

A Doppelganger Discredited

With any collectible there is always an issue of authenticity, whether art, antiques, baseball cards or automobiles. In the collector car world, relatively minor disputes over correct engine numbers and the use of NOS versus reproduction parts are common.

Every once in a while, however, we come across a case of identity theft, in which a replica hijacks a genuine collector car's chassis number. I described the process in general terms in "The Fake and The Fall Guy" (*SCM* December 2003), but what follows is the outline of a real case, in which two cars have both claimed to be the same original Jaguar C-type. Each owner is maintaining his own conflicting version of the car's history—it will become clear which one I represent.

The story begins in October 1952 at Jaguar's factory in Coventry, England. A "customer" (as opposed to factory team racing) C-type sports racing car, chassis number XKC 023, engine number E-1023-8, was shipped to Portland, OR, for delivery to its first owner, Joe Henderson. The car's subsequent racing career was confined to the West Coast, where its closest brush with fame came from its second owner, Jack Douglas.

Douglas was a comedy writer for Bob Hope, among others, and he was friendly with Mitzi Gaynor, the star of *South Pacific* and other Hollywood films. The photo of the two shown on this page was almost certainly taken before the sports car race at Torrey Pines, CA, on July 10, 1955. If so, Douglas' pudding basin helmet is significant, because he rolled XKC 023 in the race, and lived to tell the tale.

Douglas had the car repaired, and sold it to another California racer named Ces Critchlow. After a few successful races, Critchlow rolled the C-type again, this time at the Paramount Ranch Races on November 18, 1956.

Sometime after the crash, XKC 023 suffered the indignity of having its twice-damaged alloy body removed. It was replaced by an ill-fitting fiberglass Devin body at Horvath Motors in



Once completely dismantled, XKC 023 was brought back to life.

Costa Mesa, CA, where Critchlow worked. He was soon drafted into the U.S. Army, and the car spent two years in a corner of the workshop, with the remains of its original body sold off. The C-type soon slipped quietly into that murky state of unloved afterlife that often befalls retired racing cars.

MISSING, PRESUMED LOST

In most Jaguar circles, XKC 023 was a mystery car—or as they say in wartime "missing, presumed lost"—which explains why more than one car emerged that claimed its identity. But I won't waste space here recounting the story of the imposter that had only the original cylinder head, nor of the "XKC 023" built around certain parts from the original discarded body. Both of these were sold recently for replica prices, and are no longer pretenders to the crown. I will concentrate instead on another would-be XKC 023, which is currently owned by a German

industrialist who maintains that his car is the real one.

In the late 1980s, this car, then owned by the Italian Jaguar enthusiast and motoring artist Francesco Scianna, was entered in the 1988 Mille Miglia and some similar European events. The car indeed appeared to be XKC 023 at the time, with that number stamped on the chassis on top of the front shock absorber tower, and the chassis and engine numbers stamped on a chassis plate affixed to the car. The car even carried temporary FIA papers, which enabled Scianna to enter it in the events.

The car carried the registration mark "TGH 210," suggesting that Scianna's C-type was British registered. Had anyone searched the U.K. registration records between 1988 and 2002, however, they would have found that no vehicle was so registered because that registration mark had officially lapsed from disuse in 1983, when computerization of the U.K.'s vehicle records was completed.

Scianna sold the car some time after 1988, and its next owners were Italian, each of whom presumably believed it was authentic. After all, the car had the benefit of papers issued by the Italian organization ASI (*Automotoclub Storico Italiano*), and ran again in the 1994 Mille Miglia, all of which reinforced its apparent identity as a genuine C-type.

The car was offered for sale as XKC 023 at the Essen Classic Car Show in the mid-1990s, when a prospective buyer who was suspicious of its origins sent some photographs of the car, including a copy of its 1950s-style British logbook, to C-



Mitzi Gaynor and Jack Douglas at Torrey Pines.



The C-type after being rolled in November 1956.

type expert Peter Jaye in England.

As the collector car movement had gathered momentum in the 1980s, a number of British companies began building C-type replicas. Some were very good, some only approximate. None, however, were more faithful to the original in the materials used and millimeter-perfect measurements than those manufactured by Jaye, who also traded in replacement parts for the original cars. He confirmed that the car offered at Essen was one of his replicas and expressed his view that its logbook was false.

