

EYING THE EVIDENCE

THERE is a widespread inability to analyze evidence, to understand what does and what does not amount to proof. One of the most remarkable illustrations, in any country, at any time, was offered by the Tichborne trials in England.

Roger Tichborne, a young Englishman, some day likely to become a baronet and owner of a great fortune, was lost in a ship which sank at sea in 1854. Nobody doubted this: his father, the courts, the owner of the ship, the insurance company—all accepted the fact that he was dead. There was one exception: Roger's mother, a Frenchwoman, and a very self-willed person. She insisted that he must still be alive. And of course, by all the rules of romance, she must be right.

After her practical and commonsense husband was dead, Roger's mother began to advertise all over the world for the "lost heir of Tichborne." In other words, she offered any impostor who might be interested in tempting bait of a title and an income of £20,000 a

year. Naturally, there came a nibble at her line. Twelve years after Roger's death, an enormous fat man, a Cockney butcher named Arthur Orton, emerged from the Australian bush and prevailed upon Lady Tichborne to accept him as her son, "Sir Roger."

Thus the impostor began with the support of all the dreamy-eyed romantics in Britain—folk who were content to say, ecstatically, "A mother is never mistaken in her own child!"

The impostor rallied round himself some old retainers and followers of the Tichbornes, and aided by Lady Tichborne's money, kept them in his service, while he pumped them dry of useful information. Wildly ignorant, at first, of the career of the man he was trying to impersonate, he managed to acquire enough knowledge to convince the trusting.

And they were convinced because they were unable to analyze evidence. This glaring failure resulted from their inability to observe that what he knew of Roger Tichborne, his life and family,

was, in every respect, knowledge that he had gained from Roger's mother, or from his hired retainers and coachers. And that dozens of matters of which he was absolutely ignorant were things which the real Roger must infallibly have known. If his sympathizers saw this, they were incapable of making any deductions from it.

The real Roger spoke French like a native; the false Roger could not pronounce correctly a single French word. The real Roger was a devout Roman Catholic; the false one was ignorant of the forms of that faith. The real Roger had been an officer in the English army; the false one said he had been an enlisted man! The true Roger had studied the classics; the claimant knew nothing of them and thought that Caesar was a Greek. The actual Roger was tattooed with an anchor, a heart, a cross, and his initials,

R.C.T. All that the faked Roger had in the way of tattoo marks were his own real initials, A. O., which he had tried to obliterate.

This last fact ended the first trial—the impostor's civil suit by which he tried to get possession of the Tichborne estates. He was then tried for the crime of perjury. The jury found him guilty on all counts, and he went to prison for fourteen years.

It should be observed that the evidence most conclusive in establishing the truth—as, for example, the tattoo-marks—was circumstantial evidence.

Throughout this long case and these two incredibly minute trials, circumstantial evidence had invariably pointed to the truth, while the *direct evidence* of witnesses was the cornerstone of a gigantic structure of fraud.—*Edmund Pearson, condensed from Scribner's.*

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VERY COLORFUL!

HAS IT EVER occurred to you that when a man is rebellious we call him red? When he is afraid we call him yellow; when he is straight we call him white; when he is loyal we call him true blue; when he is ignorant we call him green; and when he is uninteresting we call him colorless.—*The Commentator.*