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## ***The Romance of the Records***

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# THE ROMANCE OF THE RECORDS

— by —

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## **The Romance of the Records**

It may seem preposterous to attempt to associate the volatile essence of Romance with the ponderous tomes and voluminous files that pass under the scrutiny of the searcher of titles. Certainly there are no lyrics in the libers he examines, nor are the court proceedings gemmed with Byronic ballads. And yet, as evidence that there may be an occasional diamond in the dust-heap, one need only point to what attorneys call precedent. Nathaniel Hawthorne, the most gifted of all American romantics, found the inspiration for his "Scarlet Letter" while rummaging among the ancient files in the old Custom House at Salem, and Charles Dickens blew the dust off the old chancery suit of Jarndyce vs Jarndyce and wove a tale of absorbing interest.

However, the "romance" upon which I touch has nothing do do with the "divine passion," nor is this intended as a Kinsey Report on the love-life and erotic behaviorisms of titles, tainted or otherwise. My thought is to emphasize what long has impressed me, that our research into that vast and shadowy domain - "the dark backward and abysm of Time" - to which we refer as the "Record," is not all tedium and technicality, as is generally supposed, but that, if scanned with a little vision, the instruments which we examine may yield many a colorful passage to feed the fancy and stimulate the imagination.

True, this business of tracing titles is a grubby one, at the most, and the field of our endeavors is not fertile soil for philosophical speculation. The searcher, after many years of digging and delving,

inevitably becomes either a grub-worm or glow-worm - either he dully views, with myopic vision, the instruments and files which pass in review, or he pauses occasionally in his prosaic labors and flings a glance above or beyond, or far back into the misty regions of the past.

I am reminded of my own grandfather, who was much addicted to day-dreaming and poetical musings. One Sunday morning, strolling by the sandy shore of the creek which meandered through his homestead farm, accompanied by his hired man, he repeated aloud the line from Longfellow - "Footprints on the sands of Time." The hired man - a very Caliban - seemed puzzled, glanced earthward, and hoarsely exclaimed - "coon tracks." Practically minded, he never had heard of Longfellow, but coon tracks were something definitely embraced in his philosophy. (I might add, parenthetically, and as an enlightening bit of information, that my grandfather, being the type of man he was, lost that homestead farm by foreclosure, while the hired man went on to accumulate considerable land, well dotted with coon tracks, and departed this life well-heeled.)

But so it is with the searcher of the records: in the devolution of title which flows under his observation, and in the ancient instruments and files which he examines, he may discern "footprints on the sands of Time," or - just coon tracks.

It is quite understandable why many a searcher sees only the coon tracks. No star gazer he, the relatively small patches of the earth we designate as lots or parcels or tracts, are his proper domain, and there he patiently delves and traces and measures in his gnome-like investigations of the mundane trans-

actions that are linked with the land. He does not dwell in the lofty sphere of that "watcher of the skies," of whom Keats wrote, and no new planets swim into his ken to fire him with the joy of discovery - and yet, I maintain, he may turn over and musingly examine many an interesting old one, upon which, if he be so minded, he may soliloquize, as did Hamlet over the skull of "poor Yorick."

I may state with conviction that my own forty years of labor in this field would have been unendurable had I not brought to my relief these pleasurable excursions into the by-paths of fancy, not reflected in the abstract of title - trailing and deciphering those footprints in the sands of Time, and digging up old Yorick's upon which to muse and meditate. Some of the fruits of those jaunts are sought to be reflected in this article, which deals not with the technicalities, but with the whimsicalities of titles that have come under my own observation.

Most of my remarks are directed to abstracting of a former day (in which circa I am content to take my place) and in the smaller centers. I have witnessed in my time many changes in the methods of compiling abstracts, and it has been borne upon my consciousness that what little romance may have sweetened the records in the past, has fled with the advent of modern innovations. No longer is the searcher a researcher, or the abstracter a chronicler, and gone is that personal touch which distinguished and identified each product of our labors - the same touch lovingly bestowed upon his creations by the old boot-and-shoe maker, who was as much of an artist as an artisan. With the coming of mechanization and departmentization, the completed abstract (especially in the larger centers) now issues amid the whirl of gadgets, the click of photographic shutter, the drone of dupli-

cating devices - a thing off the assembly line, the product of many hands. No one mind conceives the title as a whole, from the time it flutters from the Governmental roost by Patent or Grant, until the late day it arrives breathlessly into the possession of the present holder. I am not one of those who, with maundering and moony ecstasy, dwell upon the peculiar virtues of the so-called "good old days," nor would I stay the oncoming of these modern methods which make for speed and accuracy - but the thought persists that much of the joy of fathering a complete abstract of title, ab initio, has gone forever, and the abstracter of a former day resignedly takes his place with the old boot-and-shoe maker.

