



Survival Top 40 — Case #73 — ESS = 255c

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Where There's A Will

On first hearing, it sounds like an urban legend or the plot to a grade-B spook movie. A man dies leaving all his property to one of his four sons, but one of the disinherited has a dream in which the father points the way to an unknown newer will which gives equal shares to all of his sons. ... How very convenient!

The case, however, is one of the more thoroughly researched and best attested in the not inconsiderable body of evidence indicating that the so-called dead can sometimes return to correct an injustice.

In 1905, James L. Chaffin, of Davie County, North Carolina, wrote out and registered his will whereby, "he gave his farm to his third son, Marshall, whom he appointed sole executor. The widow and the other three sons were left unprovided for."¹ Why he wished to leave nothing to the rest of his family is not known. One theory is that Marshall's wife, Susie, coerced James while he was staying with her and Marshall (as a result of a fire at his own home). Apparently Susie was a domineering person who terrified the older man. Then again, it could have been done out of a desire not to have his farm broken up. The existence of this document was known and recognized by all of the Chaffin family and, when James died suddenly in an accident in 1921, no one contested its validity.

That is, no one contested for 4 years; then it *was* challenged ... by James L. Chaffin himself!

How this happened is perhaps best told in the sworn testimony of the second son, James Pinkney [Pink] Chaffin:

"In all my life I never heard my father mention having made a later will than the one dated in 1905. I think it was in June of

1925 that I began to have very vivid dreams that my father appeared to me at my bedside but made no verbal communication. Some time later, I think it was the latter part of June, 1925, he appeared at my bedside again, dressed as I had often seen him dressed in life, wearing a black overcoat which I knew to be his own coat. This time my father's spirit spoke to me, he took hold of his overcoat this way and pulled it back and said, 'You will find my will in my overcoat pocket,' and then disappeared. The next morning I arose fully convinced that my father's spirit had visited me for the purpose of explaining some mistake. I went to mother's and sought for the overcoat but found that it was gone. Mother stated that she had given the overcoat to my brother John who lives in Yadkin County about twenty miles northwest of my home.

"I think it was on the 6th of July, which was on Monday following the events stated in the last paragraph I went to my brother's home in Yadkin County and found the coat. On examination of the inside pocket I found that the lining had been sewd together. I immediately cut the stitches and found a little roll of paper tied with a string which was in my father's handwriting and contained only the following words: 'Read the 27th chapter of Genesis in my daddie's old Bible.'

"At this point I was so convinced that the mystery was to be cleared up I was unwilling to go to mother's home to examine the old Bible without the presence of a witness and I induced a neighbour, Mr. Thos. Blackwelder to accompany me, also my

daughter and Mr. Blackwelder's daughter were present. Arriving at mother's home we had a considerable search before we found the old Bible. At last we did find it in the top bureau drawer in an upstairs room. The book was so dilapidated that when we took it out it fell into three pieces. Mr. Blackwelder picked up the portion containing the Book of Genesis and turned the leaves until he came to the 27th chapter of Genesis and there we found two leaves folded together, the left hand page folded to the right and the right hand page folded to the left forming a pocket and in this pocket Mr. Blackwelder found the [new] will."

This will was dated January 16, 1919, which was more than 13 years after the previous will was written and almost 3 years before the father's death. It read as follows:

"After reading the 27th chapter of Genesis, I, James L. Chaffin, do make my last will and testament, and here it is. I want, after giving my body a decent burial, my little property to be equally divided between my four children, if they are living at my death, both personal and real estate divided equal if not living, give share to their children. And if she is living, you all must take care of your mammy. Now this is my last will and testament. Witness my hand and seal.

James L. Chaffin"

The cited section of the biblical book of Genesis concerns conflict between two brothers over their inheritance from their father. Perhaps this is a clue as to why the new will was written, but no one can say for certain. As to why it was not simply announced when it was written, perhaps James hoped to avoid a confrontation with Susie by postponing the revelation until he was on his deathbed. A hope dashed by his fatal accident.

Although there were no witnesses, at that time in the State of North Carolina a will was

considered valid if it was entirely written in a hand that was incontestably that of the signatory. Soon after its discovery, the second will was tendered for Probate. Three lawyers represented the three plaintiffs and ten witnesses were prepared to testify that the will was written in the father's handwriting. The case was heard in the Superior Court of Davie County in December of 1925. A jury was sworn and the court adjourned for lunch. At this point, the wife of Marshall Chaffin (who had died a year after gaining his inheritance) was shown the new will. Apparently, she agreed that the handwriting was authentic, for when the hearing was continued one of the lawyers announced that during the interval an amicable adjustment of the issues had been arrived at, and that the new will would be admitted to probate without opposition. The judge then ordered that the old will be superseded by the new.

The Chaffin Will Case, as it came to be known, was widely reported in the U.S. and even in Canada. A Canadian member of the Society for Psychological Research was so intrigued by the case that he hired a lawyer, Mr. J.M. Johnson of Aberdeen, North Carolina, to research the case. Johnson interviewed several principals in the case (including Pink's wife, daughter, and mother) and obtained sworn statements from two of them (the one given above and a collaborating one from the neighbor, Mr. Blackwelder.²) In his conclusions, Johnson stated that he was "much impressed with the evident sincerity of these people, who had the appearance of honest, honourable country people, in well-to-do circumstances."

