

THE contest over the codicil of the will of the late Samuel Davis has brought to San Francisco the dean in the East of handwriting experts, Colonel Edwin B. Hay of Washington City, whose fame has spread far and wide, and who is known in his peculiar art from ocean to ocean, at home and abroad. Being at the capital of the nation, his opinion has been sought in all departments of the Government wherein questioned documents have been the issue; and in the noted cases at court he has been called to assist Judge and jury in forming opinions upon both spurious and genuine writings; so that his advent upon the coast is a matter of some concern to those interested in the subject of the comparison of handwriting from a scientific standpoint.

Colonel Hay's experience, extending over a quarter of a century, very naturally would bring to one of keen observation as he possesses many interesting incidents wherein his art applies. In the year 1877, when Simon Cameron was at the zenith of his political glory as the leader of his party in the State of Pennsylvania, being its senior Senator, he occupied the position of a central figure in the United States Senate, having been also the first Secretary of War in the great Cabinet of Abraham Lincoln. He was brought into the brilliancy of a new light of notoriety when one Mary Oliver began a suit against him for breach of promise. His immense wealth, public position, good reputation and high standing made him a shining mark for the arrows of any assailant of his character along any line of attack. Whether he had in the mellow maturity of his age yielded to the subtle blandishments of fair women under the cloak of fascination made by stolen sweets was a subject that caused the social and political world of those times to put on its thinking cap, and very

low fever in 1855, being the first victim of the life-devastating scourge. Forty years afterward a letter was received from Paris and produced by the proponent of a will, which made her the beneficiary, stating that "if search would be made in a garret an old cow-hide-covered trunk, ornamented with close, round, brass-headed tacks, would be found, under the right-hand corner of the top covering of which would be found a last will and testament of the deceased." The letter was purported to have been written by a contemporary of the deceased forty years after his death. The proponent testified that she read the letter to another person and requested the party to find the trunk, remove the hundreds of tacks and find the will where it had presumably slept so long. The alleged will was witnessed by a well-known Catholic priest and two distinguished doctors, all of whom had passed away. The yellow fever does not give much opportunity to its victim to make a will in his own handwriting, nor, indeed, does it allow a will-making state of mind. Therefore to permit such an act to be done and

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naturally the name of the venerable Senator was upon the lips of every scholar in the school for scandal and was tossed about for the time being unmercifully upon the vacillating sea of politics in both parties at the national capital and in his own big State. The Senator with a feeling of indignation quickly said: "Not one cent for tribute, but millions for defense!" He made no offering to soothe Mary's bleeding heart. "Blackmail!" was the word he used. General Butler, the most hated relic of the war in the South, the most popular politician in Massachusetts and the most astute and able lawyer of his time, was the senior counsel to defend the Senator in the cause, which was tried in the Supreme Court of the District of Columbia. It was the most noted trial of those days, second only to the famous Sikes trial, where the well known general was arraigned for killing Philip Barton Key, and the trial of the Surratt conspirators for the assassination of our beloved Lincoln, which trials were held in the same court. Mary Oliver based her cause upon a letter, which she claimed was written by Cameron, in which he, it is alleged, said "will you be my wife?" The question, therefore, turned, as in the Sharon case, the Fair will case and the Samuel Davis codicil, upon the question of handwriting.

Such cases had not been numerous theretofore, hence it attracted general attention, and the journals of all the large cities in the East made the unusual detail of special reporters, so that verbatim reports of the testimony were given to the country every day. Colonel Hay was the expert witness who declared the letter of proposal to be a forgery, which opinion, after several weeks' trial, was corroborated by the jury. In the comparison, upon the witness stand, when he was explaining the differences in the styles of handwriting, he commented upon the fine, the bold, the round and the running hand, stating the difference usually to be observed in concise, hasty and careless or careful methods of writing; stating that, apart from social and personal letters, the business hand was generally a free, running hand. The cross-examiner, the counsel for Mary Oliver, Judge Peter of Maryland, in the vehemence of overjoyed excitement, having discovered a loop in the testimony of the witness by which he thought he could lasso him, asked "what kind of a hand is this?" pointing to the letter.