In former days, in the smaller centers, when the abstracter received an order for an original abstract on a "forty" or an "eighty," the title to which had never been touched by the searcher, it was like embarking on an exploration of virgin territory, and his was the joy of a Columbus or a Balboa or a Cortez. He lived with the title intimately, for days and sometimes weeks, tracing it along dim-lit paths and through somber forests, losing it occasionally and then picking it up in the tattered files of an old chancery suit. The title seemed like a sentient thing - an elusive will-of-the-wisp which challenged pursuit - and when the searcher had captured and entrapped it in the completed abstract - giving to that which was airy and evanescent "a local habitation and a name" - he gazed upon his handiwork fondly and fatherly, and delivered it to the owner with the faintest feeling of regret that his explorations were at an end. His had been an experience of high adventure, in its way - he had walked arm in arm with the pioneer and exchanged greetings with old Yorick's of the past, and as he affixed his signature to the final certificate, he waved them adieu as his most intimate friends.

Not the least of my own pleasure, in thus exploring that "dark backward," was the examination of the old probate files which I exhumed from their crypts. Here were the dim foot prints which I sought, and here I resurrected many an old Yorick, whose personality emerged from the shadows and spoke to me over the chasm of the years: It was a matter of interest to me, although not pertinent to the title, to learn from the faded files what tools the pioneer laid down when his earthly activities ceased, and how many jugs of wine were stored in his cellar. I was even curious to learn how much was paid for digging the grave, and the cost of the rude coffin, and it was enlightening to learn that one might die in those days without bankrupting one's estate.

Of especial interest were the book's inventoried, and I found, after the examination of many files, that the favorite reading of the pioneers seems to have been, in their order, The Bible, Shakespeare and Plutarch's Lives - solid reading, surely, and sufficient for all their spiritual and intellectual needs.

There were other matters that caught my fancy. One Enoch Wade, for instance, who died in 1843, was possessed of more than the NW 1/4 of Section 9, Twp. 69 N., Range 2 W. Although my abstracts never disclosed it, there was tucked away in my mind the knowledge that he owned a mare named Kitty Clover, another named Queen Victoria, a colt named Potomac, and another by the puzzling name of Jack Downing. This told me that old Enoch had in his nature a touch of the imaginative, with a flair for the picturesque in nomenclature. While breaking the soil and felling the timber his soul was chained to the actual and the arduous, but when it came to naming his horses he gave free rein to his fancy. No classicist, his barn did not house nor his Inventory list a Pegasus or a Bucepha-



lus, but neither did he succumb to the commonplace and use such names as Ned and Nellie, or Buck and Bess.

Potomac, I am sure, was a spirited brute, who tossed his mane and champed his bit; Kitty Clover was gentle and petite, and probably a favorite with Enoch's children; Queen Victoria was stately and dependable, no doubt. But as to that colt, Jack Downing, I have my grave misgivings. My fancy pictures a dissolute, roistering high-stepper, who came to no good, and belonged not in the same stable as the gentle Kitty Clover.

Pharaoh's Horses are famed in picture and story, but more intimate to me are Enoch Wade's Horses, whose muted hoof-beats still sound in my reveries and echo in my dreams - those of Potomac, Kitty Clover and Queen Victoria always in pleasing unison, but those of Jack Downing sullenly trailing, as of a way-ward wraith - the spirit of Revolt - who still canters alone, down through the centuries.

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If one seeks romance in the records (and by romance, I mean colorful passages and revealing glimpses into the human heart) he will find more of it in the old-time wills than in any other document that comes under his scrutiny. I have in my office, in bound volumes, copies of all the wills probated in Des Moines County, from 1835 to within a few decades ago. These volumes are compendiums of human interest, and have been for me a source of considerable study and speculation.

The last Will and Testament is, perhaps, the

most solemn act of a man's life, and, if I mistake not, it is legally presumed to speak from the time of death. Hence, the wishes expressed are those of one who stands on the brink of Eternity, about to step into that bourn from which no testator ever returns. Naturally, all animosities are forgotten, the warmer impulses well to the surface, and, if the testator be religiously inclined, a prayer will tremble on his lips.

