from the artists share of royalties. When those royalties come to hand, the group will have to pay a percentage thereof to a manager as the manager's remuneration... there is considerable stress and distress involved in undertaking live engagements on a continuing basis because they entail not only the expense but also lengthy periods away from home which disrupts any normal social life quite drastically as well as creating considerable periods of boredom since there may be several days between engagements where the Group have no local knowledge or friends and are kept away from home ... Godfrey has not contributed in any way to that ongoing work or the cost of it."

In other words the success which the band later achieved and which led the plaintiff to decide that it was at last worth his while to pursue his claims was the result of many years of hard work, considerable self-sacrifice and much expenditure.

"It would be against all conscience if, in these circumstances, the plaintiff should be permitted to step in and reap for himself a share of the band's hard earned success."

It would be against all conscience if, in these circumstances, the plaintiff should be permitted to step in and reap for himself a share of the band's hard earned success. In my judgement the plaintiff is estopped from claiming any relief to which he might otherwise have been entitled.

Conclusion.

I dismiss the two actions.

Although I have not so far referred to him by name I was much assisted by David Walker who represented John Lees as his McKenzie friend. He was content, for the most part, to adopt the very helpful submissions of Mr Milmo for the second to fourth defendants. I should also like to pay particular tribute to Mr Garnett who presented a difficult case with restraint, economy, and unfailing courtesy.

”

*When shall we three meet again
In thunder, lightning or in rain?
When the hurlyburly's done
When the battle's lost and won*

William Shakespeare: Macbeth

Who Was Who

The Judge: The Hon. Mr. Justice Blackburne

The Plaintiff: Robert John Godfrey

The Defendants: John Lees
Les Holroyd
Melvin Pritchard
Stuart Wolstenholme
EMI Music Publishing Ltd.
Polydor Limited
RAK Publishing Limited
EMI Records Limited

Counsel for the Plaintiff:

Kevin Garnett QC (for Sheridans)

Counsel for Les, Mel and Woolly:

Patrick Milmo QC (for Kanaar & Co.)

Representing John Lees: David Walker in the capacity of John's McKenzie Friend

Other witnesses, including: Olwen Lees, Martyn Ford, Norman Smith, Jim Tetlow (one of BJH's first roadies), Mike Batt (as an expert musical witness) and John Crowther's parents on a recorded interview.

What We Saw

Your intrepid NL reporters were in Court 56 at the Royal Courts of Justice in The Strand, London on several days to witness the action first hand, and were slightly surprised to find that it's not all solemnity and incomprehensible legal language. Amongst the lighter moments were:

Mr. Garnett quoting from our sleeve notes for *The Harvest Years* about everyone regarding the period of their youth as a musical golden age, and the judge interjecting "True, true"...

John in the witness stand treating the court to an acapella rendition of "Dark Now My Sky", banging the side of the stand with his hand for the drum part. He then got out an acoustic guitar and demonstrated how he had written "Mocking Bird"...

The judge attempting to match the faces in front of him with the photos inside the sleeve of the first album - "Mr. Holroyd doesn't seem to have changed at all, but you'll have to help me with the others..."

John Crowther Senior on tape, struggling to find the right word for Robert's friends, and triumphantly exclaiming "'ippies, that were it..."

Robert Godfrey saying that he didn't recognise John in court and thought that he was one of the solicitors, and going on to describe the band as "middle aged men". Mr. Godfrey is 48.

