

Handwriting Expert Says Resolution Wasn't Forged

A Dallas handwriting expert testified Thursday that W. T. Cox and his wife, Jane, signed a corporate resolution used to obtain an \$18,500 loan for the Cox Fence Company two years ago—a document that 38-year-old L. J. Massingill is charged with forging.

Comparing enlarged photostats of known samples of Mr. and Mrs. Cox's signatures with the two signatures on the corporate resolution, Dr. C. Gordon Martin testified that the names on the document were not forgeries.

Dr. Martin's testimony had the effect of turning the forgery trial in Crim. Dist. Judge J. Frank Wilson's court into a battle of the experts.

E. H. Martin (no relation), a handwriting expert with the Department of Public Safety, said Tuesday on the stand that the names of Cox and his wife, in his opinion, were forgeries.

Massingill, former general manager for the Cox Fence Company, has denied on the stand that he forged the signatures.

Both Mr. and Mrs. Cox have testified that they did not sign the resolution and knew nothing of the \$18,500 loan which the Mercantile

National Bank made to the fence company.

Atty. Clarence Bentley, a former assistant district attorney for Dallas County, testified Thursday that Dr. Martin has been used by both prosecuting and defense attorneys in cases all across Texas.

Dr. Martin testified for the state in two cases for Dallas County, Bentley said.

Under cross-examination, Dr. Martin said he had been paid \$700 by the attorneys defending Massingill to testify in the case.

Jack Hall, president of the Excel Steel Corporation, testified that he paid Massingill \$6,500 in commissions on merchandise bought from his firm by the Cox Company.

Cox was the last witness on the stand Thursday night.

He said that, while Massingill was his employee, he did not know that Massingill ever received commissions from other firms.

Asked whether he approved the Cox firm's paying more than \$500 on Massingill's personal income tax, Cox replied, "Absolutely not."

Both the state and the defense rested their cases after Cox left the witness stand.

In his charge to the jury, Judge Wilson said that a prison term, ranging from two to seven years, should be assessed Massingill if he is found guilty of the alleged March 11, 1954, forgery.

Then the judge told attorneys that each side would be given an hour to argue their case before the jury.

Asst. Dist. Attorneys Fred Bruner and Harvey Lindsay are representing the state. Robert A. Benavides and M. L. Miller are special prosecutors.

Defense attorneys include T. K. Irwin Jr., R. T. Scales and George Irwin.

The case went to the jury early Friday.