

An Unusual Negotiation

“Hello. Hello. Is this Harry?” “Yes it is. “Harry, this is Nick, Willis Nichols. I am calling you from the island of Saint Vincent in the Caribbean in the Grenadine Islands.

I need you to be here next Friday afternoon a week from today. Can you clear your legal calendar for about 10 days? Harry, this is really important.” “What’s up down there Nick, what’s going on?”

“There is an island here in the Caribbean that we want to buy. You will not believe how beautiful it is and it is for sale. The island is 125 incredible acres, unbelievably beautiful . The name of the island is Petit St.Vincent, called PSV,

“ Where is it? What country is this island in

“It is the country of Saint Vincent and the Grenadines. Look on a map of the Caribbean. You can find it. Book a plane to the French island, Martinique. Take a taxi from Fort de France where you will land. Go to the public dock. We will meet you there at about 4 o’clock on Friday.”

“Can I bring my wife Ann?” “ Yes of course. She will not be in the way of anything that we will be doing.

Nick continued, OK we will see you around 4 o’clock on Friday at the Fort de France public dock. We will be sailing in from the south on the 80-foot yacht, the Jacinta.

She is a unique, extraordinary sailing vessel with twin masts exactly the same height. She will be flying a jib, a genoa, a mains’l and a fors’l. and maybe even a tops’l. If we are not tied up, or you do not see us, call the harbormaster. ”

There was no way that I could refuse though subsequently it had its daunting aspects. I would later find out that there could be large and substantial risks. I cleared my calendar for the 10 days.

Ann and I could not believe what was happening. We would be on a sailboat in the Caribbean. I would be legal counsel helping to buy an island. Was this a dream?

My research showed the name of a separate country, St. Vincent and the Grenadines. The country consists of the large island of St. Vincent with its capitol, Jamestown. The next island is the beautiful Bequi, then Mustique, owned by Princess Margaret, then Cannouan and Carriacou. PSV is a small island 45 miles south of Jamestown. There are also many smaller islands and cays, all Caribbean hangouts.

Jamestown has a magnificent harbor, however strong winds can cascade down the southern mountain slope creating what the natives call a “willi wog”. It can and does lay on their side large sailboats. Later we were the victim of a “willi wog” which would have rolled Jacinta on her side but instead the mains’l ripped apart saving Jacinta from a possible capsize. We felt blessed.

Ann and I booked a flight to Miami and then via Pan Am to Jamaica, then to Guadeloupe and to Martinique. These two French islands are in fact Departments of France in the same way that Alaska and Hawaii are part of the United States.

We landed at the Fort de France airport then took a taxi to the public dock. We looked out over the blue expanse of the Caribbean then saw just a speck of white, then as she sailed closer we saw the two masts, equal in height, the Jacinta.

As predicted she flew a jib, a genoa, a mains’l, a fors’l, and a

tops'l. Puffs of white clouds hovered in the sky above mimicking the full white sails of Jacinta on a bluer than blue Caribbean Sea.

We went aboard Jacinta walking on well worn, but magnificent teak decks. She was an old boat. Her rigging and stay wires went in every direction. We were warmly greeted by Nick and his wife who had chartered Jacinta. The purchase of PSV was on their agenda, let's get it done, let's buy the island .

We met the owners of Jacinta, Haze Richardson and Doug Terman. Both engineers and had recently been Captains and pilots in the Army Air Corps. They were 33 years old, lean, tan and lithe, both with contagious, venturesome attitudes. They also had a keen interest in the purchase of PSV but knew they needed another adventuresome person with deeper pockets than theirs. Nick and his wife filled the bill.

On board we met the deckhand, Les, razor thin, long muscled, strong and over 6 feet tall, a 20 year old caramel colored Caribbean native. Over many days we watched him climb the rigging like a monkey actually wrapping his toes around unstable ropes. He moved up and down setting, securing or lowering the sails.

We also met the comely cook for the Jacinta, , Sonya, an attractive, young girl from Sweden.