What They Said

"I'm finally taking them to court, using the same solicitors as George Michael" [Robert Godfrey]

"I expected a fifth share of everything" [Robert Godfrey]

"I remember John playing 'Mocking Bird' to me for the first time, just on the guitar on a sunny day outdoors... I probably heard the orchestra in my head..." [Olwen Lees]

"He was articulate, 'pushy' and a bit of a braggart" [The judge on Robert Godfrey]

"The plaintiff was a little too forthcoming in his recollection of the details of those distant events to render his account wholly reliable" [The judge]

"Mocking Bird was, and I think remains, one of the band's greatest successes... this most attractive work..." [The judge]

"It would be against all conscience if, in these circumstances, the plaintiff should be permitted to step in and reap for himself a share of the band's hard earned success" [The judge]

"I dismiss the two actions" [The judge]

"It was a moral victory for me" [Robert Godfrey]

"VICTIMS OF CIRCUMSTANCE"



1. *Sideshow* (John Lees)
Hold On (Les Holroyd)
Rebel Woman (John Lees)
Say You'll Stay (Les Holroyd)
For Your Love (John Lees)
2. *Victims Of Circumstance* (Les Holroyd)
Inside My Nightmare (John Lees)
Watching You (Les Holroyd)
I've Got A Feeling (Les Holroyd)

UK Release Date: April 1984
UK Catalogue No.: POLD 5135

Recording Details

Recording Studios:

Recorded at Wisseloord Studios, Hilversum, Holland

Recording Dates:

September 1983 to January 1984

Producer:

Pip Williams

Engineer:

Gregg Jackman

Guest Musicians

Bias Boshell played keyboards (Yamaha DX7, Roland JP8 and JX3 and a Steinway grand piano). The orchestral arrangements were written by Pip Williams and performed by the David Katz Strings. Stevie Lange, Vicki Brown (the mother of Sam Brown, who sang with the band on the subsequent tour and later went on to a successful solo career) and Joy Yates provided some backing vocals.

Title

Originally taken from the lyrics of John's "Rebel Woman":

*I see the victims of circumstance
Convicted without a crime*

Les was inspired by this to pen the title song.

Sleeve

The very striking sleeve is closely based on a poster for a Berlin cabaret club and bierkeller called *Senta Söneland*, painted by the famous illustrator Jo Steiner in 1912. John had suggested the design after seeing it in a book of posters, and the only significant change which was made was the addition of the teardrop in the clown's eye.

Gregg Jackman

Gregg was born in Kingsbury, London, in 1953, and is the son of a musician. He became a balance engineer, then Chief Engineer at RAK Studios where he met Pip Williams. He joined Handle Artists in 1980 and engineered for The Moody Blues' as well as BJH.

Sideshow

Following both thematically and musically closely in the footsteps of “Fifties Child”, John’s opener tackles the subject of the media and its overriding preoccupation with disasters and bad news. Considering the ill-informed criticism that BJH themselves have had to endure from the media, it’s commendable that they don’t turn it into a personal diatribe, but rather a lament for lost innocence. The song is also notable for being a rare example of John and Les both singing lead vocals on one song.

Hold On

This rocker from Les became a regular in the band’s live shows with its driving rhythm and catchy chorus. The song captures the atmosphere of frenetic nightlife and club culture.

Rebel Woman

Not, as some fans suggested, a critique of Margaret Thatcher, although some of the lines could well apply! The subject was actually Mother Russia in the days before *glasnost* and *perestroika* and the collapse of the Communist system, and the song was written after the shooting down of a Korean airliner.

Say You’ll Stay

An escapist love song from Les, evoking a dream-world of romantic fantasy. The song also contains quite a barb with a side-swipe against the “little people” who tell him what to do. Back to the band’s critics, perhaps?

For Your Love

Not a conventional love song, in fact, but a direct message to the fans from John. “Light up the flame of love” is intended not only in the metaphorical sense, but also refers to live audiences’ habit of waving lighted matches and cigarette lighters. A torch song?!

Victims Of Circumstance

A complete change of mood, now, for the opening track of the second side. This is an anti-war song, with some very bitter words for the politicians and leaders who keep their people in the dark and ignore their wishes. The lyrics are set to a deceptively innocuous melody, contrasting sharply with the message. Released as the first single from the album, it became their only Number 1 single to date when it reached the top of the pile in France.