"A business hand," said Colonel Hay. With delight, the counsel repeated, "A business hand! Look at it, gentlemen of the jury—a business hand!" and, turning to the witness, "and so you call that a business hand?" Colonel Hay quietly responded: "Yes, sir—will you be my wife?—that's business!" The court, the jury, the counsel and spectators broke out into laughter that continued for many minutes. That incident decided the case in favor of Simon Cameron.

Norfolk, Va., has the distinction of figuring in a will case wherein the finding of an alleged will is equally as mysterious as the finding of the codicil of Samuel Davis after many days, except that the will in the Norfolk case was found after many years. Of all improbable circumstances under the sun it takes the lead. The testator died of yellow

fever in 1855, being the first victim of the life-devastating scourge. Forty years afterward a letter was received from Paris and produced by the proponent of a will, which made her the beneficiary, stating that "if search would be made in a garret an old cow-hide-covered trunk, ornamented with close, round, brass-headed tacks, would be found, under the right-hand corner of the top covering of which would be found a last will and testament of the deceased." The letter was purported to have been written by a contemporary of the deceased forty years after his death. The proponent testified that she read the letter to another person and requested the party to find the trunk, remove the hundreds of tacks and find the will where it had presumably slept so long. The alleged will was witnessed by a well-known Catholic priest and two distinguished doctors, all of whom had passed away. The yellow fever does not give much opportunity to its victim to make a will in his own handwriting, nor, indeed, does it allow a will-making state of mind. Therefore to permit such an act to be done and

secretion of the document under the hide cover of an old trunk to be nailed down with a hundred or more brass tacks would, indeed, be a miracle; yet, as in all cases of the kind, there are friends of the beneficiaries willing to believe that the impossible and improbable could be possible, and, without knowing, give thoughtless opinion of the genuineness of such a document. This was a case for the expert in handwriting, and Colonel Hay was called upon for his opinion. He found that the letter from Paris of recent origin compared favorably with the handwriting of the will and that both documents were in the handwriting of the proponent. The will was not admitted to probate and the parties very foolishly compromised.

Anonymous communications are the fruit of disordered minds and degenerate natures. A Presbyterian minister in a certain prominent church came to Colonel Hay in the East and related a tale of woe concerning the pestilence of anonymous postal cards that infested his home, his church societies and his congregation. They aimed at the virtue of the minister's wife and traduced young men and women of the church. They criticized the minister, his sermons and accused him of many compromising relations with the more attractive members of his congregation. The wife, a sensitive creature, above approach, was driven to a bed of illness, while the minister, in his duties, could not eliminate from his mind that in his congregation was the unknown worker of iniquity; while the officers of the church changed their meetings from sacred conferences into a band of detectives, resolving upon ways and means to find the culprit. Colonel Hay's first request was for a submission to him of a specimen of the handwriting of every female member of the congregation. The sin of Eve does not always necessarily follow its example, nor is Colonel Hay otherwise than a most gallant gentleman, but it does seem true that in most all the spicy incidents of romance and delicate devilry that there is a woman at the bottom of it. In reducing by comparison many hundred specimens down to one, it was found to be that of the daughter of the foremost member of the congregation, a deacon of the church. When informed of the result of the examination and the accusation the minister was astounded and was greatly perplexed at the method to be pursued to bring the party and the congregation to settle the matter. Not wishing to bring disgrace upon a young lady of good repute and mortification to a family of estimable standing, he approached the father of the young lady and said: "You have had a postal card conflict in your church?" "Yes," responded the father, "to our great distraction and dismay. We are greatly puzzled as to the author." "I know who it is," quickly replied the colonel. "Whom?" "Your daughter," he replied. A shot from a pistol could not have more stunned the father. "It's a lie!" he shouted. "I demand your informer!" Advising calmness in the old gentleman, the colonel said, "I am my own informer." The deacon reiterated that his daughter could not have done such a thing, that she would make an affidavit. Colonel Hay sent