That first night we sailed south, the beginning of a beautiful voyage. You need to have been there. The full moon seemed to float high in the sky, lighting our way. The trade winds as usual blew west to east at about 8 knots per hour, absolutely perfect for our north to south journey, and the same trade winds that originally brought Columbus here. Our full compliment of sails had been set.

Doug took the tiller for the first leg of the trip. I sat alongside him absorbing the breeze, the speed and direction and most of all the

deep, deep blue of the Caribbean. Due to the direction of the wind tacking was not necessary. We were on the same slight reach for the entire 8 hour sail. No coming about. We talked and listened and learned.

The steady wind played its own tune on our rigging. Creaks from the old wooden hull marked a musical beat. The whitecaps rhythmically guided our path. Flying fish began to appear, shooting out of the water, luminescent from the moonlight, then cascading into the sea. There was magic in the air

During next four hours the watch was taken by Haze and Les.

Nick sat with Haze and Doug and I to explain the mission. The three of them had sailed often past PSV. Nick described the island as 125 magnificent acres with their wide, white sandy beaches. A slope on the south side of the island climbs to 500 feet, fully majestic. Coves and inlets weave in and out of the shoreline creating hidden hideaways and private places for picnics and swimming and whatever else.

Nick continued, saying that the owner of PSV is a woman by the name of Lilly, Lilly Bettel. She lives on Petit Martinique an island slightly larger than PSV. It is immediately adjacent to PSV just 2 miles away. Lilly came from an old family in Trinidad and is a cousin of the Archbishop. We knew she was not poor, and was quite probably well educated.

She had four sons. Three of them had recently drowned in a boating accident. She had wanted to leave PSV to the three sons. She disliked immensely the fourth son which is why she wanted to sell the island rather than let the fourth son have it.

We anchored off of PSV in the morning. We took our Zodiac, a very fast, rubber fashioned craft just two miles to Petit Martinique where we were greeted by a Caribbean tanned woman who said “come with me. Lilly Bettel has been expecting to greet you.” We walked up a path to the top of the hill. Lilly gave us a warm welcome and a friendly greeting from the chair in which she remained sitting.

She said that she did want to sell the island of PSV because of the shipwreck and death of her three sons. She wanted \$50,000 for the 125 acres. “I will have my counsel in Trinidad prepare a deed of conveyance to you.”

Nick, Haze and Doug nodded to each other and then to me. I said to Lilly that we are willing to pay the price that you have asked \$50,000. Would you like to receive a down payment to bind the transaction. “No, but the next time you come to see me please bring some peach brandy, which I love. To bind our transaction we will take a sip together. What better way could there be to confirm our contract. I promised her that we would do just that. Lilly Bettel was indeed an intelligent woman with more than a modicum of charm.

I said to Lilly that I would like to have a contract in writing. She again indicated her sophistication by saying “yes and it would be particularly important if I died.” On the spot I wrote a short but tight contract which Lilly, Nick, Haze and Doug signed. We gave her one BWI (a British West Indies dollar) as an addition to our later to happen, peach brandy sipping and promised to bring her a copy of the agreement.

On our parting she frowned saying that the transaction would probably not take place very soon. You need to get a license to allow you to purchase land. That will not be easy for Americans” This turned out to be fretfully, and perhaps expensively true.

Back aboard the Jacinta we decided to buy Lilly a wheel chair as it had been apparent that she could not walk. We also determined that six bottles of peach brandy would certainly be in order.

We picked up the wheel chair in Jamestown, and the six bottles of peach brandy. The next afternoon we Zodiacked to Petit Martinique where we tied up at the dock. We had put the brandy into three separate brown paper sacks.

The entire population of Petit Martinique had followed our trip to the dock. There were at least 40 people lining the pathway up to the home of Lilly Bettel. From the whispered conversations we were certain that the entire population believed that we had the money in the sacks to pay for the island.

Lilly laughed about the native's thoughts that the money was in the sacks. She knew she would ask us to wire the funds to her bank account in Trinidad. She was grateful for the wheelchair and eager to toast each other with the peach brandy which we did with broad smiles of satisfaction.