Inside My Nightmare

John’s manic vision of the aftermath of a car crash in which the driver’s girlfriend is killed was prompted by reading about just such a tragedy which happened in his local area, and imagining how it would feel to be in that situation. The song was performed live to great effect, and some of the musical themes resurfaced in lighter vein in 1990’s “Psychedelic Child”.

Watching You

This song seems to describe the beginning of a relationship, but the writer is very wary, preferring to play a watching and waiting game before making any commitment. Les certainly echoes the thoughts of many fans when he sings “I could write you a song that would make your heart fly”.

I’ve Got A Feeling

A wistful ballad about a parting from a loved one. The song was remixed and some saxophone parts added when it was lifted as the second single from the album; the 7” was an edited version, but for some strange reason the full-length 12” was only pressed up for promotional use. This long version was later made available on *The Compact Story Of Barclay James Harvest* compilation CD.



THURSDAY, MARCH 23, 1995

NEWS

■ Barclay James Harvest win but face £150,000 bill

Enid man loses song credit case

HIPPY band Barclay James Harvest face a crippling £150,000 legal bill, despite winning a 10-year court battle with a Northampton man.

The band, which had a string of hits in the 1970s and once pulled 200,000-strong crowds, face life on the breadline because of an action bought by musician Robert John Godfrey.

Mr Godfrey, based at the Lodge Studios in Abington Square,

Northampton, claimed he was entitled to an estimated £10,000 royalties for co-writing several of the band's hit songs, the High Court in London was told.

Mr Justice Blackburne, who heard the case, agreed Mr Godfrey had made a significant contribution to several of the songs, including the band's biggest hit, Mocking Bird.

But he ruled that, because Mr Godfrey had waited 14 years before making his claim, too much time had passed for him to be entitled to

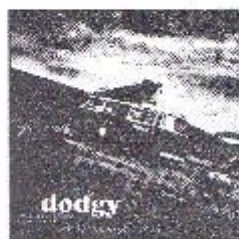
a share of the profits.

He said: "It would be against all conscience if Mr Godfrey should be permitted to step in and reap for himself a share of the band's hard-earned success."

Mr Godfrey had been legally aided throughout the case and, as a result, the band may have to pay their own £150,000 legal costs, despite winning the case.

The musician, now with The Enid, said: "It was a moral victory for me. I always maintained I had written some of the music."

Above: Northampton Chronicle & Echo, 23-3-95



DODGY "Homegrown"
ABM/Phonogram (LP/CD)

Es tut sich was auf der Insel (plötzlich!). Nachdem uns die Briten erst Blur und Oasis bescherter, schickt sich nun der flotte Dreier DODGY an, unsere Ohren und Herzen zu erobern. Auf "Homegrown" geht man allerdings musikalisch etwas vertrackter vor als die vorgenannten Bands. Quelle der Erbauung sind mal wieder die poppigen 60s, diesmal allerdings von ihrer verspielteren und ausgedünnelten Seite. Dazu bedient man sich kräftig aus den 70ern. So entsteht ein Etwas, das manchmal an die frühen!!! Barclay James Harvest und an groovende Westcoast-Gemütlichkeit erinnert. Exzellentes Songwriting wird hier zur Selbstverständlichkeit, dreistimmiger Gesang zur Pflicht. Ebenso wie der Kaut des Mhuirs! *die drei*

Above: from Berlin record shop City Music's Guide, a glowing review of the recent album from up-and-coming UK indie power-pop trio Dodgy, which compares them with early Barclay James Harvest! Much as we love both bands, we can't quite see the similarity, except, maybe, on the sublime "Grassman"...

Many thanks to all who sent in cuttings about the court case, especially Tony Hewitt, Lawrence Himelfield and Eddie Bust

Music News

Other artists who may be of interest to BJH fans.

ALAN PARSONS is touring Germany, the U.S.A. Holland and Japan this summer. Dates confirmed so far are Berlin (May 29), Leipzig (30), Nürnberg (June 1), München (2), Saarbrücken (3), Karlsruhe (4), Offenbach (6), Köln (7), Essen (8), Hamburg (9), Bielefeld (11), Hannover (12), Erfurt (13), Fulda (14), U.S.A. (July 10th - Aug 15th, l.b.c.), Holland in September and Japan in October

PROCOL HARUM play a rare one-off show at the Shepherd's Bush Empire on Aug. 12th.

