

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>863</i>	Press
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27-28		
Dated	<i>3.6.863</i>	~~10~~

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
3rd June 1863.*

No. 27. Read the following letter from F. B. TEMPLER, Esq., Colonial Secretary Colombo ;
to the Chief Secretary to Government, Fort Saint George, dated Colombo, 21st May
1863, No. 17.

I am directed to transmit to you, for the information of the Honorable the Governor of
Madras in Council, the annexed copies of a further correspondence relative to the Schooner
"Sphynx," and to request that the instructions which you were asked to be good enough to give
by my letter, No. 9 of the 17th ultimo, may be countermanded.

No. 28. ORDER THEREON, 3rd June 1863, No. 863.

Communicated (without enclosures) to the Master Attendant at Madras and to the Magis-
trates of Maritime Districts, in reference to the Order of Government, dated the 4th ultimo,
No. 678.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

I, the undersigned Taylor Dunn
Schultze make oath that Mr
Du Verge appeared at my office on
or about the 11th April accompanied
by Mr Lape Junior his Dubash and
represented himself as the captain
of the British Schooner "Sphinx"
which vessel he stated had arrived
off this Port on the 8th April - that he
came on shore for the purpose of
purchasing provisions but that
he had left instructions with
Mr Purin whom he called the
Mate of the "Sphinx" to remain off
the Port till his return - but that the
vessel had disappeared - he further
stated that there was a large
quantity of specie on board
consigned to Messrs Regnaud & Co
Cochin the consignees of the cargo &
having heard that I was conversant
with the French language he asked
me to assist & advise him how to
proceed in the matter - I recom-
mended him to telegraph at once
to Pambou & Manass to ascertain
if

if the vessel had passed the Straits
these telegrams were drawn
by me & verbally translated to
him, before he signed them. I
thereupon drew out an affidavit
in the office of Mr Cappel the Inspector
of Telegraphs whom I had consulted
how best to act Mr Cappel was
present speaking the French
language he conversed with Mr
Du Verge who told him that he
was the Captain & that Mr Hurin
was acting as the mate on board
the "Sphinx". His affidavit was
translated by me into French
before Mr Cappel & Mr Curguenven
a Justice of the Peace who was
present before whom it was
signed. The affidavit was at once
addressed to the Colonial Secretary
in a letter from the Capt. likewise
translated & one from my firm
written by me, requesting the
Gov. to assist Capt. Du Verge, in
getting the vessel stopped should
she attempt to put into any of
the Ports on the Indian Coast
the

the letter was personally delivered
by myself and Capt. Du Verge
to Mr Swan the Assistant Colonial
Secretary who promised to forward
it to the Governor.

On the 13 of April Capt. Du Verge
sworn another affidavit before
Mr De Sarain the Police Magistrate,
which was translated into French
by me in presence of the Magistrate
signed by him. I advised Mr Du Verge
to have a Protest drawn up. This
was done by Mr A Andree, who
understands French & we
both translated his statements
into English. The Protest when
ready was again word by word
translated by me into French
in the presence of Mr Andree.

The different telegrams sent
to Mr Reynard & Co were dictated
to me by Mr Du Verge. I put them into
English & before he signed them I
again translated into French. Mr
Du Verge stated that Mr Charles Daniel
of the firm of C Daniel & Co Mauritius
was

was a Cousin of his & these parties
being Correspondents of ours, I
thought it my duty to render
them assistance.

Having since been informed
that Capt. Du Vergé denies before
the Magistrate at Cochin that
he had called himself the Captain
of the "Sphinx" & has stated that
he was totally ignorant of the
contents of the different telegrams.
I hereby most solemnly swear
that his statements are utterly
false (and) I accuse him of
perjury & fraud for having
obtained money from my firm
under false pretences.

The following Gentlemen
will be able to prove the correctness
of my statements.

Mr Cappel	Mr Pape
" Grandidier	" J. W. Modder
" H. Bois	" J. Botton
" A. Andrie	

Signed N. D. Schultze.

Sworn to before me this thirteenth
day of May 1863.

Signed D. C. De Saram
D.P.

Colombo, 5th May 1863.

Hon^{ble}
The Colonial Secretary.

Sir,

We have the honor to acknowledge
receipt of your letter of this day, on the
subject of the "Sphinx" and we beg to annex
for your information copy of a letter addressed
by us to Messrs. Regnaud & Co. Cochin in
reply to a Telegram sent to us a few days
hence, which will explain the circum-
stances under which we have been
imposed upon regarding Mr. Du Vergé's
position.

If desired by you we shall be happy
to furnish you with a copy of the Protest
made by Mr. Du Vergé setting forth the
occurrences which he states to have taken
place from the day the vessel left Marseilles
until her arrival at Colombo.

Regretting that we should have
put you to so much trouble in this
matter.

We have &c.
N. D. Schultze & Co.

Copy 1

Ms Bengal Steamer
via Madras.

Colombo, 2^d May 1863.

Messrs Regnaud & Co.
Cochin.

Dear Sirs.

We have duly received your telegram of the 29th Ult^o by which we learn to our great surprise that Capt^l Du Vergé dined before the magistrate all his telegrams in which he styles himself as Capt^l of the "Sphinx". The telegrams in question were verbally translated to him before he signed them; in fact we were very careful in asking him several times if he really was the Captain, when he replied to your telegram in which you state that Capt^l Durbin was the Capt^l and not Mr. Du Vergé. He at the time most positively asserted that he had the entire charge of the vessel and navigated her as far as Colombo. The statements were not only made before us, but before other parties and if required we can send you affidavits to that effect, but the enclosed Protest and copies of affidavit sworn by him before a Justice of the Peace, will speak for themselves and

and we are entirely at a loss to understand the proceedings of Mr. Du Vergé, who must be either a madman or a Swindler & Impostor.