A day or two later on Sunday morning I asked Haze to drop me off at Petit Martinique. Bells were ringing from the small chapel preparing for the Sunday morning Catholic Mass. I asked Haze to pick me up about 1130 when Mass would be over. A priest arrived from another island. There were about 30 young children attending the Mass and perhaps 10 adults.

Midway through the ceremony to my great surprise, all 30 of the children quietly filed out of the church. I went outside to see what was happening. The 30 children went down to the dock where a fishing boat was moored. Each child picked up a four bottle size wooden case marked Mt. Gay Rum and carried it back to the

basement of the church, stowing it behind a concrete wall, well hidden. Each child made four to five trips stacking the wooden cases behind the concrete wall.

I was watching a well kept secret, the center of the rum smuggling trade in the islands. These young children were all under age so they could not be arrested. No one else would dare to mention what was occurring. I went back into the church. After communion I thought the priest had put a touch of the Mt. Gay rum in the communion wine, maybe to implicate all of us if a problem arose.

Perhaps the wreck of her boys was not an accident. Smuggling can and does turn both dangerous and vicious.

We met with a good local lawyer in Jamestown. He immediately gave us very bad news. He advised us that we were not British citizens and therefore could not own PSV either directly or through a corporation. Only British Citizens have the right to own land in St. Vincent. The requirement could be waived if Parliament passed a law granting a license to non citizens or non citizen corporate shareholders. Violation of the ownership law would result in complete forfeiture of PSV whether developed or not.

The lawyer said the Queen appointed the British Governor but he had no authority over licenses. Only the elected Parliament through the elected President, had licensing authority. The President, called Mr. Joshua by everyone, was the powerful leader who totally controlled every vote. He is ominous but in the past has shown a great preference to deal with corporations and not individuals. I would advise you to incorporate before you attempt to see Mr. Joshua.

We instructed the lawyer to prepare PSV incorporation papers and documentation for Mr. Nichols to contribute \$50,000 and receive 10,000 shares; Mr. Richardson and Mr. Terman to contribute Jacinta as the office for the corporation and receive 5000 shares each and for Mr. Santen 1000 non voting shares to do the legal work.

The lawyer said come back the day after tomorrow at 2 in the afternoon to sign the papers.

This gave Ann and I the opportunity to go snorkeling the next day. We went with Les who took us to a good coral reef on the east of the island. This reef was the home for multitudes of schools of colorful tropical fish, red, green, and orange and small black fish with white stripes that followed one another in a line.

We were careful to not wear rings or jewelry, or anything that was shiny or sparkled. We had heard that barracuda are much attracted to such objects. They were known to attack to obtain those bright objects, and they were well known native fish.

We were leisurely snorkeling when suddenly Ann let out a blood curling scream. She yelled barracuda, barracuda. I swam to where she was. I saw this large, long, skinny, athletic looking barracuda only five feet away. The barracuda was over four feet long. I could see clearly the two rows of sharp pointed teeth. I swam between Ann and this lethal looking creature. Ann, in mortal fear, managed to swim back then quickly climbed into our Zodiac.

I swam partially underwater, on my back so I could see the barracuda. It followed my every move. If I went faster so did he. If I swerved right so did he. If I stopped, so did he. My pulse was racing because of my fear. I knew that a four foot barracuda with its double rows of pointed sharp teeth above and below would make

steak tartar out of me in a split second. I finally got back into the Zodiac heavily breathing sighs of relief.

The next day we signed the incorporation papers then called the office of the President. I was able to secure an appointment with Mr. Joshua.

Nick and I rode in a taxi toward the highest point in the city. We were stopped twice by soldiers wearing white uniforms and black leather bands crossed on their chests. As we approached each guardhouse four soldiers double timed to the center of the road. The butts of their rifles were tucked under their arms with the business end of the rifles pointing directly at us.

After these encounters, we were not very optimistic about obtaining a license .