AL STEWART has a new album, *Between The Wars*, and plays a few UK shows to promote it, including Glastonbury Festival.

WE'VE HAD A NUMBER OF REQUESTS to print the lyrics from particular BJH songs in NL, particularly since the club lyric sheet covering "The Rest Of Barclay James Harvest" has been out of print.

We've decided, therefore to include the lyrics for selected songs in future issues of NL, starting at the very beginning with both sides of their first single.

If you would like us to print the lyrics of any particular songs, please send us your requests at the usual address, and we'll do our best.

EARLY MORNING

*Early morning,
It's cold and the sun is white
For I was born in
The darkness before the light*

*Of a new day
A new way of living
Of giving delight
And if you pay
Then you may be slipping
Back into the night*

*Then all knowing
With words and with pen I write
Of the growing
Of things that are in my sight*

*Early evening
It's cold and the moon is bright
And I believe in
The darkness before the light
Of a new day*

MR. SUNSHINE

*I am walking in a dream
Everything I touch it isn't real
People aren't just what they seem
And I really don't know what to feel
Mr. Sunshine's not for me*

*I don't mind the sky of blue
Or the honey clouds that wander by
When that orange thing comes through
I must look away or think I'll die
Mr. Sunshine's not for me*

*Blacker days I'll never see
And I curse your light a hundred times
When you shine your rays on me
I must hide my head or lose my mind
Mr. Sunshine's not for me*

*My old man says I am mad
Said that things were saner in his day
But I didn't listen Dad
All the words you said I threw away
Mr. Sunshine's not for me
Mr. Sunshine's not for me*

blue john's guitar blues

John Lees is not the most technically dazzling guitarist ever to grace the Rock 'n' Roll Premier Division. Bearing little, if any, resemblance to the popular concept of the "guitar hero", he has, nonetheless, the singular ability to evoke a mood through the subtle and (d)instinctive nuances that permeate his work, taking the music to new dimensions literally with the flick of his wrist.

The hallmarks of John's sound can be traced back to the very first BJH release, the elegant "Early Morning". Here, John offers a sneak preview of the glories to come as his guitar rises exquisitely from the back of the mix in the last verse. So simple, yet so effective...

During the band's Harvest period, John's unmistakable style evolved into a fully fledged BJH trademark. His guitar work on all time classics like "She Said", "After The Day" and, of course, "Mockingbird" gave the music a credible edge that drew critical recognition. On the first two Harvest albums in particular, courtesy of Norman Smith's dynamic production, John's full blooded guitar bursts really do steal the show. Check out "The Sun Will Never Shine" from the debut album, where the guitar fills and the melody lines dovetail sublimely, creating a soaring interplay that is eight miles high.

With his solo album, *A Major Fancy*, recorded at the end of 1972, John took the opportunity to show the full scope of his artistic vision. Ironically, many of the key instrumental passages on the album were not performed by John, but by a variety of guest soloists! However, in "Witburg Night" and "Long Ships" we are treated to blistering guitar solos from John that, whilst owing a little to serendipity, are delightfully uninhibited.

Undoubtedly, some of John's finest lead work is featured on the albums between *Everyone Is Everybody Else* (1974) and *Gone To Earth* (1977). Timeless treasures came thick and fast with every LP, from the reverb soaked cry in the dark of "Child Of The Universe" to the tentative soul searching of "Sweet Jesus", where John's playing is so totally in tune (sic) with Les Holroyd's words. However, from *Octoberon* onwards, as the band headed closer to the mainstream and their eventual commercial breakthrough, the gusty, earthy sound that characterized much of John's early work was

traded for a more measured, shimmering, crystalline sound, epitomized in songs such as "The World Goes On", "Suicide", and later "Poor Man's Moody Blues" and the ethereal "Nova Lepidoptera".

