Gabriel Heatter knows news!

Radio news broadcasting is one of the newer arts. To it Gabriel Heatter has brought a background of training and a natural gift of speech that have won for him an ever-increasing audience.

Since the Hauptmann trial commenced Heatter has twice each day been heard on the air from Flemington.

One secret of the popularity of Heatter as a radio news reporter, or commentator, lies in his thorough schooling in journalism. Since 1909 he has been engaged in newspaper and publication work. He knows what news is.

But there are plenty of men who have as good a background in newspaper work, who could not do what Heatter does, for the reason that he possesses a speaking voice of rare quality—not in the purely vocal sense—but in that it is natural and pleasant to listen to. There is nothing artificial about his enunciation, nothing stagy. The voice that comes from the radio is the same that you hear in conversation with him. Mr. Heatter has never had any instruction in voice. He regards himself as "a terrible singer."

While he has been engaged in radio news work only four years, Mr. Heatter's training for the work dates back to 1909 when, as a youth of 18 he entered the employ of Brooklyn Times as a cub reporter. Four years later he free-lanced until he became editor of "The Shaft," an organ of the steel industry, published in the interests of the subsidiaries of the U. S. Steel Corporation. He still edits this journal.

Mr. Heatter is the author of several books, three of them made up of inspirational essays. His advent into radio broadcasting came as a result of a series of articles in "The Nation," which took the form of a debate on socialism. His opponent was Norman Thomas. As a result of the response from these articles, Mr. Heatter was given a contract for regular broadcasts from Station WMCA. A year later he entered into contract with Station WOR and has been with that station three years.
WORD PICTURES OF THE HAUPTMANN TRIAL

By Gabriel Heatter

CHAPTER I

THIS is the story of Flemington. This is the timeless tale of a baby, which vanished into the night; of a pale, grey-eyed man named Bruno Hauptmann, sentenced by a judge and a jury to die for this baby’s death. And this is the story which was told in Flemington Court House, in the County of Hunterdon:

TRAGEDY AT HOPEWELL

On the night of March 1st, in the year 1932, the infant son of Colonel Charles Lindbergh was placed in his crib for the night, by his nurse, named Betty Gow. Colonel and Mrs. Lindbergh were accustomed to spend their week-ends in this house in Hopewell, situated on a lonely road in the Sourland Mountain region of New Jersey. In the normal course of events, the baby would have returned with its parents to Englewood on Sunday, the day previous to this fatal tragedy. But the baby was ill. It suffered from a heavy cough and Mrs. Lindbergh decided to spend an extra day in Hopewell.

Betty Gow put the baby in its crib, turned out the light, and went to another part of the house. During the evening, the wind picked up, the night was black and starless, and except for the rustle of the wind through the trees surrounding the home, the house inside and the grounds outside, were wrapped in night and silence.

Later that same evening the maid went to the room where the baby slept. The blankets were thrown over the side. And the crib was empty.

The next hour in that home in Hopewell, will remain unforgettably to the end of their days, with those who were there at the time. Colonel Lindbergh hurried to the nursery and quickly sensed what had happened. He searched the house, and rushed into his wife’s room. And this young mother heard her husband say: “Anne, they have stolen our baby.”

Under the baby’s nursery window he found the ladder which told the story better than words could tell at that time. And a note inside the nursery, wrote the first harrowing chapter of a tale which was to run through most of the three years which followed, which was to reach to the remotest ends of the earth until an hour before midnight when it came to a close before a judge and a jury in Flemington.

The widest police search in all history began that night. The local police at Hopewell, the New Jersey State Police under Colonel Schwarzkopf, the United States Department of Justice under personal instructions from President Herbert Hoover were all thrown into the hunt. Police in surrounding cities and states were called in before an hour passed; and later that same evening a nation was shocked to hear the radio report that Charles Augustus Lindbergh, Jr. was stolen from his nursery bed in Hopewell.

A NATION PRAYS

A nation prayed and hoped and waited while police teletypes and radios flashed the news to every border line. And Anne Morrow Lindbergh spoke a heart-rending plea through a microphone in which she begged for her baby’s safety, and urged those who stole her child to follow the diet prescribed for the baby by physicians who were treating its illness at that time.
Night and day a relentless hunt went on. The man who built that ladder and placed it against the wall of that house and climbed into the baby's room had planned with care. The police were unable to find a single print which would furnish a clew to the criminal. Wherever a road of suspicion led the police followed that road—down into the trackless underworld—across the continent—to the door of every possible suspect—only to meet a blank wall which failed to yield even a solitary crevice of light.