We arrived and were escorted into a large spacious office. Mr. Joshua, a dark skinned native Caribbean sat directly in front of a very large glass window. The sun poured through the window over his shoulders then directly into our eyes making it almost impossible to see Mr. Joshua or anything else.

He greeted us, with a certain coolness. He remained seated. He wore a black suit, a black shirt and a black tie. He also wore very dark sunglasses. It felt like he wanted to be almost invisible, to create an atmosphere of total control. He pointed at two chairs in front of his desk for us to use.

It took only minutes to know that our conference would be controversial. Mr. Joshua was a smart, well prepared adversary. He said, "gentlemen, I know why you are here. You want to buy the island PSV from Lilly Bettel. I know that it is for sale. I have not found out the price, but you can be sure that I will. It is for sale

because her three sons were killed in a boat wreck. Rumor has it that there was rum and smuggling involved.

I have found out that you have formed the PSV Corporation and that four of you will be listed as shareholders. I further know that you live in Cincinnati but often go to Lexington where you, Mr. Nichols, own a trotting horse farm. “

Nick and I were more than astonished. He had an almost dictatorial demeanor, not friendly and clearly adversarial.

Then another surprise which later became the key to whether or not we would obtain a license to own PSV. He said “I also know, Mr. Nichols, that you are a golfer. You often play at the Idle Hour Country Club in Lexington, Kentucky where you are a member.

I make it my business to know those who have interests in our islands. You know as well as I do that PSV has an extraordinary gem like quality. It has sandy beaches surrounding it, an extensive and beautiful coral reef, and the best harbor and snorkeling in the Caribbean.

Thus, in my opinion PSV should and must remain a St. Vincent island owned by our own people. I have an almost certainty that our Parliament will turn down your request.

There is, however a realization among us that we cannot obtain the financing to develop the island. So, for the time being it will remain as is.

I will call for a vote on your request. I will be able to tell you within the week whether or not you will obtain the license, but don't hold your breath. My militia will once more give you a special salute

with their rifles as you leave. As we passed, the guards thrust their rifles forward, then quickly snapped them back.

Three days later we received a hand delivered letter stating
“ Permission to purchase PSV is hereby denied.”

We were all deeply disappointed. Nick said lets meet tomorrow morning for breakfast to discuss the issues and make decisions. Lets just relax this evening.

We sat on the deck that evening enjoying glasses of white wine. We watched as Sonya, our Swedish cook, swam toward us completing her usual late afternoon swim before fixing dinner. She wore her customary skimpy bikini. As she got closer she rolled over on her back to do the backstroke. Without any conversation from the four of us we knew and she knew the backstroke nicely revealed her fulsome breasts. We were “all eyes.”

As she climbed the ladder opposite us it was readily apparent that there was not a place on her body that was not tanned. Obviously she swims completely nude when we are away on business. No one mentioned how we could become observers of such a revealing sight.

The next morning at breakfast we decided to continue the PSV Corporation but to consider planning the possible development of a different Caribbean island resort.

We were certain that any planned resort must be a very special and different type of hotel. It should have about 15 rooms. Each room would be in a separate stand alone cottage. Each cottage would be located in a different cove or bay or on the side of the hill. There would be total privacy.

There should be a gourmet restaurant together with a well stocked bar, a connoisseurs wine cellar and a splendid view of the Caribbean.

The separate cottages would not have kitchens. Room service would be available to deliver breakfast or lunch. Each cottage would have a flagpole. The flag would be raised to place orders. Small electric vehicles would be driven to pick up the orders and deliver the food . The resort must be the very best in the entire Caribbean,

The fact that many small Caribbean islands, just like PSV had no water became an essential topic of discussion. Doug and Haze had already talked about making a solar still for fresh water.

Doug explained how to make fresh water by using a solar still. Simply build a concrete trench which must flow downhill then put a dome shaped black plastic cover over the trench. In the hot sun the water will condense inside the plastic tunnel then flow salt free into a buried tank to be dispensed from there.