Woolly Wolstenholme's departure from the band in 1979, along with the simultaneous advent of micro-chip technology, revolutionized the band's musical approach for better or for worse, depending on your point of view! As they entered the new decade, John's guitar work, after flourishing again briefly on the aggressive *Eyes Of The Universe*, took a supporting role as BJH opted for a more keyboard oriented sound for the albums up to and including *Victims Of Circumstance* (1984). It's probably fair to say that the instrumental highlights from these albums are generally not of the six string variety, but, then, guitar solos were considered rather passé in those enlightened days when the keyboard reigned supreme....

The welcome release of *Face To Face* in 1987 heralded the return of John's guitar back in to the front-line of the BJH sound. The solos in "African", "Alone In The Night" and "Panic" had a bite that had been missing for (too) many years. In "Guitar Blues", John cleverly parodies his own guitar technique to lend weight to the song's theme of 'Rock Star Away From Home'. (Incidentally, Justin Hayward and John Lodge scored a hit single in 1975 called "Blue Guitar" - so, unless you believe in coincidence, "Guitar Blues" is a cheeky extension of the "Poor Man's Moody Blues" pun!)

The two most recent Barclays albums, *Welcome To The Show* and *Caught In The Light* find John again doing what he does best, performing memorable guitar feats that capture the spirit of the music in songs like "If Love Is King", and (dare I say it) "Forever Yesterday".

An appreciation such as this is bound to be subjective, and for that I make no apologies. John might not be the flashiest guitar player around, but over the years he's certainly been one of the most inspired. He hasn't grabbed the headlines in the way some of his contemporaries have, such as Clapton, Page, Hendrix and Townsend, but then John, and Barclay James Harvest, have always let the music do the talking in their own quiet fashion. That's cool.

TERRY LUCK

One club member's recollections of how she first heard the music of BJH...

AT EASTER this year I will have been a BJH fan for thirteen years. I'm quite proud of that, somehow, because I'm of the opinion that I've found something special with this group and its music.

In the Easter holiday of 1982, my half-brother was visiting, and had one cassette with him, amongst others, which I think was *Berlin - A Concert For The People*. When I heard one song, "Hymn", I was fascinated by the sound and by the way in which this music spoke to me. My brother then sent me a cassette, on which he had recorded *Berlin* and *Turn Of The Tide*. I still have it - it's a wonder that it still works, it's been played so often.

Two friends of mine and I (we were about twelve or thirteen years old) even imitated the band, quite primitively and without instruments, just visually and singing along. I was John and put glasses on my nose, Danny was Mel and had a few upturned plastic bowls in front of her, and Martina (because of her long, dark hair) was Les. For "Hymn" we were nearly squabbling, because everyone wanted to sing (we sang along with a cassette of that). Today we laugh about it, but at the time we were really worked up about it.

In the meantime, my record and CD collection is almost complete (including the releases from Woolly, who for me is simply brilliant, as is his classical style). My flat is teeming with butterflies of every kind, from the shower curtain to the enormous wickerwork one on the wall, from the cushions on the sofa to a small lead crystal one in a display case.

Over the years I have been to six Barclay concerts (only, unfortunately). The first was in 1984 at Nürnberg and the latest 1993 in Lichtenfels. The best one for me was on the 25th Anniversary Tour at the Nürnberg Meistersingerhalle. It was all-seated, but after the second song I didn't stay seated any more and at some point I ran forward to the stage

(there were already a few others there, and suddenly the space between the stage and the first row of seats was filled). There was no barrier there, the feeling was fantastic, and I simply couldn't believe it, that I was so close to BJH. Near me were some members of the fan club, as it later turned out, who shouted along with all the words (they were too hoarse to sing any more!). After the concert, I got my first autograph and was overjoyed.

I am sure that I will always love this music, for it touches me very deeply, and often speaks to me from the soul, something like the longing for freedom of a bird ("leave it all behind and spread your wings"), and I can only agree with John's observation: "You know for every feeling there's a song".