In the meantime other figures were coming into this story. An educator in the Bronx named Dr. John F. Condon, aroused by this sensational crime, published an advertisement in a Bronx newspaper. He offered $1,000 to the kidnappers if they would communicate with him. His only interest was the safe return of that baby to its mother's arms. He agreed to keep the kidnapper's identity a secret. It was like an arrow shot into the air—but this time the arrow fell on the very spot for which police were combing the country.

Doctor Condon received a message from a man who said he and others who were with him in this crime, had the baby in their possession. He enclosed a sealed note for Colonel Lindbergh. He agreed to have Dr. Condon act as intermediary between the kidnappers and Colonel Lindbergh. That evening, Dr. Condon called Colonel Lindbergh. He explained his entry into the case, his advertisement and the reply, and mentioned the sealed letter.

There had been hundreds of telephone messages to the Lindbergh home. There were thousands of letters. This was probably another of the fruitless and hopeless calls which were received. But Colonel Lindbergh asked the voice at the other end of the wire to open the sealed letter and read it to him. Dr. Condon did, and when he described the symbols on this note, Colonel Lindbergh discovered that they were the very same symbols which appeared on the ransom note he found in the missing baby's room. Dr. Condon was urged to rush to Hopewell. And from that moment he was as much a part of this case as the parents of the missing baby, or the police, or Colonel Breckenridge, who came into the case on the night when the baby disappeared and did not leave it again until the verdict was announced in Flemington Court House.

BARTERING FOR A LIFE

It was in that same court room that the world learned for the first time what occurred in the shadows back of this strange case after this note came to Dr. Condon. Dr. Condon answered the letter with another advertisement. Still another letter came. A meeting was arranged with the man who said he spoke for the kidnappers. Condon asked for proof that this man really had the baby. He received a package containing the sleeping garment which the baby wore on its last night in its own bed.

A meeting was arranged under the cover of night. Dr. Condon met the man who gave his name as John. They talked for more than an hour. The man called John insisted on $100,000 ransom money. He agreed to take $70,000 if it were paid promptly. He confessed that he was the man who climbed into the baby's nursery. He described the contents of the room—and Dr. Condon went back to report to Colonel Lindbergh that he was convinced this man had his baby.

Other notes came—other meetings were planned and held, until a final night beside a cemetery wall when Dr. Condon handed the man called John, $50,000 in ransom money, and received a note which contained instructions for the recovery of the missing baby.

The following day Colonel Lindbergh and Dr. Condon stepped into a plane and set out for a point along the Atlantic coast where the note said a boat with the baby on board would await its father. Up and down that
sea during his flights in the air—but this time there was nothing more than the windswept Atlantic and the hollow echo of a surf pounding on the deserted beach.

And shortly after this came the tragic day when the father and mother of the missing baby were crushed in their last hope. Two laborers entering the woods less than five miles from the Lindbergh home stumbled on a body. They notified the police who summoned the county physician. Colonel Lindbergh was called to the room where the child's skeleton lay—and there for the last time he saw the body of what had been his first born son.

**PERSEVERANCE REWARDED**

More than two years passed. Still the hunt for the criminals went on. This man, or these men, had not only stolen a baby in its sleep and caused its death—they had tricked its father out of $50,000 and sent him on a fruitless heart-breaking search, which yielded nothing.

But Time does strange things to men and their work. A nation which had enjoyed a boundless prosperity was suddenly plunged into the abyss of black depression. A President in the White House, fighting to lead a people back to contented living, decided on vital changes in its currency system. In the course of these changes he instructed the Secretary of the Treasury to call in all gold notes, then in circulation. And all large corporations instructed their employees to watch for such notes.

Among these were the employees of a gasoline distributor. One day a man drove his car to a service station operated by this distributor and tendered a $10 gold note in payment of the gas he purchased. The employee observed the note and the license number of the car. The note went to the bank where it was immediately identified as part of the $50,000 which had been paid across a cemetery wall for a baby which was never returned. The swift machinery of police detection went into motion, and then came the sensational headline which almost made everything else in the United States that afternoon stop still. Thousands of dollars of the ransom money were found concealed in a paint can buried beneath a garage wall—and the name Bruno Richard Hauptmann was flashed to the ends of the earth.

This is the prelude to the story which began on a Wednesday the 2nd day of January, when a clerk called the case of the People against Hauptmann. On that morning it seemed as if half the world had come to Flemington. A quiet, lovely city, peopled by families whose ancestors had settled this city many generations before—suddenly awoke to discover it was in the very centre of the universe. And a court house, which stood on this same spot for more than a century and which would normally accommodate a little more than 100 persons, found thousands of men and women, many from countries thousands of miles away, fighting for a glimpse of the court room in which this drama would unfold.