It was thus that the wills of a former day spoke. Most of them contained a preamble, invoking the Deity in those familiar words "In the name of God, Amen:" followed by the statement that the testator commends his soul to the Creator, who gave it, and his body to the dust whence it came. That preamble, it seemed to me, was eminently fitting, inducing at the outset an atmosphere of solemnity well suited to the nature of the act.

It was thus that Shakespeare commenced his will, although, aside from that, there is nothing in that document to commend itself either to the student of law or the student of literature, unless it be that curious and conjectural bequest of the "second-best bed" to his spouse, the former Ann Hathaway. To cut off Ann with the second choice in nuptial couches seemed like "the most unkindest cut of all," to use the bard's own words, but Ann seems to have taken it meekly - lying down.

But, returning to the modern method of drawing wills, as compared with the custom in former years - somewhere along the line (and comparatively recent, I think) that good old preamble was dropped (at least in Iowa wills) and the Deity is now carefully and deliberately eliminated from the instrument. Assuming the will to speak from the time of death, it would appear that dying men now resort to cold,

colorless and stereotyped phrases, not as one about to step into the Beyond, but more in the manner of one about to take a jaunt into the adjoining county, leaving a memoranda of instructions for use during his brief absence. Expressions of piety and endearment are carefully avoided, the personality of the testator is carefully concealed, and we look in vain for those little touches that reveal the manner of man he was.

And I am astounded at the similitude of word and phrase adopted by men about to die. I refer now to the simple will, where all is given to the spouse. It seems passing strange that men in all walks of life, regardless of temperament, intellectual capacity, religious leanings or philosophical bent, in the last and most solemn act of their lives, should fall into the same manner of speech. But they do.

In the first years of my business career, I was happily associated with a venerable attorney of revered memory, who drew many wills. I think he drew more wills than any other attorney in the county, and he generally was just a jump or two ahead of the undertaker. I well recall how the palsy-stricken testator-to-be would shuffle into the office and go into a lengthy conference with my superior, at the conclusion of which I would be summoned into the sanctum to take in shorthand the result of that conference. The attorney would lean back in his chair, stroke his beard, gaze at the ceiling, and ostensibly immerse himself in an atmosphere of profound thought, groping for the precise words to express the exact intent of that particular testator. And then, slowly and with deliberation, he would come up with this:

"I, John Jones, being of sound and disposing mind and memory, hereby make, publish and declare

this as and for my last Will and Testament, hereby revoking and making void all former wills by me at any time heretofore made."

And then followed the stereotyped provisions directing the payment of debts and funeral expenses, a devise of all the remainder to the widow, and her appointment as Executrix, without bond.

The dictation of that will was a consummate act, and the testator would be duly impressed, convinced that the attorney, out of the profundity of his knowledge, had aptly expressed in original and well chosen words his (the testator's) own peculiar wishes, little realizing that they were the identical words to which another septuagenarian had affixed his trembling signature just a half hour previous, and to which any number of testators had affixed their signatures in the same office, in the past weeks, months, years: It was my custom, when taking those wills in shorthand, to write only the name of the testator, and of his widow and executrix, making meaningless scratches for the rest of the instrument, for I had the whole rigmarole by rote and could recite it as glibly as I could a nursery rhyme.

I also recall, in my student days, ruminating over the phraseology of the opening paragraph of that will, turning it over and over in my mind, and endeavoring to digest its full import. Chewing that cud was not without its difficulties, for the thing seemed a bit swollen with redundancy and tough with tautology. Practically all those old codgers, testamentarily minded, who drifted into our office, were making their first as well as their last will, but they took no chance. The instrument was labeled "Last Will and Testament," and by the very nature of the content it

could in no manner be construed as a billet-doux or an Ode to a Grecian Urn, but, to remove all possible doubt, the testator solemnly affirms that he "makes, publishes and declares" the thing "as and for his last Will and Testament," thus forestalling any attempt to prove that he really was executing a Message to Garcia. And then, the clause "hereby revoking and making void all former wills by me at any time heretofore made" always stuck in my craw and was violently regurgitated. If he revokes former wills he certainly makes them void, and a "former" will is indubitably one "heretofore made." There is a new word for that method of expression - "Gobbledygook."

Why not, I argued, just say "This is my last will - all others are revoked." Why all the circumlocution?