Being a perfect stranger in this place, he addressed himself to us & asked us for advice, he told us that he was a cousin of Mr. Charles Daniel Mauritius, & as Messrs Daniel & Co are correspondents of ours, we did all we could for him in the matter, & we thought it our duty to take such steps as appeared necessary to trace the vessel. In doing so we have incurred considerable expenses in telegraphing &c, we paid his passage to Cochin and paid him £5 in cash, for the amount of our charges account of £34.9.9 Mr. Du Vergé drew a Bill on Messrs C. Daniel & Co Mauritius, which we now fear will not be accepted.

If this person turns out to be an Impostor and he has deceived us, we hope you will get him punished and we look forward to your letter, which no doubt will give us full particulars, meanwhile we remain

Dear Sirs
Yours faithfully
(Sd) J. J. Schultze & Co

(Copy)

From Cochin
From Regnaud & Co.

To Colombo
To Schultze, merchant.

M^r. Du Verge arrived here. he
denies before the Magistrate all his
telegrams in which he styles himself as
Capt. of the "Sphinx" - he says that you
drafted the telegrams and that he only
signed them. he denies to have even
told you that he was the Capt. of that
Vessel. Please answer prepaid - Particulars
per post.

Telegraph Office.

29 April 1863

"True Copy"
J. W. D. Schultze

Colombo 14 May 1863

The Honble
The Colonial Secretary

Sir,

We have the honor to
acknowledge receipt of your
letter dated the 12th Instant. &
as requested beg now to hand
you enclosed Copy of Captain
Du Verge's protest as also Copy
of a letter addressed to our Mr
Schultze by Messrs A. Regnaud & Co
Cochin.

We shall be glad indeed
to hear that some steps will
be taken to have Mr Du Verge
punished for the act of wilful
perjury committed by him, &
we take the liberty to enclose
Mr Schultze's affidavit which,
if not required, we request you
will be pleased to return to us.

We have &c

Wm. D. Schultze & Co

Cochin 29 April 1863.

To Schultze Esq
Merchant
Ceylon.

Sir,

We addressed a telegram to you yesterday the copy thereof we beg herein to annex.

We have been surprised to hear Mr Du Vergi state before the Joint Magistrate and Justice of the Peace that you are the Gentleman, who assisted him in bringing before the Govt of Colombo the alleged fact of the disappearance of the Schooner "Sphinx" from Colombo Roads, and upon their enquiry about his motive in assuming the title of Master of the "Sphinx" not only before the Govt of that place, but in his telegrams to us, he says that he never told you that he was the Master of the "Sphinx" and that he was ignorant

ignorant of the contents of the telegrams forwarded to us, that you wrote them for him, he merely signed them. We certainly cannot endorse our belief to such statements as we cannot ~~imagine~~ for a moment believe that you did not consult him nor explain to him the contents of the same before bringing these facts on his behalf to the Government of Ceylon as well as before us, as it is likely to reflect ~~on~~ injuriously upon your Character as a Merchant, we cannot forbear from bringing the statements now made by Mr Du Vergi to your knowledge in order that you may be enabled to give them a direct denial, if you deem it proper, & for our part we would be doubly obliged, as it will throw some more light on this serious affair (and on the Contradictory

Contradictory statements of
Mr Du Vergé -

Trusting you will excuse
the liberty we have taken in
addressing you on such a
delicate matter, & begging
as early a reply as possible.

We have &c

Armed A Regnaud & fils

True copy

W D Schultz

From Cochui

From Regnaud and
agent of "Sphinx".

To Colombo

To Principal
Collector of Customs.

Your telegram of the 16th received
yesterday only - Mr Du Vergé has imposed
on you - He did not sign the Bill of Lading
nor is he the master of the "Sphinx". Mr
L. Lévieux President of the Mauritius Oil
Company the Charters (Charterers) of the
"Sphinx" has forwarded to us by brig
"Ebis" Captⁿ R. Rodriguez that left Mauritius
on the 5th March a bill of Lading dated
Mauritius 24th Feby. 1863. with specie
and Emphyfisks laden on that vessel signed
by Captⁿ Pirin - Captⁿ R. Rodriguez and his
mate Mr. Daviot both affirm to have seen
the "Sphinx" leaving the Mauritius on the
24th Feby 1863 with her master Captⁿ
Pirin on board and Mr. Du Vergé his mate.
Captⁿ Pirin was the master of that vessel
for the last three years - a letter received per
last mail from Mess^{rs} L. Goussier & Plapou
&c. the owner of that vessel is addressed to
Captⁿ Pirin - We shall thank you to
bring

Bring these facts which we can substantiate
before your post. - Further particulars by
post. - No appearance of the "Sphinx"
in our Roads.

Signed A. W. Andree
For Insp^t in Charge.

Don't know / 185 or 1868.

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The National Secretary
Colonbo. 20/7.

By 21st & 29th May 1863.
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Feb. 4 200.

No. 195/1863

In answer to your
information copied for
further correspondence.
Letter to the Hon. Mr. J. J. J.
Sugarcy. that the above
has been asked to be placed in
a former letter may be
countermanded.

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Beter. 3 June 1863 No. 863.

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