**JUSTICE TRENCHARD**

On the bench sat Justice Thomas W. Trenchard, a man with patient eyes and a pleasant smile; a man of real charm and dignity, whose mere presence was an assurance that this would be indeed a court of justice. Ten feet in front of the Judge's bench sat a man whose face was like wax, motionless and deathly still and white—hauntingly white. His grey eyes were set like deep imprints into his face, deeper it seemed than any eyes were ever set into a human face. His hands, like his face, were bloodless white—and the look in his eye seemed as strange and far away as if he were in this court room and yet not here; as if he were the man named Hauptmann, and yet another man who lived in a world far removed from the one in which we sat.

Four chairs to Hauptmann’s right sat a young father whose face showed
the unmistakable traces of age this tragedy had brought to him. On his right sat Colonel Schwarzkopf; on his left Colonel Breckenridge. In front of these men was a small table assigned to the prosecution. To the extreme, on the other side of the room stood the small table assigned to the defense. And about 15 feet away from Hauptmann sat the young mother whose dead baby’s spirit hovered over this court room. Reporters talked in whispers. So did the lawyers—the sheriff began to call the jury roll and men and women answered “here.” Lawyers examined prospective jurors and hundreds of reporters flashed the word that the trial of Bruno Hauptmann had begun.

In swift dramatic succession the story is told. Anne Lindbergh takes the witness stand and in a voice which is quiet and steady and filled with courage, she tells the story of the last night she had her baby—and when she takes the sleeping garment in her hand and identifies it, there are few in this court room who are not weeping silently. Betty Gow identifies the baby’s thumb guard and spends three hours under the withering cross-examination of the defense lawyers—only to collapse when she returns to her seat in the court room.

“HAUPTMANN IS THE MAN!”

Colonel Lindbergh describes the evening of March 1st; the noise he heard, which he thought was a branch breaking under the force of the wind, but which he now realizes was probably the break in the ladder caused by the kidnapper’s fall under the burden of the baby he carried down. And he tells the story of that night at the cemetery when he heard a voice call out “Hey Doktor”—and for the only time in all these days in the court room he turns to Hauptmann and testifies: “Hauptmann is the man whose voice I heard that night. I have heard it since and I am certain of it.”

But Hauptmann’s eyes are fixed on the Judge’s bench. He looks neither to the right nor the left. Only once, when Anne Lindbergh’s hands tenderly turn the sleeping garment over and over again, Hauptmann’s eye shifts to the witness stand—for the rest of the time he sits like a man transfixed—a man who neither sees nor hears a word which is said in this room.

And now we come to those who lived in a world outside the Lindbergh home, but whose lives will be forever touched by the parts they played in this case. Amandus Hochmuth, 87 years old, his voice broken, his hands trembling, comes down from the witness chair and his hand slumps on Hauptmann’s knee as he identifies him; “This is the man I saw in an automobile near Colonel Lindbergh’s home on March 1st, and there was a ladder in his car . . . ”

A taxi driver testifies that Hauptmann gave him a note to be delivered to Dr. Condon, and he comes down from the witness chair and places his hand on Hauptmann’s shoulder—“This is the man who gave me the note . . . ”

A PAWN OF FATE

Each time a witness points to Hauptmann, the woman who is his wife and who is sitting two chairs from his, shudders with fright, while her eyes, heavy from the lack of sleep, stare vacantly out of the window to the street outside.

Dr. Condon takes the stand, and the stir inside the court room is greater than it has been at any other moment in this trial. And he identifies Hauptmann as the man whom he knew as John; who gave him the note which sent Colonel Lindbergh on his fruitless hunt in the sky; who received the $50,000 in ransom money which was paid over a cemetery wall.

Colonel Breckenridge follows Dr. Condon. He speaks the words which finally clear this man of the cloud which hung over him since he came into this case: “Dr. Condon was opposed to paying a dollar ransom money unless the baby was first returned safe and alive to its mother’s arms, but Colonel
Lindbergh overruled him and agreed to the ransomer's demands.

Eight handwriting experts follow—and each joins in the central note which runs throughout their testimony: "Hauptmann not only wrote the first ransom note—he wrote them all; we not only believe Hauptmann wrote all the notes, but we are convinced that no one else did. . . ."

The Federal Agent takes the stand to describe Hauptmann's arrest, and the man of wax, and ice, and steel, finally breaks his stoical silence and shouts: "Stop your lying," and an eerie quiet settles over this court room, and it does not leave the room until the Judge sentences Hauptmann to death.