As I have said, those were the impressions of my untutored youth. Since then, fraternizing as I have with attorneys, and realizing the necessity for exactitude of expression in the preparation of legal documents, I have come to think, speak and write their involved lingo, and therefore I not only "make" the statements contained in this article, but I also "publish and declare" them as and for my very own, "hereby revoking and making void" all former statements to the contrary, "heretofore made." If that leaves any doubt, I can cough up more "gobbledygook" to bolster the thing and make it acceptable to the legal fraternity, among whom I number my warmest friends, and who I am sure will accept this gentle "ribbing" in the good humor in which it is offered.

The wills of a former day departed from fixed form, and are neither cold nor colorless. I quote at random from one probated in Des Moines County, nearly a hundred years ago:

"I will that I be buried in my white linen coat and my Versailles vest and pants. I wish to be buried plain and decently without any unnecessary expense or trouble to make appearance, and at convenient time, a plain old-fashioned Methodist preacher to preach my funeral to the living, and Oh that they may lay it to heart."

The "Versailles" vest and pants have me puzzled, but I imagine they were velveteen or some similar Frenchified garments. Here it may be objected that this testator was inconsistent in wishing to be buried "plain and decent" and "without any trouble to make appearance," and at the same time direct that he lie resplendant in that white linen coat and velveteen vest and pants, while his neighbors shuffle by and gaze at the gorgeous spectacle. But, waiving that, the query arises, How would our modern attorneys handle such an unusual request. In the first place, they would endeavor to take him out of it, substituting some of the "make, publish and declare" business, failing in which they would reluctantly word it in this fashion:

"It is my will, and I so direct, that at my obsequies I be attired in my white linen coat, and in the vest and nether integuments (or trousers) commonly referred to as "Versailles," now in my possession and which will be identified by those surviving me. I further direct that such obsequies be performed in modest fashion, without needless expense or ostentation and that the services be performed by a legally ordained minister of the Methodist faith, preferably a Fundamentalist, and it is my hope that those attending such services may derive therefrom spiritual uplift."

And thus would the honest expression of the

testator, warm from his heart, be immeasurably weakened and formalized by modern "gobbledygook."

The last Will and Testament, when it receives the personal touch of the testator, usually reflects his character. I quote now from a will probated in Norfolk County, Massachusetts, in 1898, and certified to my own county in 1900, and which bears unmistakable evidence of the illuminating personal touch of the one who made it. It is a voluminous instrument, and disposes of a vast estate, but concludes humbly with the following provision:

"I also wish to have my executors cause to be put over my grave a very simple inscription, with only my name and dates, and the word 'Unfinished' upon it. Thus describing perhaps the lives of all, but especially applicable to my shortcomings in this life and indicating the hope of another chance for improvement."

That man had played no "bit" part on the stage of life. His accomplishments were various and vast, including among them the building of an artery of commerce which now threads its way west from Chicago. But to him, death meant neither a consummation nor a conclusion, and life but a prologue to future activities and achievement in another sphere.

I pause here for a brief personal tribute. My brother, much younger than I, and associated with me in my profession for thirty years, passed out of the title a few weeks before this article was contemplated. If what I write lacks some of the lightsome mood I had intended, it is because my thoughts have wavered from the subject at hand, to that Silent Partner who no longer treads the familiar trails through the Court House corridors. When he was stricken,

he left upon his desk an abstract - "unfinished" - which I later completed. Just two hours before the candle of his life was gutted, he spoke to me of that abstract, and of some unusual twist in the title. Faithful to his trust, he carried that title in his mind to the very portals of Death.

And thus, though one be a builder of railroads, or a humble maker of abstracts, he lays down his tools with the thought "Unfinished" uppermost in his mind, and with the hope in his soul that he may be but transferred to another and happier sphere of endeavor, where "The Master of all good workmen shall put us to work anew."

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It has always seemed to me there was a trace of the Knight-errant in the old-time abstracter. By nature and inclination, he was a Defender of the Title, and he strove manfully to lead her safely through the vicissitudes of the record, and to hand her into the arms of the present owner, unblemished, and with a benign blessing. It afforded him acute sorrow to have the frail creature mysteriously disappear for a period, without benefit of escort or chaperone, and later bob up in a bedraggled condition. Then did he rush to the rescue of the damsel in distress, seeking to satisfactorily explain those doubtful interludes, knowing full well that the Examining Attorney lurked in the wings, eager to pounce upon the little incident and make the most of it.

