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## THE DATING OF TYPEWRITING

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Frequently, it is possible to date a typewritten document through a study of the typewriting; a study combining the typewriting and the physical properties of the document upon which the typewritten material appears; or a study of properties wholly outside the typewriting itself. In rare instances relatively definite dates may be fixed, but in most cases a date will be a rough approximation and most frequently the principal evidence to be derived from such studies is a conclusion that a document was not typewritten until after its purported date. The evidence is negative. Nothing is proven by revelation that a document dated two decades previously was executed on a typewriting machine which existed then, but much is proven by revelation that a document of such date was executed on a typewriting machine which did not exist until a year or so previous to the examination. Though this is true, it is possible in many cases to establish that an older document executed on a typewriting machine which actually existed on its date, could not, in fact, have been written then. It is the purpose of this paper to explore all methods of dating typewritten documents.

### TYPE DESIGN

Perhaps the ideal cases from the standpoint of the document examiner, and certainly among those most susceptible to rapid solution, are the problems where it is determined that a document dated a decade or so previous was executed on a typewriting machine bearing types designed and first manufactured a year or so previous to the examination. Over the years, manufacturers of all typewriting machines have redesigned letters, figures or characters within fonts which have been continued in use, or they have redesigned entire fonts or created new ones. The examiner maintaining an adequate basic type file is not likely to

be mystified in attempting to date typewriting on a broad basis. But in certain instances fonts have existed without change for a number of years. If the examiner finds himself involved with certain designs of almost every typewriter builder, he faces a period of years during which no change was made. Typewritten documents whose dates are questioned may fall comfortably into these static or "no-change" periods, or as is so often the case, a "borderline" condition may exist. Fortunately, other features of the types may be considered.

### TYPE DEFECTS

In some instances, a chronological study of type defects may be conclusive in dating typewritten material, and in cases where necessary specimens are procurable such a study should be made. Defects in type faces or alignment appear as a result of continued usage. Damage and misalignment might develop in a new machine at varying periods, according to the quality of the typewriting machine, the abilities of the principal and any subordinate typists, and the amount of usage to which the machine is subjected. Certainly, if a machine at the end of a 10-year period has developed a dozen defects, they did not all occur at once but developed through use of the machine over the years. Consequently, if chronological specimens are available, the date of the development of defects may be established, and they, in turn, may serve to date a document.

In applying a study of type defects to dating problems, certain cautions need to be heeded. The examiner must be certain beyond doubt that he is dealing with only one typewriting machine, and he must stand ready to prove that fact, or it must be proven by other testimony. Also, he must not allow himself to be misled by the possible replacement of certain individual types in a machine.

This latter feature, though, (with the possibility of producing repair records) may go far in the solution of a dating problem—a two-bladed weapon, actually.

#### DIRTY TYPE FACES

If a typewriting machine is used without frequent cleaning, type faces become filled with dirt, and the loops of such letters as the "o" "e" "g" "p" and others may become clogged with a combination of dirt, eraser particles, and ribbon residue. Once a letter opening is filled, the accumulated dirt packs and the surface becomes hardened and prints when it strikes the ribbon. Thus, an "o" may become a solid black circle. Letter closures become more pronounced with further use without cleaning. Therefore, if in a typewritten document part of the letter openings are clogged, while others are entirely free of dirt and clogging, it is obvious that there was a time differential between the two portions of the instrument.

It should be borne in mind that a machine might be cleaned at any time so that if page 1 of a suspect document has clogged types and page 2 does not, such evidence may constitute proof of a sort, but too much weight cannot be assigned. Contrariwise, if page 1 has entirely clean types and page 2 has dirty, clogged types, some rather substantial proof is at hand. Even here an admonition is in order. With a heavily inked ribbon and great usage, type clogging may occur in a short period of time. The exact period required for visible evidence to appear would be conjectural, but in lightly used machines, with a heavily inked ribbon, a clogging tendency has developed within a week or ten days. As with type defects, if specimens are available, a chronological study of the machine could be determinative.

#### RIBBON CONDITION

It is considered that there could be a few isolated instances where fabric ribbon condition might assist in the solution of a dating problem. The author takes an exceedingly dim view of this type of evidence for the reason that there are so many possible variables. For instance, while it is highly improbable, it is still possible that some typist might change a ribbon, even in the middle of a paragraph. Also, it is not completely impossible for a typewriting ribbon to go from new to worn condition in a short period if the machine involved is used a great deal. If chronological

specimens of a machine are available for study, ribbon condition may assume great significance. Generally, while ribbon condition might aid in a few instances, the author would consider this evidence more definitive in showing a difference of a few hours or a day or so.

#### OTHER DATING FACTORS

Certainly, typewritten documents may be dated by evidence other than that connected with the typewriting machine used. This kind of evidence will serve to date any document—typewritten or otherwise. Certain of this evidence is of a devastating type, and its presentation can be completely effective.