An inspection of the C-type was then commissioned by an Italian dealer who had the car for sale. Lynx Engineering, another manufacturer of replicas that is well known in England for their work on original C- and D-types, reported that the chassis was in fact built by Peter Jaye, and the body by RS Panels. At this point, it became widely publicized that "TGH 210" was not the genuine XKC 023.



Revealed under the weld: Positive proof of identity.

with us, and were willing to confirm the history of the car. McEniry worked on the car during Critchlow's ownership, and recalled that they welded up the spider gears in the differential to give the car more bite out of the corners.

In late 1997, Schierenbeck consented to a visit from Larson and he caught his first sight of the scattered parts comprising XKC 023. Recounting the discovery, Larson said: "We're not talking a few little bits, we're talking about everything you need

about the car's early racing history.

After all of this, one might expect the story to end here—but it doesn't.

BOB'S VERY OWN "C-TYPE"

Around the same time, a European dealer acquired the Jaye replica. This dealer, "Bob," was intent on selling the car, so in his version of the truth, the "second car" discovered in California and restored by Larson was dismissed as looking "like a replica." Early in 2001, a prospective buyer was found, a German.

The German made contact with Christian Jenny, and asked his views about the situation. Not unnaturally, Jenny explained the provenance of his C-type. In various phone and e-mail communications, he provided evidence that he owned the genuine XKC 023, and warned the German in clear terms against buying the car. Nonetheless, the German did so in 2002, paying a reported €125,000 (roughly \$125,000 at the time), a mere fraction of the value of a genuine C-type, which would normally have sold then for between \$750,000 and \$900,000.

Once he had bought the Jaye replica, the German wasted little time in his efforts to establish its claim as the genuine XKC 023. He submitted an entry for the 2003 Mille Miglia, which, amazingly enough, was accepted. In March 2003 he applied to the Jaguar Daimler Heritage Trust in Coventry (JDHT) for a Heritage Certificate under chassis number XKC 023, which to their subsequent regret they issued. However the JDHT certificate was endorsed with the words: "Please note that we do not believe this car was ever registered in the U.K."

The German then applied to the British registration authorities to have TGH 210 reactivated. The British system allows owners of vehicles whose numbers lapsed through disuse in 1983 to reclaim them, if they can provide documentary evidence to show a clear link between the car and the number being claimed. A new registration document for TGH 210 was issued to the German at a British address in May 2003, quoting chassis number XKC 023, engine number E1023, and a date of first registration of April 28, 1956. Clearly the documents that were submitted in support of the application had shown this information, though certainly the endorsement on the JDHT certificate about the car never having been registered in the U.K. should have precluded the reissue of the number.

The next move was to apply for a FIVA Identity Card, to open the way for TGH 210 to participate in the major European road events. When the German submitted his application to the German FIVA authority, he submitted various documents to support his claim, including copies of the old British logbook that came with the car and the JDHT Heritage Certificate.

But when submitted to FIVA, that certificate was missing its endorsement, which noted that

THE REAL 023 COMES BACK TO LIFE

Back in the United States, Terry Larson, the Arizona-based expert, restorer and dealer in C- and D-types, was researching his book, *The C-type Register*. For some years he had been trying to trace what happened to the real XKC 023. He had heard about "TGH 210" from Peter Jaye, among others, but hadn't found out what happened to the original car. At least not until he was contacted by Tom Groskritz, another Jaguar racer and authority on C- and D-types, who happened to have snapped a shot of Ces Critchlow surveying his damaged C-type after the crash at Paramount Ranch back in 1956.

Groskritz put Larson in touch with a man named Frank Schierenbeck who claimed to have the real XKC 023. Larson spoke with him on the phone, and the history of the missing C-type was revealed.

Indeed the car had spent most of the late 1950s hidden under a tarpaulin, until Schierenbeck liberated it in 1962 for \$1,000 in cash and an overhaul of a Ford pickup. Schierenbeck owned an import service shop in Santa Ana, CA, and was well known for his work on Jaguars. Briggs Cunningham was one of his customers.