For there was little of the Knight-errant in the Examining Attorneys of those days. Cynical and hard-boiled inquisitors, they viewed every title with suspicion, convinced that somewhere along the line



there was a blot on the Escutcheon and a rotten apple on the family tree. Thus prejudiced, they would pry with their scalpel in the long forgotten frailties of the erring creature, opening old wounds, prodding sensitive areas, fanning the smouldering fires of ancient sins. The title would wince and shrink under his technical inquisition, like a butterfly on the wheel. In vain to invoke the plea that Time is the great Healer, and that such ancient peccadillos and derelictions were of little moment. He was adamant in his decision that the title, like Caesar's wife, must be above suspicion.

Herein the Examiner differs from the Abstracter. The latter - Knight-errant of the records - seeks to soften and subdue those purple passages, while the former

“                   - wakes a dead soul to pain,  
And draws it from its spotted shroud,  
And makes it bleed again,  
And makes it bleed great gouts of blood,  
And makes it bleed in vain.”

I rejoice I have lived to see the day when a legislative Balm of Gilead issues from our law-making bodies to relieve the Lady in Distress. Nепенthe is provided in the form of the Statutes of Repose, healing unguents are dispensed in the form of Curative Acts; and the Affidavit of Adverse Possession now mercifully casts a cloak over all the ancient derelictions. Gone is the day when Examiner stiffly adhered to the doctrine of the total depravity of all titles, requiring absolution by judicial decree - when trifling faults were magnified into grave sins, and needless expense was incurred in ridding the poor creature of superficial warts and blemishes that did not in the least affect her health or well-being.

My hope is there may be some similar balm for poor mortals, few of whom can boast of a record of undeviating rectitude, and that there may be a section in the divine Code which reads -

“ ‘Twas an ancient sin - let not your heart be troubled.”

The legislative Balm of Gilead to which I have referred has taken much of the sting out of the Opinions of the Examiners, but there still lingers a feeling of suspicion that will not be downed. If they find nothing positive to cavil at, they tack on their Opinions certain insinuations or innuendos, as though reluctant to admit the title is all she ought to be.

The title, they say, although ostensibly spotless, may have had a little affair or liaison with some mechanic or dealer in materials, who within ninety days may yet besmirch her with lien; or, there may exist undisclosed easements, which may permit access or privileges by alien philanderers, subjecting her to future servitude; or, her bodily shape may not be as represented, and only an actual survey and intimate examination will reveal just where her lines run - whether she laces or pads, or bulges where she should shrink.

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I am reluctant to admit that in my extra-curricular excursions in these by-paths of my profession, I have discovered little of the dramatic in titles, and certainly nothing that Shakespeare would seize upon as material for his swiftly moving delineations of the human passions. I have come upon instances where Gonerils and Regans were haled into court by decrepid Lears who had unwisely deeded

them his farm, but neither the attorneys in their pleadings, nor the judges in their findings, attained to any dramatic heights. They dealt dully with such matters as duress or incompetence, and I presume if it were attempted to introduce testimony about ingratitude being sharper than a serpent's tooth, it would be ruled irrelevant and immaterial.

The only instance of the dramatic touch which occurs to me, is to be found, curiously enough, in the exceedingly unromantic and undramatic Affidavits of Adverse Possession which now flood the Iowa records. They all allege "actual, continuous, visible, notorious, exclusive, hostile and adverse" possession. Some law-maker, in a spurt of imagination, happily inserted the word "hostile" in that dull array, which possesses a truculent ring, and affords one a momentary thrill. The other words used seem passive and futile, but "hostile" really explodes, and evokes the image of the Owner in Possession, club in hand, standing astride his parcel of land, breathing defiance to the whole world, and exclaiming "It's mine, damn you - keep off." I am confident whoever inserted "hostile" in our Affidavits of Adverse Possession was an admirer of William Henley, of "Invictus" fame. Henley it was who wrote the first Affidavit of Adverse Possession, proclaiming to the world, in a similarly spirited manner, "I am the master of my fate; I am the captain of my soul."

I cannot resist the impulse to revert to the wording of that Affidavit, which is an outstanding example of the redundancy and tautology resorted to by law-makers and lawyers. I repeat the wording - hold your hats, boys, here we go again: -

"Actual, continuous, visible, notorious, exclu-

sive, hostile and adverse."