EVELYNE EBERT

Coming Soon...

NL reaches number 30 with the September issue - doesn't time fly?! Amongst the features will be more news on whether the court case is finally over and on the band's subsequent plans, plus *Face To Face* in the Album Portfolio, your choice of song lyrics and all the usual features.

NL30 will be sent out at the end of August, and the last copy date for submissions, advertisements etc. is July 10th.

FOR SALE: Monika and Keith's clearout of BJH duplicates continues with a selection of 12" singles:

"He Said Love" (UK) - £5.00; "Cheap The Bullet" (UK, includes different version of "Shadows On The Sky") - £5.00; "Cheap The Bullet" (German pressing, same tracks as UK) - £5.00; "Welcome To The Show" (German) - £5.00; "John Lennon's Guitar" (German) - £5.00; Frank Farian Corporation "Mother & Child Reunion" (German, includes Les and John on backing vocals) - £5.00. Prices include UK postage (extra elsewhere). More than one copy of some titles. Please write first to reserve, to:

KEITH AND MONIKA DOMONE, 117 De Havilland Close, Yeading, Northolt, Middlesex UB5 6RZ

FOR SWAP: *Berlin* 11-track (2x) Polydor "Club edition", Germany, *The Collection*, LP sampler Electrola '81, CD *Live In London 1974*, plus copies on good quality tape of the following: "Paris Theatre 16/11/72" (BBC), "Rock Around The World" (USA promo, 14/10/76), "Interview Album" (France, '84), *Once Again* quad mix, "Live EP", *A Major Fancy* + "Best Of My Love"/"You Can't Get It" single, cover versions of BJH tracks (from 1969-83) and more...

I will swap for any of these items: live recordings during the years (official or self-made) + unreleased versions of *Berlin* and *Treptow*, session recordings, POSTERS and tour programmes. Hope to hear from you! Please contact:

CHRISTIAN BLUM, Neusiedlerstr. 11, A-4060 Leonding-Doppl, AUSTRIA

[or ☎ (code for Austria) + 732-68 14 80]

I STILL HAVE three promo CD singles of "Who Do We Think We Are", and would like to swap each for one CD album of my choice. Please write to:

STEFAN BOUTON, Straßburger Straße 57, 10405 Berlin, GERMANY

FOR SALE OR SWAP: Pink Floyd Live LPs: 2LP *Live In Brescia 1971*, *Echoes 1972*, 2LP *Eclipse (Dark Side Of The Moon Live) 1973*. Good sound quality. Will sell or swap for BJH or Pink Floyd items. Contact:

PATRICK CROSS, 16 Croxall Court, Armond Road, Witham, Essex, CM8 2HR, UK.
Tel: 01376 510052 or 0585 264300.

WANTED TO BUY/SWAP: "Panic" CD single; *Once Again* Quad version; 1984 Interview Album; "Who Do We Think We Are" CD promo; *Excerpts From Welcome To The Show* CD promo; "Child Of The Universe" 7" U.S.A.; John Lees' "Best Of My Love" single; Tour programmes **except** for 1975, '76, '78, '80, '92; *Victims Of Circumstance* video; *Caught Live* video.

To Swap: *BJH Live In London 1974* CD; "Negative Earth" flexidisc; *BJH Live EP (P/S)*; BJH live tapes - send s.a.e. for list. Contact:- TERRY LUCK, 32 Granville Street, Gateshead; Tyne & Wear; NE8 4EH.

