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AIR MAIL POUCH

The Foreign Service  
of the  
United States of America.

American Consulate General

Cape Town, South Africa, December 2, 1942.

Subject: Transmitting charges of Master of S.S. JARED  
INGERSOLL against Irving MURPHY, A.B.

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith a letter and affidavit received from M.S. Kerr, Master of the S.S. "JARED INGERSOLL", an American vessel, in connection with charges made by him against Irving Murphy, A.B. Mr. Murphy was taken off the vessel at 11 p.m., November 13, 1942, by the South African Police, at the Master's request, and was detained by the Criminal Investigation Department until November 16, 1942, when he was signed on the S.S. "HARRY LUCKENBACH" for return to the United States. Since the vessel sailed at daybreak on November 14, 1942, time did not permit the regular discharge of Mr. Murphy, the preparation of his account of wages due, and the obtaining of funds with which he might have been paid off.

It should be added that Captain Kerr claimed knowledge of new regulations and laws in the United States whereby insubordinate actions such as Murphy is charged with constitute treason. Since the Consulate General had no knowledge of any such laws and since no opportunity existed for returning him under restraint it was considered expedient to sign the seaman on the first available vessel homeward bound. The Master of the S.S. HARRY LUCKENBACH was informed by the Consulate General of the circumstances in the case.

Respectfully yours,

JAMES ORR DENBY,  
James Orr Denby,  
American Consul.

Enclosure:

Letter and Affidavit received from Captain M.S. Kerr,  
Master of the S.S. "JARED INGERSOLL".

Distribution:

In triplicate to the Department of State,  
1 copy for the Consulate General, Johannesburg,  
1 copy for the files of this office.

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Enclosure No. 2 to an unnumbered Despatch, dated December 2, 1942, from James Orr Denby, American Consul, Cape Town, South Africa, on the subject of 'Transmitting Charges of Master of the S.S. JARED INGERSOLL against Irving Murphy, A.B.'

S.S. Jared Ingersoll  
Cape Town, S.A.

November 13, 1942.

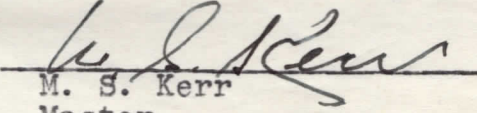
DEPOSITION.

I, Willis Samuel Kerr, Master of the United States Steamer named Jared Ingersoll do declare the following facts and statements:

That on this voyage, which commenced at Baltimore which is in the State of Maryland and in the United States of America, there has been employed on my vessel and as Boatswain one Irvin Murphy. Said Irvin P. Murphy has, since the beginning of the above-mentioned voyage, been a continual and habitual agitator against the properly constituted Authority on board the vessel. He has, by act, by word of mouth, by attitude and by demeanour challenged and or acted against such properly constituted Authority and had both by statement and attitude declared his contempt for such properly constituted Authority on board the above-named ship.

The above acts, together with the provable acts of the above date set forth which were included in his, the Boatswain's remarks toward the Master constitute, in the opinion of the Master, a definite challenge to the properly constituted Authority aboard the vessel and such, being inimical to the efficient working of the vessel, and the United States being at this time engaged in a war and this vessel being a part and parcel of the United States war effort at this time, it therefore follows that said Irvin P. Murphy may and is, by the signature set forth below, chargeable with the crime of treason.

Executed and signed by  
me this 13th day of November  
1942.

  
M. S. Kerr  
Master.

November 13, 1942.

ATTEST: Sworn and subscribed to before me,  
James Orr Denby, Consul of the United  
States of America, Cape Town, South Africa.

James Orr Denby,  
Consul of the United States of America.

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Enclosure No. 1 to an unnumbered Despatch, dated December 2, 1942, from James Orr Denby, American Consul, at Cape Town, South Africa, on the subject of 'Transmitting Charges of Master of the S.S. JARED INGERSOLL against Irving Murphy, A.B.'

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S.S. Jared Ingersoll  
Cape Town, South Africa.  
November 13, 1942.  
11:30 p.m.

The American Consul, Cape Town.  
South Africa.

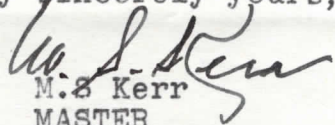
Dear Sir:

A deposition is being left with you at this port regarding one Irvin P. Murphy who I am charging with the crime of treason.

It is expected that this vessel will sail tomorrow at daybreak and that Murphy will not be a member of the vessel's crew at time of sailing since I consider his presence aboard as constituting a menace to the safety of the ship.

It is requested that you return Murphy to the United States under Naval supervision and that he be kept in custody until the foregoing is possible.

Very sincerely yours,

  
M. S. Kerr  
MASTER

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