Not only is assurance made doubly sure, but it is multiplied seven times. The adjectives pile up as in a football scrimmage, and one wonders who has adverse possession of the ball. I have a feeling that when the law-maker wishes to produce a sentence, pregnant with meaning, he stuffs it well with adjectives, like so many blackbirds backed in a pie. And what a mess. "Actual" and "visible" mean, I presume, that the owner is not a ghost or ectoplasm, but a bona-fide, flesh-and-blood occupant of the land. The thought occurs that another bird belongs in that pie - "stentorious" - which would go well with "notorious." Why they omitted that one, I cannot imagine, unless they feared the Affidavit might bellow a bit too much. But all is forgiven - they gave us "hostile" and we admire that sort of defiance, whether it be in a Henley or in an Owner in Possession.

In writing the above, two lines from a ballad by Oscar Wilde surfaced in my mind. I borrow those two lines from Oscar, and then continue under my own steam:

"I know not whether Laws be right,  
Or whether Laws be wrong,"  
But this I know, that Lawyers build  
A sentence mighty long,  
All weighted down with adjectives  
To make it seeming strong. -

With adjectives that shove and crowd  
And clutter up the sense,  
All strung along the sentence frame  
Like pickets on a fence,  
And whether all be needful seems  
Of little consequence.

I know not whether I be odd,  
Or whether they be queer,  
But this I know, they straineth much  
To have their thought appear,  
And cloud the skies with adjectives  
To make their meaning clear.

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Wordsworth once remarked that it would be an enlightening thing if the land could speak and relate the history of those who trod its surface and lived intimately with it. It might here be said that if the land does speak, it is only through the abstract of title. True, it thus speaks but briefly and sketchily, with little of the human interest revealed, but it does trace an outline which only our fancy may complete and amplify.

With that thought in mind, I am emboldened, in conclusion, to drag a title from its "spotted shroud" and permit it to speak - not by dreary tabulation of conveyances and encumbrances and the drone of legal proceedings, as in the abstract, but in spirited verse, as befits the utterance of one who has suffered many vicissitudes in a century of mutation.

I do this against my better judgment, as I have come to look with slight disdain upon verse as a vehicle of expression. It has seemed to me that the dabblers in verse (always excepting the immortals, and that star-gemmed galaxy of the Nineteenth century, and a few notable moderns) fall into three classes - the very young, the elderly, and an in-between class whom I designate as the slightly balmy. Certainly I do not fall into the first category, but it

may be claimed I lap the latter two. However that may be, "I hereby make, publish and declare this as and for" my last flurry in versification, and shall henceforth sin no more.

I have prefixed a latin title to the stanzas which follow. I do so not without precedent. Ernest Dowson, an English versifier, wrote some well known stanzas, with a latin title taken from Horace. They related to a bar-maid, whom he called Cynara, and of whom he was enamoured. That obscure bar-maid was immortalized by the familiar refrain which concluded each stanza -

"I have been faithful to thee, Cynara, in my fashion."

The Title has been my Cynara - frail creature, more sinned against than sinning, whose innate virtue I have defended all my professional life. To her I have been faithful - "in my fashion." And now she speaks:

#### CAVEAT EMPTOR

I am the Title - a faltering thing;  
Buyer, beware, for I've taken my fling.

Linked with the land as the soul with the clod,  
Strange and diverse were the paths I have trod;  
Searchers, who followed my trail, were aghast,  
Raking the much of my dissolute Past.  
Spotless was I when my journey was young -  
Spotless no more as these stanzas were sung;  
By-ways alluring and wayward and wild  
Led me astray - but 'twas Man who defiled.

Men have relentlessly trifled with me,  
Seeking to hold and enjoy me in fee -  
Pawed me and clawed me and soiled me with  
shame,

Muddied my record and sullied my name,  
Mine was the fate of a glittering toy,  
Sought for and fought for like Helen of Troy;  
Bankrupts have yielded me (not without  
smear) -

Bankers have eyed me with lecherous leer.

I've been the plaything of schemer and knave,  
Sold on the block like Circassian slave -  
Torn by dissension, partitioned in shares.  
Flung to a parcel of clamorous heirs,  
Lawyers have toyed with me, tossed me about,  
Jumbled me, fumbled me, sown me with doubt,  
Wronged me with Error, and cast me away  
Blotched with disease like a Dorian Gray.

Linked with the land, as the soul with the clod,  
These were the devious paths I have trod. -  
"Unclean." the cry when my record was  
known -

(Who but a lawyer to cast the first stone.  
Who but a lawyer to marshall my flaws,  
Pleading the purge of the Curative Laws.)  
Judges have sighed - and, with flourish of pen,  
Made me a virtuous creature again.

I am the Title - a penitent thing;  
Buyer, forgive. - though I've taken my fling.