A woman testifies that Hauptmann limped a day or two after the kidnapping, and this time Mrs. Hauptmann breaks the stillness of the court room with the same interruption: "You are lying," and now the pleasant faced judge grows grimly earnest, and both Hauptmann and his wife are compelled to promise that there will be no more interruptions. David Wilentz, the Attorney General, hints at staged outbreaks to influence the jury; defense lawyers shout a resentment and denial—and the tempo of the court room grows so tense a pin drop would be heard in any part of that court room. . . .

Other witnesses place Hauptmann near the kidnapping—Arthur Koehler, the man who traced a section of the ladder to Hauptmann's attic floor, takes almost two days to relate the fascinating story of that search. And the State rests. . . .

**HAUPTMANN DENIES GUILT**

Bruno Hauptmann is the first witness in his own defense. He denies every count in the charge against him. "I was never in Hopewell. I never touched Colonel Lindbergh's baby. I was in Fredrickson's bakery in the Bronx that night—I found the money in a shoe box which Isidor Fisch left in my home before he sailed to Germany—I am innocent of this crime. . . ."

Mrs. Hauptmann follows. "My husband was in the bakery on the night of March 1st. No, I never saw the shoe box in my home. . . ."

Other witnesses support Hauptmann's alibi. One testifies he saw a man who looked like Isidor Fisch, and a woman who looked like Violet Sharpe, cross a ferry from Jersey to New York; the woman carried a baby and seemed very nervous. . . .

Another saw a man who looked like Isidor Fisch leap over a cemetery wall. . . .

Three others say they saw Hauptmann in the bakery on the night of March 1st. . . .

A finger print expert testifies for Hauptmann, and hints there was tampering with the ladder. . . .

A lumber man contradicts Koehler and claims the kidnap ladder does not match the wood in Hauptmann's attic—And the defense rests. . . .

The State begins its rebuttal and the alibi witnesses begin to crumble under the rebuttal testimony. Both sides sum up. The Judge charges the jury—and an hour before midnight they file into the box after eleven hours in the jury room—and Bruno Hauptmann is declared guilty of murder in the first degree for which the sentence is death. . . .

Through all of this, save for one moment when his wife speaks of a visit to Hauptmann's mother and tears roll down his cheeks—save for this single moment, Hauptmann sits through the trial as strange and mysterious a figure as ever sat in any court room.
CHAPTER II

THE one unforgettable moment for me in this trial came when Anne Lindbergh took the witness chair. It came at exactly ten minutes of three. When suddenly, and without warning, a voice called the name Mrs. Charles Lindbergh. And the mother of the dead baby for whose life, Hauptmann's is demanded, walked across from the left of the court room, to the side where the witness chair stood. This was the moment for which the crowded court room seemed to be waiting. Crowded hardly describes it. I sat on one reporter's left knee and some one else's right, and suspended between the two, I tried to write the notes of the dramatic testimony which was certain to come.

Behind me, around me, hanging from every window, perched on every ledge, massed back to the doors and out on to the sidewalks, were hundreds upon hundreds of men and women fighting for a glimpse of Mrs. Lindbergh.

In a quiet voice, carefully measuring each word, clear and concise, she began her story of the last day she had had her baby alive. She told her story answering the Attorney General's short, soft-spoken questions—only after making certain to herself, that she understood precisely what was asked—Each question was answered, until the Attorney General asked about the baby's hair, the color of his eyes, and showed her a photograph. Then for a fleeting second, only a second, it seemed as if this mother who scarcely looks more than a girl today, would break down for the first time. Her eyes filled with tears almost ready to rush unrestrained, the fingers of one hand toyed nervously with the wedding ring on the other, but only for a second. Straight ahead she looked at her husband and in another second she was the self-composed woman again.

Wearing a peach colored blouse, a black and white dotted suit, a black satin toque, she sat erect on the edge of the witness chair, while she was shown photos of the room in which the baby slept, the crib, his toys, her hands at this point grasping the ends of the witness chair, involuntarily raising the index finger on each hand, as she answered each question, as if to emphasize the point in her answers.

I tried to find Mrs. Hauptmann at this period, but she was either lost in the crowd or had left the court room when Anne Lindbergh took the stand—it was the moment when the prosecutor took part of the baby's shirt and asked Mrs. Lindbergh to identify it.

"Is this the sleeveless shirt worn by your child on the night when you last saw him?" asked Mr. Wilentz.

For a moment it looked as if she could not bring herself to touch it—but she did. She identified the shirt, the child's sleeping suit and the thumb guard she used for him.

And then she raised her eyes and looked for the first time straight at Hauptmann, who sat back in his chair looking straight at the wall behind the Judge. Then I saw Hauptmann's knees again—up and down, up and down—one leg crossed over the other—this time his hands clasped tightly over the upper knee, unconsciously keeping time with his toes, as the mother continued to tell her story.