Schierenbeck kept the car for 35 years, initially registering it for road use and entering it in local sprints in Southern California, on one occasion achieving a recorded speed of 165 mph. At a later point XKC 023 was dismantled, and Schierenbeck moved to Oroville, a rather remote part of Northern California. The disassembled car went with him, but he never got around to putting it back together and hardly anyone knew that he still had it. Except for Groskritz.

Fortunately, not just Groskritz, but Critchlow and a mechanic named Mike McEniry are still

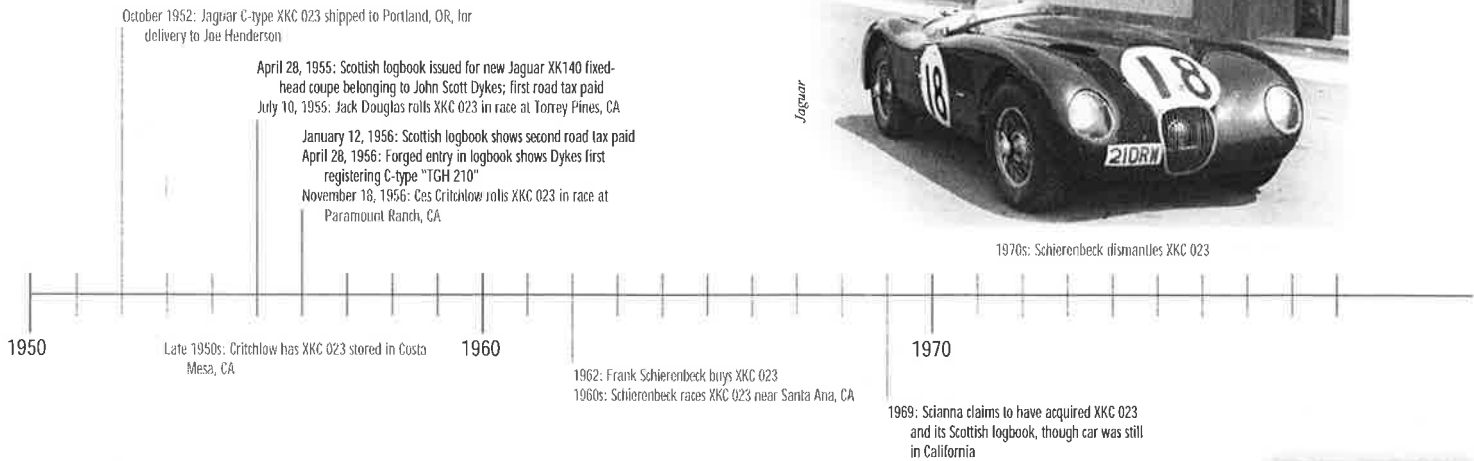
to drive down the road." Moreover, he found the original identification "XKC 023" stamped on the front crossmember, one of two places where chassis numbers had been originally stamped by the factory.

ONCE HIDDEN, NOW REVEALED

On investigation Larson also noticed that one of the mounts for Critchlow's Devin body had been welded over the spot on the shock absorber tower where the original chassis number should be stamped. This had remained untouched for 40 years, so when they cut the weld and folded back the body mount, the process was meticulously recorded on film. What appeared was the number "XKC 023," as stamped by the factory, final proof indeed that this was the original chassis. Clearly, these were the parts of a complete car: the original chassis, the original engine block stamped E-1023-8, and the original gearbox and rear axle with the correct numbers.

There were many other important parts, even the original footwells, and the transmission tunnel with its original "Harduras" trim intact. All were original to the car, with the exception of the missing body (which was later acquired and reunited with the car). Larson bought everything, and rebuilt the car for his (and my) client, Christian Jenny. When rebuilding the differential, the spider gears were found to have been welded up, as recounted by McEniry.

The discovery and restoration of XKC 023 was well publicized, with articles published in *AutoWeek* in April 1999, in *Jaguar Journal* in May/June 1998, and elsewhere. As a result, a number of other people contacted Larson to provide more information and photographs



1970s: Schierenbeck dismantles XKC 023

it was believed that the car had never been registered in the U.K. Remember the famous saying that there are no problems, only solutions? The solution to the troublesome endorsement was simple—it had been removed.