for the daughter under pretext of elating a poem for her, she being an elocutionist. Delicately leading up to church affairs and the prevailing postal card mania, watching every change of color in her face, he suddenly said to her, "I know who wrote the postal cards." Feigning curiosity, she said, "Who did?" There was a dramatic situation which words cannot describe, when looking her in the eye, the colonel exclaimed, "You!" No insulted maiden ever encompassed with any monosyllable more of the fire of offending dignity than she gave forth in the twinkling of an eye, and she cut him cutting. "Sir-r-r-r!" No tragedienne ever towered higher in her forcefulness. "Come down to earth again, young lady," said Colonel Hay. "This is not a play, but a matter of the most serious concern for you, as upon my word, you could be indicted for violating the United States statute. Let us be reasonable. There are but four persons who know this—your minister, your father, who will not believe it; yourself and myself. Make no affidavits. Make no denial. Write no more anonymous postals, and the secret will be kept." There were no more mysterious postals received by the members of that congregation.

Near a small town in Virginia a colored girl was found murdered in the servants' quarters of an estate. A pistol did the work. An old negro occupying a room in the upper story testified that he "heard his son thinking that somebody was a knocker at the door," said "who's dat?" and got so skeered dat he jest kivered up his head wid de pillow an' shivered off to sleep. The deed having been done in the night, next morning the girl was discovered upon the floor dead, covered with a sheet, upon which was pinned a letter, addressed to her mother, which stated that realizing that she was in a delicate condition, she thought best "to end it all," but "if anything happens to me do not permit Bowen, the undertaker, to bury me." This suggestion had great weight at the trial of the cause.

A young mulatto had been paying attention to the girl and had been seen in that neighborhood the night of the murder. The handwriting in the letter became the clew upon which to work, to trace the murderer. As the girl could only write in a very crude manner, it was easy to conclude that she did not write it. While the handwriting of a number of suspects was submitted it was

not a difficult task to center the crime, handwriting being the accused, on this lover. He was arrested and held for trial, protesting throughout his innocence. Just before the trial the jailer came to Colonel Hay with the white margin of a newspaper, which he informed him he had found in the cell occupied by the prisoner, upon which was written in pencil: "They say I wrote the letter pinned on Janey, if I did, I jes copied what she said—she told me to write it." Able counsel defended the prisoner, but they could not recover altogether from the dramatic effect of the production by Colonel Hay of this scrap of paper in court at the trial.

Circumstances corroborated fully the handwriting evidence, but no more so than the testimony of the indignant Bowen, the undertaker, in responding to the attempt, in the letter, to hurt his business. The prisoner owed \$7 for a balance upon the funeral of his wife, and the undertaker grew impatient, at non-payment as he stated: "I know his handwriting and why he reflected upon me. I wanted the money, and as I could not get it from him, I laid for him and thrashed him just \$7 worth." Conviction followed, and the writer of the letter has begun to serve eighteen years.

In the searchlight inspection. Every day or so the "keep your eye on David" letters were received and lengthened into detail. An eye was kept on David, and a coolness met Anna from her "dear friend," David's wife, that nearly froze her out. While David realized that an iceberg was resting somewhere in the neighborhood of his house, mystery prevailed. Pride would not allow the wife to speak. With the bundle of letters she left a note stating that she had gone to her mother. David did not do as some husbands would have done, exclaim: "If she is so weak, let her go and stay." He went after the wife and brought her back to his home. He avowed innocence and brought in Anna, who was surprised and mortified at the astounding allegations in the letters. The wife tried to believe the truth, as they stated it, and joined them in the crusade against the destroyer of their happiness, the author of the letters. Handwriting of many friends of all parties were procured as was possible to be obtained, and by comparison it was traced by Colonel Hay to a lady, a leader of society—a title usually accorded to wealth, attractiveness and ability to climb. The question of proof was next to be considered. It was a social and personal matter, not criminal, and the proceeding was a delicate one as to accusation. The wife conceived a plan. She gave a reception. It was brilliant and society was present in its Sunday attire. The wife, quiet, gentle and heretofore entirely blinded by love, now became an actress with her eyes open in her own home, as she was playing two roles, hostess and "the little detective." An opportunity afforded at last to greet the suspected chirographist alone, in the library. Like a tigress she sprang upon her, and throwing the bundle of letters upon the desk in front of her, accused her guest of being the author. She rose high in her injured dignity and without denying the allegation claimed that her hostess was insane. The scene was filled with dramatic fervor, and was as strong and by two persons. The wife said "if you do not confess here to me, I'll go down into the drawing-room and read the letters to the guests and openly accuse you. Decide which you prefer, here to me or there to them." She fell on her knees to the hostess and confessed, "Here, take the pen and retract. Write that you did it and that all is false and it will be our secret." She did so. When the guests had retired the wife placed the paper in her husband's hand. The experts' field of usefulness has no limit either as to space or time. Forty years ago a father deserted a mother and two infant girls. From Australia letters in 1854 were written,