Johnson's appraisal is important, for it is technically possible for Pink to have perfected writing in his father's hand, produced a false will which he planted in the old Bible, written out a phony note, palmed the note and pretended to find it in his father's overcoat, and then arranged for his neighbor to "find" the will.³ But, despite careful scrutiny by attorneys, reporters, and researchers, no hint or suggestion of any such com-

plex plot was discerned. And, would a “well-to-do” landowner with a reputation as a sincere and honorable family man take the huge personal and legal risks involved in trying to fool so many people – with such an outlandish story – just to gain one-quarter of his father’s estate? We must admit that it is possible, but it is also highly improbable.

Update

A few weeks after the above case was posted, I was reminded⁴ that it had been extensively discussed by Mary Roach in her book titled *Spook*; (a book I had read when it first was published in 2005).⁵ She spent time at the scene of the events and devotes an entire chapter to her observations (which are professional) and her speculations (the naiveté of which support her admission that she began her investigation in “a state of near absolute ignorance”).

Roach has a good ear for irony and a biting wit that is often employed to denigrate her subjects. Nevertheless, much of what she writes is supportive of the spirit-visitation explanation. She quotes Pink’s grandsons (now elderly themselves) responding to the idea of a scam by stating: “Pink would never have thought of that,” “Nope. He would have considered that crooked,” and “John was just like Pink. Didn’t talk much. Didn’t go for foolishness.” Roach admits that the idea of a plot amongst the brothers “sounds hopelessly oversophisticated.” And she asks “why would they bother with the ghost, the overcoat, the slip of paper? Why not simply claim to have found the second will in the Bible?”

But Roach hires a hand-writing expert to examine the two wills. After presenting the idea that one’s handwriting always deteriorates with advancing years, and noting that the more recent signature is smoother than its predecessor, she quotes the expert as stating: “If the J.L. Chaffin signatures on the 1905 will are representative of that particular writer’s skill level, and I see no

evidence that they are not, then that writer could not have written the signature on the 1919 will.” And so, Roach concludes, the newer will “would seem to be a fake.”

There are several difficulties with such a hasty conclusion.

1. The original will was not written by Chaffin, so the only comparison possible was between two signatures – an analysis of only eleven letters vs. the agreement by 14 people that the entirety of the second will was in Chaffin’s handwriting.
2. While the expert may have seen “no reason” why the signature on the earlier will was not representative of Chaffin’s typical handwriting, several possibilities are evident. He might have been nervous about his first signing of a legal document; he might have been writing in an awkward position or on an uneven surface; or, he could well have been nervous under the intimidating eye of Marshall’s wife.
3. While the overall precision, clarity, and beauty of one’s handwriting generally does deteriorate in old age, it is certainly feasible that one’s writing might become smoother with practice – or with a better pen.
4. Roach does not offer a signed statement from the expert, she does not reproduce the signatures so that other experts can offer their opinions, nor does she mention any comparison between the signature on the will and the handwriting of the three brothers.

Deciding the credibility of an adverse claim is one place in which the objectivity of the Evidence Scoring System breaks down. It is, therefore, debatable whether or not the opinion of Roach’s expert should disqualify the case from the Survival Top 40. For the moment, we leave it as it was originally scored, simply because it deserves careful consideration of all facets.

¹ All quotes (except for those in the Update section) are from “Case of the Will of James L. Chaffin,” *Proceedings of the Society for Psychical Research*, Vol. 36, 1928, pp. 517-524.

² “My name is Thomas A. Blackwelder. I am 38 years old and the son of H. H. Blackwelder. My home is on a farm in Callihan township about one mile from the place where Jas. L. Chaffin died in 1921. I think it was on July 6, 1925, that Mr. J. P. Chaffin, the son of Jas. L. Chaffin and a neighbour of mine came to my house and asked me to go with him to his mother's home and at the same time stated that his father had appeared to him in a dream and instructed him how he could find his will. Mr. Chaffin told me at the same time that his father had been dead about four years and had appeared to him in a dream and made known to him that he should look in the breastpocket of his old overcoat and there he would find something of importance. Mr. Chaffin further stated that he had gone to this overcoat and had found a strip of paper in his father's handwriting and he wanted me to go with him to his mother's and examine the old Bible. I went with him and we made a search for the Bible and after some time we found it in a bureau drawer in the second story of the house. We took out the Bible which was quite old and was in three different pieces. I took one of the three pieces of the book and Mr. Chaffin took the other two pieces but it happened that the piece I had contained the Book of Genesis. I turned the leaves until I came to the 27th chapter and there found two leaves folded inward and there was a paper writing folded in these two leaves which purported to be the last will of Jas. L. Chaffin.”

³ This possibility has been factored into the ESS score for the case.

⁴ Thanks to Trevor Hamilton, author of the book : *Tell My Mother I'm Not Dead: A Case Study in Mediumship Research.*

⁵ Roach, Mary, *Spook: Science Tackles the Afterlife*, W.W. Norton & Company, 2005. Quotes are from Chapter 11.