The German FIVA authority, however, referred his application to its British counterpart, presumably because the British were thought to know more about the history of competition Jaguars. The papers landed on the desk of Jim Whyman, secretary of the Federation of British Historic Vehicle Clubs, who was able to call on various experts to investigate the history of TGH 210. The key question was obvious: If the car was the genuine XKC 023, where had it been hiding for the previous thirty-odd years, before turning up in Italy?

In Scotland, according to the German's papers. After its inversion at Torrey Pines in July 1955, XKC 023 was said to have been shipped back to the U.K.—not, as would have been logical, for repair by Jaguar Cars Limited, but by its supposed new Scottish owner, John Scott Dykes. He is said to have repaired the damaged C-type in his repair shop in Kilmacolm, a small town in Renfrewshire, due west of Glasgow, and then to have registered the car for the public road. After a series of further Scottish owners, the car was supposedly acquired in 1969 by Francesco Scianna, then living in Newbury, Berkshire, England. As part of his research, Jim Whyman sent an e-mail to Scianna seeking confirmation of all this, but never received a reply. However, Scianna did write to the German maintaining his position that the car he had owned was the real XKC 023.

A BADLY FORGED LOGBOOK

The only supporting paperwork for this alleged Scottish history is a 1950s-style log book, which has been used by successive owners over the years in attempts to prove that the car is authentic. Peter Jaye saw a copy, as did Lynx,

Terry Larson, and a number of others. No one that we are aware of, except its various owners, has seen the original of this logbook, so a photocopy of it is pictured here.

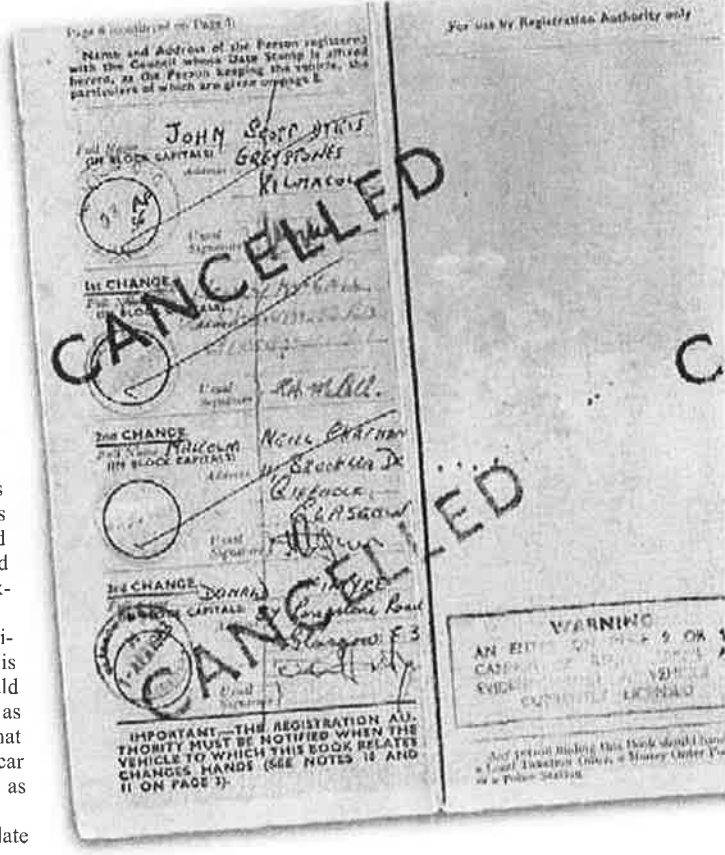
Jim Whyman conclusively proved that this logbook is a forgery. His research, with assistance from Jaguar's chassis book for 1955, showed that the car for which the logbook was originally issued was an XK140 fixed-head coupe, supplied new on April 28, 1955 to John Scott Dykes of Greystones, Kilmacolm, Scotland.

The original logbook was issued by the County Council of Renfrewshire on the first registration of a new vehicle. In its original form, the logbook would have identified the make, model, chassis and engine numbers, color and registration mark of that new vehicle, its first and subsequent owners, and their payments of the British road tax, recorded on each occasion by a circular date stamp. But this log-book appears to have been doctored, with the details of the original vehicle and its registration mark erased and the identity of XKC 023 and TGH 210 inserted by an inexpert hand.

