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Police Science Legal Abstracts and Notes

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Questioned Documents—Decipherment of Erased Signature with Oblique Light

In the recent case of *Parish vs. State*, 165 S. W. (2d) 748 (Texas, 1943) the defendant was convicted of aiding another in the perpetration of a swindle, and appeals. It appears that the perpetrator presented bills for material to the county clerk bearing the approval of the appellant in the form of "OK H. A. Parish." It was alleged that on several of these approved bills the perpetrator obtained money for material that was never furnished. The state proved that prior to the finding of the indictment the appellant went into the county clerk's office and obtained the folder containing these bills and that subsequently someone eliminated the "OK H. A. Parish" and that thereafter there appeared on the bills the words "H. A. Parish" in handwriting unlike the original signatures of the appellant.

The state's handwriting expert testified over the appellant's objections that his only qualification as an expert was ten years' experience as a questioned document examiner. He further testified that with the use of an oblique light the erased signature and "OK" became legible, although erased mainly because of the indentation caused by the pencil used in making the signature on the paper. Another objection was made to a photograph presented in evidence by the handwriting expert when he stated that although he did not make the photograph in his opinion it correctly portrayed what he saw by means of the oblique light and that this signature and "OK" were written by the same person who wrote some sixty or seventy other signatures submitted to him and admitted to be genuine signatures of the appellant.

The court of criminal appeals upheld the decision of the trial court in allowing the testimony of the handwriting expert and stated the witness had sufficient qualifications to testify as an expert notwithstanding the fact that he had not attended a school where handwriting comparisons are taught. The court further stated that they believed the photograph of the erased signature truly reflected what the witness saw by means of the oblique light and since both the original instrument and the photograph taken with such light were present in court, and doubtless inspected by the jury, the absence of the actual photographer would not render the enlarged photograph of the instrument inadmissible since it truly portrayed what the expert saw.