WANTED: did any club member record a BJH Special on MTV? If so, I would like to get a copy on video. Please contact:

MICHAEL NEUMEISTER, c/o Esther Keller, Avenue Eugène Lance 80, CH-1212 Grand-Lancy, SWITZERLAND

I AM LOOKING FOR tour posters of the *Welcome To The Show* (1990) and Jubilee tours (1992), ideally from Munich ('90) and Augsburg ('92). Any reasonable prices paid. Please write to:

THORSTEN SOMMER, Auenstraße 7, 80469 München, GERMANY

WANTED: Japanese single "Titles", German single "Ring Of Changes" (only with the black and white, rare cover) and cover of German "Brother Thrush" (even a photocopy will do). Please send your swap/sale lists or ask for my swap/sale list:

HANS-JÜRGEN ZAHNER, Pestalozzistr. 25,
72475 Bitz, GERMANY

FOR SALE: Woolly Wolstenholme *Mastoso* LP (German) and an *Early Morning Onwards* LP (black cover, German), for DM10,- each plus postage. please write to:

GREG LELLEK, Theodor-Heuss-Straße 9,
38444 Wolfsburg, GERMANY

FOR SWAP ONLY: "Panic" (German CD single); "Stand Up" (Dutch CD single); original promo photos (1977/1978) and posters ("BJH Live"); posters/clippings from German magazines.

Looking for: interesting live recordings or items from the '70s. Please contact:

MARCO DE NIET, Jan Van Riebeekstraat 477,
2595 TX The Hague, THE NETHERLANDS

I HAVE FOR SALE East German LP on Amiga label, *Barclay James Harvest* (cat. no. 856 127). Offers, please. Also available - sale list with rare records and tapes. Send U.S.\$2.00 for your copy to:

WOJCIECH ZAJAC, P.O. Box 114, 31-829
Kraków 31, POLAND [Fax +48-12-33 60 07]

CONGRATULATIONS to Carol Howitt, who married Peter Bennett on May 6th. If he's not a dedicated BJH fan yet, it can only be "a matter of time"...

CONGRATULATIONS also to Birgit and

Micki Scherrer, who became the proud parents of Nina Vanessa (there **had** to be a BJH reference in there somewhere!) on December 7th. How do you feel now?

FELICITATIONS are in order, too, for Peter and Tracey Martin-Brooks, whose daughter Laura Beth was born on March 21st. There seems to be something of a baby boom in the club at the moment...



FREE SMALL ADS!

To advertise free in the next issue of Nova Lepidoptera, just send the wording of your advertisement to us at the usual club address, to arrive before the copy

The Song They Love To Sing

Text & Musik: Les Holroyd

Intro

Am G F

mp

Am Am

1. The day — be — gins, rid — ing — a rain —
And all — a — round peo — ple — are wak —

2. The time — has come, fol — low — the spot —
And in — the air mu — sic — is play —

(2.x) (2.x) *mp*

(43) *ab D.S.* (43) *etx.*

Fj7 G

— bow, in her hand to drive a — way the night — a — gain; noth — ing has —
— ing of them all has gone to rest he passed — the test, leav — ing the —
— light — ing the scene, an — oth — er world, the flags — un — furled in — to the —
— ing — ots of gold fall to the ground, cre — a — ting sound in — to the —

Am Am F Am

changed,
stage.
sky.
night.

Time goes sail — ing on —

mf

1. Slow-ly the crowd will ap-pear, and in-to their ears, the
 2. In-to the light dis-ap-pears, and still in the ears,

sing they'd love to sing for-ev-er, To-mor-rows come, to-

-night lives on for years.

Un-der a set-ting sun spir-i-ting sha-dows a-
 peo-ple run watch as the band start to

1 Am 2 D Em⁷

way, won-der-ous
nur 1. x
play.