There are a number of obvious anomalies. "B,R, Green" is nonsense, as the color would simply have been entered as "green"; it is also unlikely that the type or model of the car would have been described as "XKC."

More significantly, the date

of first registration has been entered by the forger as April 28, 1956, and the round stamp against the entry of Dykes as the first owner has been changed from "55" to "56," whereas the first official stamp in the top right hand corner recording pay-





Early 1980s: Peter Jaye builds replica C-type

1994: "TGH 210" runs in Mille Miglia again

1997: Terry Larson visits Schierenbeck and discovers dismantled XKC 023

1998: Larson buys XKC 023 from Schierenbeck for Christian Jenny and begins restoration

1998-1999: Discovery of XKC 023 widely publicized
Late 1990s: European dealer acquires "TGH 210"

1980

1990

2000

2004

1988: Francesco Scianna enters replica C-type in Mille Miglia as "TGH 210"

March 2003: German applies for Jaguar Daimler Heritage Certificate

2003: German runs "TGH 210" in Mille Miglia

2003: Jim Whyman proves logbook has been forged

2002: German buys "TGH 210" from European dealer for \$125,000

2001: German contacts Jenny to inquire about legitimacy of "TGH 210"

Page 9 RECORD OF LICENCES ISSUED Page 10 LICENCES ISSUED

Vehicle Part of Year of Licence	Temp. Licence and Validity Period	Amount Paid for Part of Licence	Date Payment of Licence	Amount Paid for Part of Licence	Date Payment of Licence
12-10-1		R6-81			
31/12/60		30 4/11 92			
12/10/61					
31/12/61					

ENTRIES CONTINUED

EXTRACT FROM REGISTRATION PARTICULARS

REG 810

PRIVATE JAGUAR

RR 600

OPEN PETROL

XK C

XKC 023

E 1023

Two

88th AF - Fifty 810

10 AS 13

ment of road tax for the original vehicle is dated April 28, 1955. The second road tax payment is quite clearly stamped "12 JAN 56." It would hardly have made sense for Dykes to have paid road tax for a full 12 months before his car was first registered.

Even better, Jim Whyman tracked down Dykes' widow and daughter, who confirmed his enthusiasm for Jaguars, but had no recollection of his ever owning a C-type. They even supplied photographs from 1955 of the family's XK140 which was registered JHS 50.

It was thus an elementary mistake for the forger to have chosen an April 1955 logbook to support the supposed Scottish history of a racing car that he must have known was rolled in America in July 1955, even if he could be forgiven for not knowing about the

car's subsequent accident at Paramount Ranch the following year.

TOWARDS RESOLUTION

So, where do we go from here? Christian Jenny, owner of "the real" XKC 023, has made a formal offer that the two cars claiming the same chassis number be examined at a neutral location by independent experts, to which we have not received a response. Of course, our hope is that this inspection would cause the German to stop claiming that his car is XKC 023, and to surrender the logbook to the British registration authorities as and when they revoke the TGH 210 registration for his car.

It's obvious that the German did not forge the British logbook—that was done many years ago, and he merely acquired the logbook along with the car. We might also hope that he would surrender the JDHT Heritage Certificate, and remove the improper "023" stampings from the chassis and engine, to prevent any future buyer from being deceived as to its provenance.

Sotheby's recently announced that a painting by Vermeer that had some questions about its authenticity had, after ten years of research, been declared to be the real thing. Jenny's XKC 023 has been scrutinized by the leading C-type experts in the world, for over five years, and been pronounced by all to be the real thing. Isn't it time for all parties involved to acknowledge the reality that there is only one C-type that can properly wear the stamped mantle of 023, and that the other is just a pretender to the throne?—Martin Emmison

Martin Emmison (memmison@gdlaw.co.uk) is a British lawyer representing Dr. Christian Jenny, the Swiss owner of the Jaguar C-type that was found in California in 1998 and restored by Terry Larson. The views expressed in this story are his and have not been independently verified by SCM.u



The Dykes family's XK140.