The following day we anchored just south of PSV to relax and enjoy the view. We were treated to a memorable happening. About 20 sailboats approached. Each boat was about 4 feet long with a mast about the same height. Each boat had a young boy swimming alongside guiding the direction of his sailboat.

The miniature boats cruised around and around Jacinta. The boys shouted hello, hello with a French accent then interspersed with bon jour, bon jour, followed by donez nous, donez nous quelque bon bon, candy, or quelque d'argent, si vous plait, some money They were probably boys visiting from the French Island Guadeloupe. We threw candy and coins which they easily caught. Their sail

boats cruised around us for about an hour then sailed away. Such a memory.

We had been anchored for about two hours, but we could not break the anchor loose from bottom. The anchor winch did not work. We knew the anchor had dug itself deeply into the hard bottom and locked itself in, making it extremely difficult to free up.

Doug said we are going to sail off the hook. This meant that he would put Jacinta under sail with the anchor chain still attached to the anchor. The motion of the boat moving over and past the anchor would pull it loose from the bottom and then it would be easier to bring aboard.

Doug warned that this could be a disastrous move because the anchor chain could break, backlash itself over the boat, hitting any or all of us. A further result could be loss of the anchor.

With Doug at the tiller and Haze managing the sails Jacinta moved under sail slowly over where the anchor was buried. We heard a “thunk, thunk, thunk” and knew the anchor had broken loose. The maneuver had been perfectly and successfully carried out. We cheered. Doug mentioned afterwards that if the anchor had not been pulled free, but had remained buried the masts and spars would have been spewed about probably all over us. We were glad we had cheered.

Although we did not have a license we all agreed that we would keep in effect our agreement for 1 year after which all parties would be free to do as they pleased. None of us were very optimistic. We all also wondered if Mr. Joshua would take any preliminary action against us. In the land of rum running, dark glasses, pointed rifles and knowledge of who we were, our comfort level was not very high.

Lilly Bettel also agreed to honor the agreement for the year.

We flew home thinking that we would go back in three or four months to determine if anything could be done or to find another island.

We wrote letters to every one that we thought would have some influence. Nothing happened. But then, about three months after we had returned I received a telephone call from an operator who said "would you take a long distance call from London with no cost to you?" "Who is calling and what is the purpose of the call?"

The operator did not know the name of the caller nor the purpose. The person making the call had placed it on a non-traceable line.

I said, "ok I will take the call." The man on the other end of the line had an English accent. He began by saying "do you have a client that you call Nick." I said "yes", then "Who are you? Why are you calling?"

"Sir, I will disclose to you the reason for this call. However I will never disclose the person behind this call.

He went on as I listened with increasing but trepidatious interest. "I know that you have visited the island of Petit St. Vincent in the Grenadines. I know that you visited Lilly Bettel, the owner and that you brought to her bottles of peach brandy and a wheel chair. I know that you have a contract to buy the island but you are unable to complete a purchase because you do not have a license to own PSV.

Neither you, nor your client are British subjects nor does your corporation qualify for a license. Your application has been turned

down. I further know that you met with Mr. Joshua who did not seem, in your eyes to offer much respect. He predicted that the legislature would turn down your request. You found out that Mr. Joshua knows his way around as he knew a great deal about you and your client. I know that you did not trust him.

The British accented voice then said peremptorily “ I have a proposition for you to purchase PSV. I have the ability to get the license for you that you need.”

I said to the voice, “this sounds very much like a hoax. Who are you and what are your connections with PSV?” “This is not a hoax, so listen and listen very carefully. Please do not interrupt.

“If you follow my instructions it will cost you a goodly sum of money. You are free to make the decision to follow the instructions or not. It is solely the choice of you and your client.

The decision that I made to receive the instructions was the simple decision. It was the next decision that would be difficult. At this point there was nothing to lose. There was no way to contact Nick because cell phones were not then available.

“Here are my instructions which I assure you if followed will obtain the license for you in exactly 28 days.