D Em⁷ D

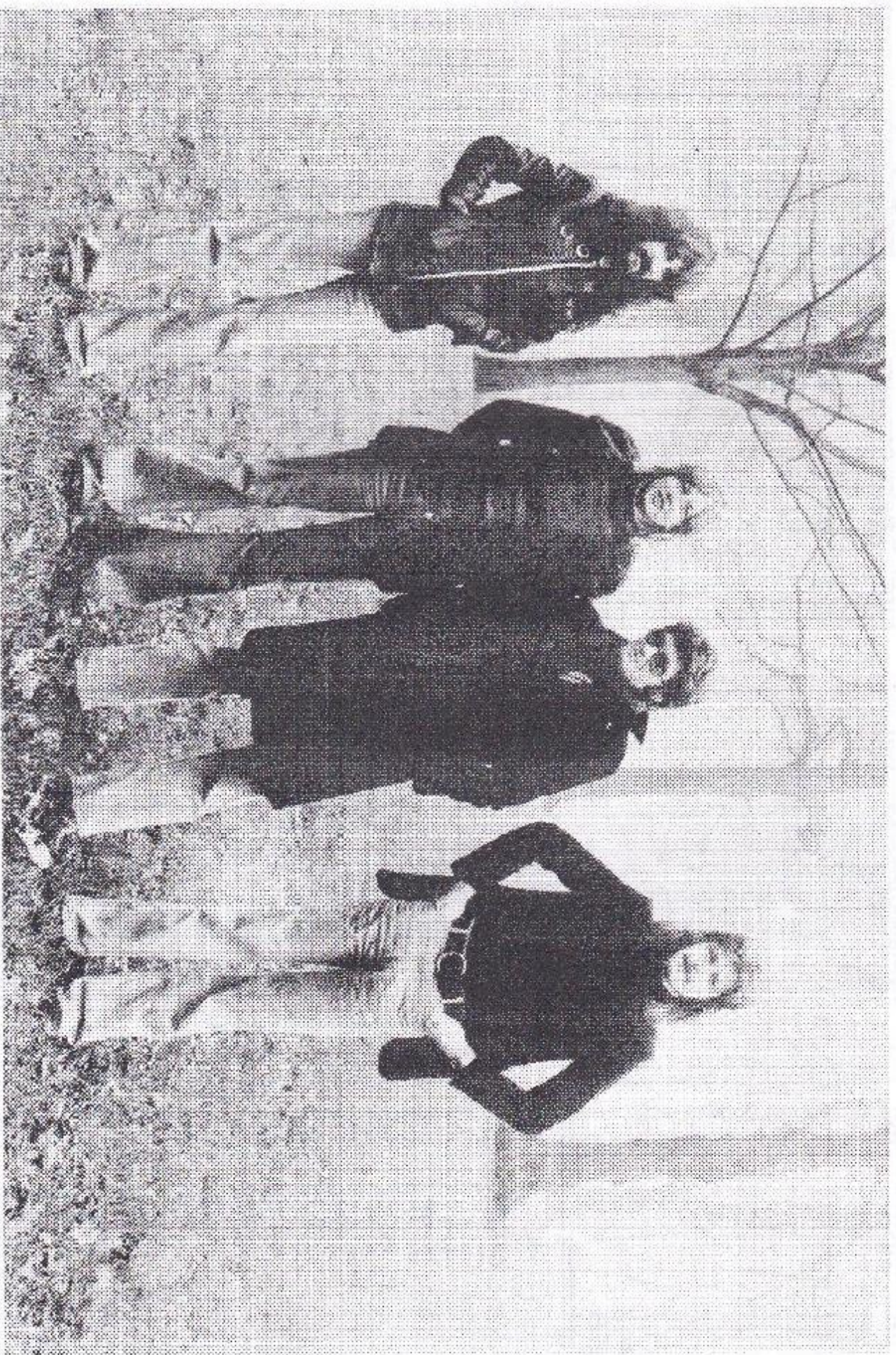
The song they'd love to sing for ev -

1 Em⁷ 2 Em⁷ D

er. er. The song.

Em⁷ D Em⁷ D

3, + 4, x 8va
4x



BARCLAY JAMES HARVEST



**For the latest news about Barclay James Harvest and
related information, call:-**

THE IBJHFC HOTLINE
0891 299 736

**(Calls charged at 39p per minute off-peak, and 49p per
minute at all other times.)**

- ① hear the latest news first**
- ① recording updated every two weeks**
- ① tour news**
- ① excerpts from CDs**
- ① reissues update**