And suddenly it was over—as it began, and Mr. Reilly rose to remark that the defense would not cross-examine Mrs. Lindbergh.

"Miss Betty Gow," called the prosecutor. There was a moment of confusion and a sudden change.
“Colonel Lindbergh,” called the prosecutor. Events were moving swiftly now—faster than anyone had expected—and in another minute Colonel Lindbergh was on the witness stand.

ANOTHER LINDBERGH

My mind went back to a day when I stood at his side in Mitchell Field—the day on which he flew to Paris—but the boy of that day was gone. In his place was a man, older in spirit as well as years, heavier than he was in those days. But above all things, older in sorrow and the grim lessons life brings.

He testified in a reasonably loud steady voice. He told of the night of the kidnapping—of hearing a noise which the State contends proved to be the falling ladder—rushing to the window and finding the ransom note—which the prosecutor showed and Colonel Lindbergh identified.

At this moment the court house clock which was 20 minutes slow yesterday, but on the dot today, showed four o’clock, and the day was over.

Thus there was packed into a few brief hours so much of the story which began two years ago.

And here are some hastily scribbled notes stuffed in a dozen pockets during the days high-points:

Colonel Lindbergh and his wife are apparently convinced that Hauptmann is guilty. I doubt if anything else could have prevailed upon her to go through her experience of today.

Hauptmann’s most trying moment of the day seemed to come when Colonel Lindbergh described the noise of the falling ladder. It seemed to me that he changed his position more in those few minutes than he did throughout the rest of the day.

The first woman to cry openly in the court room was, I thought, Betty Gow. When Wilentz made his dramatic opening and described the withered skeleton which remained of the baby, her eyes welled up, her head bent forward and a handkerchief went up to her eyes.

Incidentally the women experts voted Miss Gow the best dressed woman in court today. She wore a stitched brown velvet turban, with a brown and beige feather—her hair was freshly waved, her curls still tightly rolled.

Like the other principals in the case, she has a characteristic bit of nervousness—hers being to count the fingers of her left hand with her right—1-2-3-4-5 and then reversing the process with the fingers of her other hand.

Mr. Reilly, ruddy faced, black coated, striped trousered, is still to make his active entrance into the case. It seemed for a moment as if it might come when Mrs. Lindbergh completed her direct testimony. But wise lawyer that he is, he sensed quickly what it would do to the cause of the defense, to put her through another ordeal. And so he arose and with just a trace of gallantry announced there would be no cross-examination of Mrs. Lindbergh.
CHAPTER III

This case which began in mystery; which remained for almost three years wrapped in mystery, reached its most dramatic incident on the 4th day of the trial. It brought more witnesses to the stand than any single day has yet provided. Their evidence was the most direct, the accusations the most specific any witnesses in this trial have yet made. The crowd was by all odds the largest; the fog this morning thicker than it has been in 48 hours; and the time actually spent in taking testimony the longest of any day since the case of the State of New Jersey against Bruno Hauptmann was called.

But it didn't begin that way. Nor did anyone dream it would end that way. It began as a typical criminal court session. Except for the crowds and principals, the witnesses who began this day might have been testifying in a simple case of assault or burglary.

It began as if it would be what the lawyers call a field day. Policemen, troopers and fingerprint experts followed each other on the stand in rapid succession, all technicians in the mysterious world of crime whose business it is to make it less mysterious—whose reputations one side tried to maintain, the other sought to tear down.

It was serious enough and real—but it was technical. The Attorney General called his witnesses to identify the ladder—to explain what had been done to it since it was found in order to have it admitted into evidence. He asked questions designed to show that a man could climb that ladder, reach into the window of the Lindbergh nursery—and come down again.

Then he tried to show that a man doing that would be a heavy load for such a ladder, that it would be likely to crack under the load of a man and a baby. And he asked the officer to point out where it had cracked.

And Mr. Reilly fought just as hard to prove the very opposite. He lashed the experts. He fired question after question, admitting nothing, denying everything, pouncing on every point through which he could impress upon the jury, the fact that the State had not done those things he believed it should have done to gather evidence against the kidnapper.

Back and forth the questions droned and the words "relevant," "competent," "material," echoed through the room. Witness followed witness on the stand when without warning the Attorney General stopped calling troopers and experts and called out the name, "Amandus Hochmuth."

An old man, grey haired, bent and stooped, with a grey VanDyke and a bushy grey mustache, rose from his chair, slowly making his way to the stand. His hands shook as he reached for the arms of the witness chair and wearily dragged himself into it.