Mr. Santen, today is Sunday. Next Saturday, go to the Idle Hour Country Club in Lexington, Kentucky. I am fully aware that you have been there and know the lay out. Arrive between 5 o'clock and 5:15, no later and no earlier. Time will be of the essence. You must wear a McIntosh raincoat with the plaid red and black lining. You need to put 25 \$1000 bills in the right hand pocket of the raincoat

Put the raincoat on the third hook on the left hand side of the coatroom. That hook will be empty.

You must then leave the club completely. You may come back the next morning to retrieve your raincoat. If the 25 \$1000 bills are still in the coat you will know that I feel you have set some sort of a trap and therefore have ended your ability to get a license.

If you have placed marked bills in the coat they will not be returned to you and again you will not get the license. I am certain that you will record and retain the registration numbers on each of the 25 bills. I cannot stop that but I will be able to deposit them without consequences. I have my way of doing just that. If I am not successful in depositing the bills, I will assume that you have by some method blocked the deposit in which event they will not be returned to you, and again no license.

I assure you that if the directions are followed you will get your license. This is not a hoax. Good bye." No more sound. The connection had been terminated. I tried unsuccessfully to contact the operator or reinstall the call. No success.

I called Nick. We met right away. I explained the call. He said \$25,000 is a lot of money to lose on what would appear to be a complete hoax. We thought back and remembered the Idle Hour reference of Mr. Joshua. It gave us pause.

Nick said to me what is your advice, what should I do? Will this be my participation in some kind of an illegal deal? I said "Nick, we do not know for sure who will keep the funds. It could well be the country of St. Vincent or perhaps an individual. We both knew who that would be. It should be considered a payment of a license fee which would be legal. I will place a note in the envelope that the payment is for the license.

Nick said "Will Mr. Joshua be involved? "Almost certainly. Our chance of getting the license ourselves is slim to none. We know this is a rum running area, where bribes probably float about every day. On the other hand we are notifying the recipient that the 25 \$1000 bills are for the license.

Nick said "I will be risking not just the \$25,000 but perhaps the \$50,000 purchase price and maybe millions of dollars in construction costs. Nick walked about the room head down, deep in thought. After a measured silence he said "Lets go for it. I will arrange to obtain the 25 \$1000 bills at the 5th 3rd Bank. You will be able to pick them up next Friday. In the mean time go to Burkhardt's and buy the McIntosh if you do not have one."

I drove to Lexington the following Saturday and down the long Idle Hour drive way . I entered through the front door and went straight to the coatroom. It was 5:10. There were several coats hanging on hooks but the third hook on the left hand was empty. I hung the McIntosh there with the 25 \$1000 bills in the pocket.

There was no one in the coatroom. I did not see anything unusual about the normal club activities. I left and went out the Newtown Pike to Nick's trotting horse farm where I spent the night. I drove back to retrieve the raincoat. I reached in and carefully searched each pocket. The 25 \$1000 bills were no longer there.

I called Nick . He said, "Well, there we are. We have 28 days to know if the license will be granted."

On the 28th day we had heard nothing. On the next day, Sunday we heard nothing. We figured, it was a hoax and determined to try to follow the \$1000 bills. Then on that next day, Monday, I received a call from the St. Vincent Land License Bureau. He said that the

Parliament had by a unanimous vote approved on Saturday the license for the corporation PSV Inc. to purchase the Island of Petit St. Vincent and that an unknown amount had been paid as a fee.

I asked the License Bureau person who had helped or been influential in the passage. He said no one had lobbied for its passage. He said it was a routine vote but the fee amount paid was not recorded upon the order of Mr. Joshua.

Doug and Haze were extremely happy to receive this news. PSV became famous for its reputation as the best resort in the entire Caribbean. It was built just exactly as planned.

Nick and I visited PSV often during construction. We stayed aboard Jacinta. Sonya, the young Swedish chef treated us on occasion to a 'Grand Marnier Souffle'. It was light and fluffy with the Marnier dribbling down each side of this puffed up delight.

We talked often about PSV and the magnificent aromas of Grand Marnier but perhaps we remained too Protestant to talk about the glories of Sonya's backstroke.

hhs, November 12, 2018