enclosing remittances. After a number of years the mother died without disclosing the name or identity of the father. The children were reared in an asylum, and after reaching the ages of eighteen, married. The notorious father is never a relation to be tenderly regarded by a sensitive daughter, yet one of these girls determined to solve the mystery, if such a thing could be done. She unearthed an old letter that had crossed the ocean in the fifties, addressed to her mother. In the postscript it disclosed a name. Subsequently another letter was found, bearing an American postmark. A letter to the postmaster brought the address of a person bearing the name asked for resided upon a large country estate in the jurisdiction of that office. Another letter, addressed to the party sought, asking something about real estate values in the section named, received a response. The expert, Colonel Hay, was called in. The writings, nearly half a century apart, were compared and pronounced to be by the same hand. Time had made very little change in the chirography, though calculation placed the old gentleman into the three-score-and-ten period. Infirmary affects handwriting more appreciably than old age. Any ailment that weakens the nerves and unsteadies the hand will cause not so much the style of writing, but the execution of it, to show differences. The daughter who addressed the decoy letter for values of land received an answer. The daughter found at last her father.

The Government is a prolific source of delight to the forger, and no department has escaped attempts upon it, though in matters of little concern the Postoffice Department has infrequently led all the others, while the Pension Office has been a close second. In this department of the Government, organized for the purpose of disbursement of funds up into the millions annually to those entitled, much is done upon faith and all upon paper. Its motto could easily be, "I swear" as it is the great "repository" of affidavits. All testimony is written. It is record proof. The claimant writes his claim himself. The witnesses make affidavits. The field examiners make reports. The office grants pensions and the pensioner makes an affidavit upon every voucher, while two witnesses acknowledge the pensioner to be the person he represents himself to be.

The money order division of the Postoffice Department is often the victim. Handwriting has been traced frequently to the wrongdoers, but thinking to foil detection, a clerk in the department, who, with accomplices, carried on for a time a very profitable business, utilized the typewriter and forged only the Postmaster's signature. "Once too often," applied in this case. Experts should not claim to detect typewriting, but circumstances favoring the Government in this instance, Colonel Hay requested specimens of every machine in the Money Order Department. Each machine was numbered. The scores of money orders and advices were compared with the specimens with a successful result. The man was convicted. The money orders throughout universally had the omission of the dot upon the small "r." The machine specimen was found with this same fatal omission and the missing dot became the accuser. This could not happen with all typewriting.

One case in Virginia was especially noticeable because of the evasions, no line of preparation, of the watchfulness which is put around every case. "A long lane that has no turn" is a true saying. A mis-stroke of the pen—an awkward joining of letters—the cross of a "T," and the dotting of an "i" has often led to the detection of crime. Suspicion rested upon one of the vouchers that belonged to the agency near Lynchburg, Va. This voucher, with all the others, covering a period of fourteen years, was submitted to Colonel Hay, who has been for years the expert for the United States Government at Washington. He unearthed the imposition upon the Pension Office that had been going on for many years and upon which the parties to it had been the beneficiaries. They had received the money so regularly and had executed the papers so calmly and so formally that they grew in the belief of the honesty of the transaction and so put the Government at the mercy of their way. A widow was the claimant and her brother was the able and willing assistant and accomplice, who thought it "no harm to rob the crown." An indictment astounded the parties, and they defended the present Governor of Virginia, Montague, who was then United States District Attorney filling the courts with the eloquence that led him to the Governor's chair. Colonel Hay pointed out the sameness of the handwriting not only in the signatures to affidavits, but to every voucher upon which money had been received. After his demonstration to the court and jury the parties confessed their guilt and have been serving time ever since.