Along this line, most conclusive evidence is that which establishes that the paper upon which the document is executed was first manufactured after the date of the document. Or, if the document is upon a printed form, establishment that the form was first printed after the date of the document is equally definitive.

The writer has handled several such cases in the past few years. In one case, a defendant in a \$90,000 lawsuit offered in his defense a copy of a resignation dated in June 1943, stating he mailed the original to his company in the month mentioned. If genuine, the resignation would absolve him from liability in the case. The paper was Woolworth's Cronicon, manufactured by the Hammermill Company, at Erie, Pennsylvania, and the complete, accurate records of this company revealed that the watermark in the copy of the resignation had been used first in February 1946.

Evidence equally decisive was discovered on a note for \$12,000, dated November 10, 1944. This document bore a signature inscribed in a brilliant blue ball pen ink with a minimum of skips and goop marks; in other words, an instrument drawn long after November 10, 1944. In this case it was also found that the note form had been printed first some months after the date of the note. The note was typewritten, but the typewriting itself offered no evidence of fraud of misdating.

The identification of a particular typist may be conclusive in establishing the date of a document. As an example, it might be established definitely that a typist could not have been available for execution of a document pre-dating his or her employment and/or access to a given machine.

The date of a misdated document can itself sometimes offer decisive evidence. A will, as an ex-

ample, might bear a date when investigation will prove the testator was in the midst of an extended European tour and could not, in fact, have written his name on a document dated in his home town. More conjectural but deserving of some consideration would be the convenience of dating; that is, some consideration may be given to the use of a date which would conveniently lend countenance to the fraud being perpetrated.

#### ADMISSIBILITY OF EVIDENCE

The first discussion in this paper deals with the dating of a typewriting machine—and consequently a document it executed—by the design of its type. As was stated, changes in types by the various manufacturers make it possible to date typewriting within certain periods. In some instances, the discovery of the evidence might take a few moments, leaving only the necessity of presenting that evidence in a Court of Law. How may this be done?

Regardless of the *method* of presentation, one thing will have to be accomplished. Specimens of a machine must be introduced; that is, if the examiner is going to prove that the questioned machine was not manufactured until a certain date, he is going to have to offer proof by using standards. There is one nearly certain manner of getting specimens into evidence and that is to have present a fully qualified factory man—perhaps one who designed or approved or first aligned the type—who can testify. There are, of course, numerous objections to this—financial and otherwise—and the fact must be faced that more often than not, the examiner will necessarily carry the burden.

Objection by opposing counsel might exclude testimony by a document examiner as to when any typewriting machine was first manufactured. The entering of such an objection should be anticipated in every case and a proper ground work laid in qualification of the examiner. The writer's personal preference (in any typewriting matter) is to place at the end of the regular qualification a question such as, "Now, in this case, typewritten material is involved. Would you state any special study you have made or any special qualifications you may have concerning the identification of typewriting machines?" Preferences may vary, but it would seem that this question or one similar should be asked at some point during qualification of the witness.

In reply to such a question it should be pointed out that the examiner has made a special study of typewriting equal to the number of years he has been engaged in examining documents. Certainly, this should be true. Visits to typewriter factories should be detailed, stressing the fact that such visits were not for the purpose of viewing the admirable mass production methods of the industry stressed to most visitors, but included extended talks with experts on type, the procurement of specimens, alignment, operating mechanisms of machines, and all features pertinent to the identification of typewriters. Naturally, a particular machine or machines will be involved in a given case and the examiner should be prepared to offer a history of type design and manufacture with particular emphasis on the types affixed to the make and model of machine or machines under scrutiny. Regardless of knowledge at hand, all facts should be checked and rechecked prior to embarking upon testimony in an important typewriter controversy.

In the matter of the actual introduction of standards, a thorough authenticating job must be accomplished. In some of the newer type designs—IBM and other electrics, as well as certain manual fonts—the origin of the design is within the specific knowledge of the examiner; that is, he was actively engaged in the examination of typewritten material when the type first appeared. Perhaps original specimens were received from the factory or were taken from unused machines in the local offices of the typewriter manufacturer. In such circumstances it is probable that the standards would be admitted.

In criminal cases in the lower courts, there may be a tendency toward liberalism; that is, if the document laboratory of some enforcement agency possesses a specimen bearing a certain date, the Court might be moved to accept the standard. The same liberalism, it should be remembered, may not prevail in civil cases.

Because of the peculiar nature of typewriting evidence, relatively few cases of the kind under discussion are actually tried and the author has been unable to find any precedent cases. But to recapitulate this discussion, it might be stated that in introducing typewriter standards, the examiner should do the best and most thorough authenticating job of which he is capable. The question of whether typewriter standards will be admitted will depend entirely upon the individual Court.