

The Courthouse, Charlestown, Nevis



The Nevis Courthouse in August 2008 (authors' photograph)

Background

The earliest reference to the existence of a courthouse in Nevis is from March 1706 when the French invaded the island and, along with other buildings in Charlestown, burnt it down.¹ It was not re-built but, instead, for a considerable period of time the various courts were held in private houses hired for the purpose. For instance, on 1 May 1711 the Legislature agreed to rent from Oliva or Olivia Williams a house to serve as the 'Courthall' for the Court of Queen's Bench and Common Pleas. Some years later, on 30 September 1714, by way of payment the Legislature approved her request for one year's Tavern Licence plus an additional sum of £3.² In 1732 the house of another woman, the plantation owner Mary Pinney, is known to have been used not just for court hearings but also for other official business. The Legislature paid to make her Mountain House fit for a Court Hall and Secretary's Office.³ Workmen framed 'the end of the Council room'.⁴

At some point during the eighteenth century the Legislature acquired a building in Charlestown which was used as a courthouse.

At a meeting on 24 January 1801 two members of the Legislature, John Richardson and Sholto Archbald, proposed to sell that building and to purchase another, suitable to accommodate the courthouse and other public offices. A committee of five men was appointed: John Hendrickson,

¹ *Boston News-Letter* 13 March to 20 April 1706; reported on 21 April 1706 (Courtesy of Vincent Hubbard)

² UK National Archives (UKNA), CO 155/4 Leeward Islands Council; Assembly; Council in Assembly 1710-1715: 1 May 1711 and 30 September 1714

³ UKNA, CO 186/2 Nevis Council; Assembly; Council in Assembly 1730-1756: 31 May 1732
The house was referred to as 'Miles Wells's house'; Miles Wells was Mary Pinney's servant.

⁴ University of Bristol Special Collections (UoBSC), Pinney Papers (PP), WI Box C: John Edgerley's a/c

Edward Brazier, Joseph Clarke, William Laurence and William Pemberton. At a meeting four days later members specified that it should be a stone building.⁵

It appears that the Legislature sold the building in which courts were held but that the proposal to purchase 'a proper house' in Charlestown either did not progress beyond the appointment of a committee, or that a building was found but that it did not meet all the requirements because some years later the Legislature entered into a further hire agreement. On 25 September 1810 members decided to rent from the free woman Hester Smith a large room 'calculated for the purpose of a Court House' which she was to prepare with a portable partition for the accommodation of the Jury Room and the Council and Assembly. The parties agreed a sum of £140 Nevis currency, which included Hester Smith's adjacent dwelling house. This was to provide 'respectable accommodation' for the Captain General during his forthcoming visit.⁶

Building a new Courthouse

The Legislature reported on 9 February 1811 that the first stone was about to be laid for the new courthouse.⁷

The timing of this appears significant. In the previous year the Court of King's Bench and Common Pleas had heard a controversial and widely publicised case in the 'public Court Hall' in Charlestown.⁸ The case against the planter Edward Huggins for the brutal flogging of a large number of enslaved people had come to the attention of Hugh Eliot, the new Commander Captain General and Governor in Chief. He was outraged that Huggins had been acquitted and, faced with allegations of a flawed indictment, a rigged jury and corrupt judges, the Legislature may have wanted to show Eliot that the island possessed at least a fit and proper place for the administration of justice. Around the same time the Legislature also appointed a new law officer and engaged a mason to build a new jail. Eliot was due to present his commission to the Legislature in Nevis which he did at the end February 1811.⁹

By October 1811 the building was not finished and until the new 'public building' was completed, the Legislature decided to rent another property. Mrs Wolfe was the fourth woman known to have provided this, which shows that throughout Nevis's history women were economically active in the island as property owners or renters. Mrs Wolfe's house was to be used for the Council and Assembly, and on Court days she was to provide a Jury Room, at 66 shillings per day.¹⁰

Around the time of the agreement William Huggins was noted as the contractor for building the new courthouse. Almost certainly the building, as well as much of the furniture, was constructed by enslaved masons and carpenters; for the work on the jail, for instance, members of the Legislature were asked to provide lime and 'Negro labour'¹¹ - just as slaveholders regularly had to make available a number of their people for public works projects, such as roads and forts.

The building certainly was completed by 1816 when a doorkeeper, Mr Brooks, was mentioned as having neglected his duty at manning the courthouse. He was to 'forfeit his job' if the inattention persisted.¹²

The layout of the structure was described by the Commissioner charged with reporting on the Administration of Civil and Criminal Justice in the West Indies. The Commissioner noted: 'There are two public offices ... the secretary's and the marshal's',¹³ and the rooms are admirably calculated for

⁵ Archive of the Nevis Historical and Conservation Society (NHCS), RG 1.12 Meeting of Nevis Council and Assembly; Meeting of Legislature, 24 and 28 January 1801; see also Eastern Caribbean Supreme Court Registry, Nevis CR 1801-1803 ff105-11 regarding land sold for 'a public Court House and other publick uses'.