Once in the chair he clasped one hand in the other—long, bony hands, knotted and gnarled—hands which had known work and wind and weather. His age he said, was 87. And then he told of a day near the Lindbergh estate when he saw a man drive a green car along a lane leading to the Lindbergh home. He said he saw the man's face very clearly, that he always remembered his eyes and that there was a ladder in the car.

At this time the crowded court room became as quiet as a midnight graveyard. Something was coming. Something big, everyone sensed it.

Slowly Mr. Wilentz walked up to the old man—
FINGER OF GUILT

"Would you know that man if you saw him again?" he asked.

"Yes," came the reply, in a voice shaking as a very old man's voice shakes.

"Is he in this court room?" Asked Mr. Wilentz.

"Yes,"—again—shaky, hoarse, husky. The old man was white. The rest of his body, which until now was well controlled in contrast with his hands, began to shake.

"Will you point him out?"

And the old man raised his right arm, extended a long bony finger and pointed to Hauptmann. "The man sitting next to the State trooper," he said.

Wilentz asked him to come down from the chair to point Hauptmann out again.

Once more the old man stood up out of his chair, and his right arm came up. His long bony finger reached out again and pointing at Hauptmann, he said, "This man, sitting in that chair."

Then Wilentz helped him down again and asked him to touch Hauptmann—the old man stood up lifting his body out of the chair by pressing the palm of each hand on the arm rests.

Three hundred pairs of eyes in that court room watched him—12 pairs of eyes in the jury box—the Judge on the bench—mine, five feet away.

He walked straight to where Hauptmann sat. He took one step, two, three, the fourth brought him an inch from Hauptmann. Then he leaned forward, brought his right hand down suddenly as if it were dropping out of a socket, planted it on Hauptmann's knee and pressed it down hard. There he held it, while I counted five—while the tip of his VanDyke almost scraped Hauptmann's forehead.

ENSHROUDED IN DARKNESS

Bruno Hauptmann's head went back—his lips pressed together, and as the old man's hand came down on his knee, Hauptmann shook his head from side to side as if to say, "old man, you are mistaken."

And just at that moment—that very moment when the man's hand came down on Hauptmann's knee—at that precise second—the lights went out—the court room was dark, except for the natural light which came through the windows.

It was without a doubt the most dramatic moment which ever came into a court room, on the stage, or the screen, or in the real life in which it happened. A circuit had blown outside and for 20 minutes, the court was in semi-darkness.

And Mr. Reilly took the witness.

If Hauptmann was white when the old gentleman pointed him out in that court room, this man was grey and ashen as the burly figure of Mr. Reilly descended on him—it was like a giant comber rolling down on a tiny object on the beach. The old man's shaking hands knotted into each other again, and Mr. Reilly let go—

"Did you ever tell that story before?"

The grey haired man bent back—his head went down as if he expected to be struck. Then his head came up again, his lips formed on the word "No"—and out it came.

"Never?" thundered Reilly.

"Never," said the man.

"You swear?" cried Reilly.

"I swear," said the man.
Then Reilly’s red face turned crimson. His jowls quivered, the muscles in his neck stood out.

“Did you not,” he cried, “standing in this court room yesterday alongside a State trooper tell him this story—didn’t he point Hauptmann out to you, in this very room yesterday?”

And the old man shouted, “No.”

Then followed 30 terrible minutes for that old man. Lawyer Reilly hammered away while the witness shook like a leaf. Reilly was clever enough to inquire if the old man had suffered a stroke at any time. He thought the shaking of his hands might be due to that and he realized he would have to go easy.

But Mr. Hochmuth raised his head, shook it indignantly and snapped the word, “no.” He wanted no pity. “Let’s have it out,” he seemed to say, a pale fire in his grey eyes. “This is due to rheumatism,” he said. And after that Reilly spared him nothing. This was damaging evidence. This was a positive identification of Hauptmann near the Lindbergh estate. Here was an old man—a very old man—who was either slightly mad telling the things he really saw that day...

Before Reilly took him in hand, Wilentz tried to bring out that the old man was formerly in the Prussian army. He hoped to show that he could not hold any unfair bias against another soldier in that same army. But Reilly blocked it—although only after the jury heard the question and saw the man’s head come down in answer.

From this point Reilly asked everything about the 87 years this man had lived. His jobs, his sight, his health, his mentality—everything.

Time and again it seemed as if this man must collapse on that stand. Never have I seen human hands shake so hard—never a face so pale and grey—a voice husky and quivering with passion—an old man fighting hard against the man who he thought was trying to make him seem preposterous and feeble...

And when it was over he still insisted that he had seen Bruno Hauptmann near the estate; that he had stopped his green car at a given point; that there was a ladder in that car; and that this man sitting less than six feet away from his chair was the same man he had seen that day.