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JUDGMENT DAY IS NOT UNREALITY

IF ANY doubt has lingered in any mind touching the validity of the good old doctrine of judgment day, that doubt ought to have been removed by what has transpired in New York during the last few weeks. There was a set of men there who, up to a short time ago, were drawing princely salaries, enjoying their yachts and fast horses and giving sumptuous dinners—living, in short, the kind of life which rich fast men live the world over, only with this distinction, that these men were the officials of an organization supposed to exist to protect the interests of widows and orphans. Associated with these men were others whose personal tastes may not have been quite as luxurious, but who shared the same conception of the uses of a fiduciary agency, namely, that the primary consideration was not how much they could do to reduce the cost of insurance for people in moderate circumstances, while at the same time getting a generous living themselves, but rather how in every way possible they might serve their own ends through exceptional opportunities presented to them for personal aggrandizement.

But by and by these men began to fall out among themselves, and soon the searchlight of public investigation was turned upon them, and in the heat of indignation that has followed many a former excellent reputation has been done to a crisp. In other words, judgment day has come to town, and what was done of a tricky nature in small meetings of directors and committees is being proclaimed upon the house-tops. Was there ever a more vivid proof of the assertion: "Whosoever a man soweth, that shall he also reap?"

But while the world is pointing the finger of scorn at men in high financial circles in New York, it may be well to remind ourselves of the warnings: "Think ye that these Gallileans were sinners above all the Gallileans? Nay, but ye repent ye shall all likewise perish." Wherever we live we do not have to travel far to encounter judgment day. Every police court, every jail in the land testifies to the fact that judgment is here and now.

And yet men go on in their crooked careers, thinking that whatever may have

happened to others, they will somehow manage to avoid exposure and punishment. For there often is a delay in the working out of justice. Sometimes men who ought to be wearing prison garb go to their graves in apparent good standing in the community. But delay does not mitigate the penalty when it comes, as Anne of Austria said to Richelieu: "My Lord Cardinal, God does not pay at the end of every week, but in the end he pays." And because the sword has not descended on us, we need not delude ourselves with the notion that our sin has been overlooked or forgotten.

Nor need we think that judgment day must come in one form only, always inflicting some public condemnation and relegating the lonely prisoner cell. Sometimes our misdoing is followed by remorse and self-loathing harder to bear than the taunts of others. "No one will ever know it," said a tempting voice once to a young man on the edge of a moral collapse. "No, but I should know it," was his quick and indignant rejoinder, and he drew back from the edge of the precipice. Judgment day often writes its penalties on a man's countenance and causes a stupefying of the public condemnation of will and a drying up of the fountains of affection. You may escape the policeman all your life, but you can never escape the painful reaction on your own life of every evil word and deed.

The reason for judgment day lies in the fact that this universe is built on righteous lines and sooner or later the man who seeks to trifle with the right is made to realize that he is in helpless revolt against inevitable law. Things are never left at loose ends in this universe. Sin breeds troubles of many kinds. It has to be expiated somehow, somewhere, some time.

There is a picture on the front of a famous church in Paris which represents the last judgment, with Christ apportioning their final destiny to the wicked and the good, sending to the left those who had done wrong and waving to a place on his right hand the righteous. This representation of the judgment has the certain hold through the ages on the imagination of men. It embodies a great truth, but it does not set forth the entire truth, and whatever be the nature of the final judgment, be sure that in a sense every day is judgment day, that it is as certain to come as to-morrow's sunrise and for all of us who would escape its terrors there are three words to be said, repent, quit and reform.