⁶ UKNA, CO 186/9 Minutes of the Legislative Council 1810-1812

Hester Smith was also to provide the public entertainment during the Captain General's forthcoming visit.

⁷ UKNA, CO 186/9 Minutes of the Legislative Council 1810-1812

⁸ Miscellaneous Accounts and Papers, Session 1 November 1810 to 24 July 1811 vol XI Papers Relating to the West Indies pp25-26

⁹ UKNA, CO 186/9 Minutes of the Legislative Council 1810-1812: 28 February 1811

¹⁰ UKNA, CO 186/9 Minutes of the Legislative Council 1810-1812: 29 October 1811

¹¹ UKNA, CO 186/9 Minutes of the Legislative Council 1810-1812: 2 October 1810

¹² UKNA, CO 186/11 Minutes of the Legislative Council; Assembly 1816-1818: 28 September 1816

¹³ The 'Secretary' mentioned here was the Secretary of the island and to the island's Council and Assembly while the 'Marshal' was the Provost Marshal.

The secretary's office was in 1819 occupied by John Robert Small. Following a hurricane he asked the Legislature for permission to use some public land adjacent to the court house for raising vegetables (UKNA, CO 186/12 Legislative Council;

the purpose, being two wings of the Court-house, and [made] entirely of masonry except the doors and the windows'.¹⁴ Henry Nelson Coleridge, the nephew of the poet Samuel Taylor Coleridge, visited Nevis in 1825 and described a slightly different layout and provided additional information:

The Court House is a handsome building with a square front; it contains a hall on the ground floor for the Assembly and the Courts of Law, and another room upstairs for the council. The public offices are all placed at one end of the hall. The chairs for the members, the table, railing, and the whole furniture is remarkably neat, and put me in better humour with these notable legislatures than any I had seen elsewhere.¹⁵

It is likely that Coleridge would have seen the latest improvements; a year earlier the Legislature had agreed to allow Webbe Hobson, who also acted as Sergeant at Arms, £5 Nevis currency for superintending the work of enclosing the courthouse yard. It would have been his job to procure the materials and, since this was a public works project, to requisition a number of enslaved people to carry out the job.¹⁶

By 1829 the building was in a poor condition: several doors, windows and shutters needed to be repaired, the roof had to be shingled and the gutters leaded while some of the balustrades of the staircase required replacing. The Legislature invited tenders, also for repairing the gaol.¹⁷ A free mixed-race man, the carpenter James Herbert, was awarded a contract but was slow in completing his work on the doors and windows.¹⁸

The fire of 1837, which devastated many buildings in Charlestown, does not, contrary to some claims, seem to have destroyed the courthouse because the Legislature discussed repairing it. For instance, in 1841 President James Daniell wanted to know the cost of repairs to the courthouse and the house used 'at present as Government House', and its value. John Thompson was contracted to carry out the work in the courthouse: to erect a dock for prisoners and the witness box. For this he was paid £6:16:0 Nevis currency.¹⁹

Building a post-Emancipation Courthouse

Two years after John Thompson had completed the work, the courthouse fell victim to the 1843 earthquake.

On 8 February the earthquake struck at about 10.30 in the morning. Guadeloupe and Antigua were particularly hard hit. Referring to Nevis, Captain William Hemsly of the Steam Packet *Dee* reported on 13 February to Sir Charles Grey, Governor of Barbados:

Charlotte (sic) Town Court House to the ground; Bath House, much damaged; custom house partly down, and all the mills in the island more or less injured; nearly the whole of the town destroyed; most of the wood-built houses are left standing; all the stone buildings are so injured that they must be taken down and rebuilt; estimated damage at £50,000 Sterling; only two mills on the island that can be worked.²⁰

Confirming Captain Hemsly's report, residents reported that the damage was indeed very extensive: the courthouse was 'nearly level with the ground: the Secretary's Office quite gone, and the Marshal's split and cracked in every direction.' 'In this sad short space of Time the Court House, the ornament of our town, including the Secretary's Office was destroyed...'.²¹

Assembly 1819-1825: 2 December 1819). The hurricane had caused food shortages and much damage to buildings but appears to have spared the court house.

John Robert Small also held the post of Registrar of Slaves. During the period when the British government required all slaveholders to register their people the court house was central to that process.