And when Mr. Reilly thought he had brought out enough facts to show that this man might have been mistaken he gave it up. It was impossible to tell what impression it made upon the jury. I looked hard into their faces—into Hauptmann’s, into Mrs. Hauptmann’s—perhaps she had heard this for the first time—but they were faces which told no tales.

One could believe every word that old man said, and feel that he had dug his teeth into something which he felt he knew to be true, and which lawyers were trying to take away from him—or he might have been an old man who, as someone said at the moment, had seen pictures of Hauptmann a thousand times, in a thousand poses, and had fixed that face in his mind as the guilty one. A man could believe either side—and still be right.
DR. CONDON'S TESTIMONY

CHAPTER IV

The 45 minutes during which Anne Lindbergh sat on the stand will probably remain for all time one of the most dramatic bits in the history of any trial; those in which Colonel Lindbergh faced Mr. Reilly will hardly be surpassed as an example of self control; but the moment when Dr. John F. Condon took the witness chair brought the climax for which the entire world was waiting.

In a case steeped in mystery, Dr. Condon had become the real man of mystery. If Hauptmann is to be acquitted; if a reasonable doubt is to be created in the mind of the jury (that other circumstances) might have caused the baby's death, the defense would have to create that doubt with Condon on the stand.

His story and his part in this case, from the first moment he came into it, down to the tragic ending; and what it has done to him—these are second only to what it has done to the principals; those who make the accusation, as well as the man who sits in the chair of the accused.

Long before this case began—before Charles Lindbergh flew his first mile—before Anne Lindbergh was born—this man was a figure of importance in his own community. A teacher, a lecturer, a leader in civic movements, the kind of citizen who writes indignant letters to the newspapers, and wants things done. And when he read with the rest of the world that the baby (better known than those born to queens and princesses) had disappeared, he felt it his duty to join the hunt. The kind of man who believed that all human beings were essentially good, that even bad men had their humanities, he set out alone on an adventure which finally brought him into the case and even caused him at times to be under the severest kind of suspicion.

DR. CONDON'S SACRIFICE

Whenever anything of public importance happened, Dr. Condon always turned to the newspaper. And so he wrote to the Bronx Home News inviting the kidnappers to deal with him, and to prove that his interest was no light one, he added his thousand dollars as a reward—it was to be his own sacrifice, out of hard earned savings; the price he was eager to pay to return the baby to the arms of its mother.

Then followed the swift and dramatic events which have since been recounted in detail by Colonel Lindbergh in this court room. Condon's telephone call to the Lindbergh home, where the servants who answered the telephone, thought they were listening to one of the many cranks who have since moved in and out of this case; and the time when he finally reached Colonel Lindbergh. The invitation to come to Hopewell, and the startling discovery that the symbols on the letter from the kidnappers matched those which appeared on the first ransom note which was left behind after the baby was stolen. From that time on he was not only a part of the case; he was the case. He received the ransom notes which followed; he met the kidnapper; talked with him for an hour in the darkness of a cemetery where only the bones of dead men and women could hear what was said. Certainly the man with whom he held those rendezvous, must have known about him; must have trusted him; must have known that this man, who had met all manner of men, was the kind of man who would keep a secret. And then came that final triumph—at least he thought it was a triumph—when he not only had the child's night garment to convince himself and Colonel Lindbergh that he was in contact with the kidnapper but the 20 minutes in which he pleaded with the man to take $50,000 instead of $70,000, finally to receive the note which would restore the child.
A PROMISE IS BROKEN

He had kept his word. He had paid the ransom. Even in the criminal underworld he felt that somewhat indefinable and vague thing called honor among thieves would prompt the kidnapper to keep his word with him; and then the bitter disillusion, the frantic, fruitless, hunts up and down the coast with nothing but the windswept Atlantic to answer his and the others' searching eyes for the word which was not kept; the bargain which failed.

Those who know him well, tell me that on that night when he returned from this first hunt, and realized that he had been tricked, this man aged 20 years. His grey hair became iron grey, his strong face deeply lined, his shoulders stooped, it was as if his complete philosophy of life, his confidence in himself, in all the lessons he had learned and taught others to learn, had gone for the first time.

From that moment, he became a suspect to everyone except Colonel Lindbergh and Colonel Breckenridge. It now appears they never abandoned their faith in him. Then his home, and his papers, and all his past life became a book which the police opened.