¹⁴ 'Third Report of the Commissioner of Inquiry into the Administration of Civil and Criminal Justice in the West Indies: Antigua, Montserrat, Nevis, St. Christopher and the Virgin Islands' dated 5 October 1826, published House of Commons 1827

¹⁵ Henry Nelson Coleridge *Six Months in the West Indies in 1825* John Murray, London, 2nd edition, printed 1826 pp188-89

¹⁶ NHCS, RG 1.23 Nevis Council Minutes 1823-1827: 26 August 1824 and UKNA, CO 186/13 1828 Accounts

¹⁷ UKNA, CO 186/13 Legislative Council; Assembly 1826-1829: 11 July 1829 and 16 July 1829

¹⁸ UKNA, CO 186/13 Legislative Council; Assembly 1826-1829: 10 September 1829 and CO 186/14: 25 August 1832

¹⁹ UKNA, CO 186/16 Legislative Council; Assembly 1826-1829 1839-1842: 29 April 1841 and 29 July 1841

²⁰ Hampshire Advertiser, Southampton, Hampshire (Risley Guadeloupe earthquake) 25 March 1843 p4

<https://www.newspapers.com/article/the-hampshire-advertiser-hampshire-adver/24849007/>

²¹ Letter from Nevis published in the *Barbadian*, 4 March 1843 and extract from a letter from Nevis, 9 February 1843

Mr Graeme, the President Administering the Government, described how he had found 'the west end of the Court-House had fallen in, burying [his] own office, and that of the Colonial Secretary, in its ruins ... The unsafe and dilapidated state of the Court-House left standing rendered it dangerous to employ workmen in searching the ruins for the public correspondence and records of the Island. [He] therefore decided to have it levelled to the ground, a service which was promptly executed by the seamen of the merchant vessels in the harbour.'²² This was done on the very day of the earthquake which means that the earliest the present courthouse could have been built was 1843.

The inhabitants of the island appealed to the Queen for relief and it is interesting to note that, rather than first mention the damage caused to private property or other public buildings, the petitioners opened their address by stating that the courthouse had 'been thrown down'.²³ They thereby underlined the importance they attached to the building and its contents; the fact that people rescued a large number of volumes which today are still stored in the courthouse vault shows how much they valued these documents.

The British government made available a loan of £12,000. By way of accounting for this, the island's financial records for 1859 included the sum of £4,280 for rebuilding the courthouse and repairing parish churches.²⁴ It is likely that the work had been completed some years before: since at least 1851 Cecilia (Celia) Bertrand was employed as Keeper of the Court House at an annual salary of £12. She held the post until at least 1866.²⁵

Various sources suggest, without supporting evidence,²⁶ that the courthouse was destroyed in 1873 but in his book *Swords, Ships and Sugar*, Vincent Hubbard wrote:

'In 1873, the Court House caught fire and a police constable was dismissed for allowing it to start. The damage was not great and the fire was extinguished before it engulfed the entire structure.'²⁷

According to Norman Maynard's recollections, it was James Spencer Hollings, a very active engineer and owner of a number of estates in Nevis, who 'put up the clock on the Courthouse'.²⁸

The latest known damage to the courthouse occurred in the early 1950s. On 27 December 1950 St Kitts and Nevis were shaken by an earthquake which was followed by a series of declining shocks. More than 150 occurred throughout January 1951. An elderly Nevis resident, Maude Crosse, later remembered that 'All buildings in Charlestown shook. The west end of the Courthouse fell and several other buildings and churches and schools suffered damage.'²⁹

Christine Eickelmann and David Small
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²² *Parliamentary Papers: Accounts and Papers – Colonies* vol. 33 (1843) *Further papers relative to the earthquake in the West Indies* pp6-11 Letter dated 8 February 1843 from L Graeme, President Administering the Government, Nevis, to Sir Charles A Fitz Roy, also Dispatch dated 8 March 1843 from Governor Fitzroy in Antigua with enclosures and petitions from Nevis. These included a report from James Davoren, Superintendent of Police, Nevis dated 12 February 1843

²³ *Parliamentary Papers*, Volume 33 pp6-7 Enclosure 1 in No 2 'To The Queen's Most Excellent Majesty', 21 February 1843

²⁴ UKNA, CO 187/33 Blue Book Nevis 1859

²⁵ UKNA, CO 187/25, CO 187/33-35, and CO 187/40 Blue Books Nevis 1851, 1859-1861, and 1866

²⁶ For instance Joyce Gordon *Nevis - Queen of the Caribbees*, 4th ed, Macmillan Education, London 1998 and Carleton Mitchell *Isles of the Caribbees* National Geographic Society 1966 p134

²⁷ Vincent K Hubbard *Swords, Ships & Sugar: History of Nevis* Premiere Editions International, Oregon, 2002 p183

Although Hubbard gives no source for this, the level of detail suggests credibility.

²⁸ Norman Maynard 'Nevis at the turn of the century', NHCS Newsletter, November 1987

Hollings lived on Stoney Grove between 1881 and at least 1916.

²⁹ Article entitled 'The Nevis Earthquake of 1950' and attributed to 'PL Wil(l)more' but containing interviews with several people who were living in Nevis during the 1950 earthquake (*The Gathering* (NHCS Newsletter) September 2009-January 2010 Issue 89 pp16-17); see also PL Willmore 'The Earthquake Series in St Kitts-Nevis, 1950-51, with Notes on Soufriere Activity in the Lesser Antilles' in *Nature* 10 May 1952 vol 169 pp770-772, as well as GR Robson, KG Barr and GW Smith 'Earthquake Series in St Kitts-Nevis, 1961-62' in *Nature* 8 September 1962 vol 195 pp972-974