“After all,” thousands of persons who studied the case, had said as Lawyer Reilly would surely say: “You are the man who brought the notes, Dr. Condon—you saw the kidnapper; you heard his voice; you received the sleeping garment from him; you paid him the money; you received the final note which told where the baby would be found—Now—”

Was there such a man? Or was there such a man only in the imagination of Dr. Condon? And this is the question on so many lips in this crowded court room, as this man with the weather beaten face of a sea captain; a face which has lived intimately with rain and snow and the green of the outdoors, takes the witness chair to tell his story.

The Attorney General asked his age. “74,” was the reply, in a voice which echoed loud and clear and rang through the room.

“Where do you live,” asked Wilentz?

Again, in the same voice, the answer rang out, “In the Borough of the Bronx, the most beautiful borough in all the world.” It sounded like poetry.

The crowd in the court room laughed. Even the Judge seemed to enjoy it, for this time he failed to admonish those in the room or warn them that court would be cleared, as he had done on previous occasions.

Mr. Fischer, one of the defense attorneys, moved to strike the complimentary reference to the Bronx, out of the record. But Judge Trenchard denied the motion, and the Bronx went on record as the most beautiful of all boroughs—at least to Dr. Condon.

And Condon told his story from the time he came into the case, until the closing events which culminated in the payment of the ransom money.

“To whom,” asked Wilentz, “did you pay this money? . . . ”

Again the answer came in the same measured ringing voice. “I paid it to John. . . . ”

“JOHN IS BRUNO RICHARD HAUPTMANN”

And the Attorney General, now measuring his words to the slow tread which Dr. Condon used in his reply: “And who,” he asked, “is John? . . . ”

At this point one could hear heavy breathing in every part of the room. Only an hour before, the air was full of rumors that Condon might spring a surprise—that he might not identify the defendant. At no point in this case had the court room ever been so quiet before—Condon paused, lowered his head, waited for perhaps three or four seconds, then brought his right hand up, and shaking his finger as if he were warning someone against repeating an offense, he said, “John, is Bruno Richard Hauptmann.”
And once more in this court room Bruno Hauptmann had been identified. Once again the whispering and humming of spectators rose in volume. Everyone who could, turned to Hauptmann. But those grey eyes remained fixed on the man who was accusing him, measuring that man from the top of his shaggy head, down to his square jaw—only this—if those eyes saw anything else, or thought of anything else, no one but Bruno Hauptmann could know it, for those eyes told nothing . . Never in any court room, innocent or guilty, has there ever been such cold control.

Colonel Lindbergh, at this time, was leaning forward, his elbows resting on his knees, his head supported in his upturned palms. Colonel Schwarzkopf leaned way over to look at Hauptmann—he looked for what seemed like five full minutes—perhaps he was waiting for the break, which so many others have been waiting for in this court room—but nothing came.

“WHO DARES IMPUGN ME? . . .”

Condon then continued the rest of the story; his meetings with the kidnapper and the final bargain. Every time defense lawyers objected to questions, his head came up with a start—his eyes opened wide—he seemed indignant—he seemed to say, “who is there in this court room that dares to impugn me?—let him come up.”

But when he realized that a point of law, rather than a fact, was involved, he laughed sheepishly, as if he were scolding himself for meddling in things which belonged to judges and lawyers only.

Finally Dr. Condon completed his story—the payment of the ransom and the flight which failed. Again the lawyers were arguing a fine point of law, and this time he managed to control himself, paying no attention to it—Instead he turned around, apparently searching for something. He looked under his chair—to the right and the left; he looked under the judge’s chair, and under the bench—and then he gave it up, laughing again as if the joke were on him—and it must have been a cuspidor, for which he was searching.

Again he laughed opening his mouth wide, suddenly catching himself, and covering his mouth with the palm of his right hand; but never registering the slightest chuckle even as he laughed, only opening his mouth as wide as possible, and doing all his laughing with the wrinkles which line his face.

And while Colonel Breckenridge, Colonel Lindbergh, and Colonel Schwarzkopf—all three bend over, with their hands supporting their faces, their eyes far away, like three boys watching a western thriller in awe and wonder—Condon repeated the very words he used to Hauptmann. With the ransom money in his right hand, he reached over for the note which would reveal the baby’s hiding place, and said:

“John—I gave you my word, and my word to a kidnapper is as good as my word to a judge”—(Here he turned to apologize to Judge Trenchard) “But if you double cross me, I’ll follow you to Australia. . .” And as he said this he leaned way out of his chair shaking his finger again as if he were still talking to John in that cemetery.

REILLY’S WITNESS

And Mr. Reilly took the witness. . .

And the moment for which everyone waited finally arrived. Dr. Condon, in describing John, referred to him as a middleweight. Mr. Reilly began from this point. He asked Condon about the different fighting weights—Condon described them and gave his authority for each. He talked slowly. If he referred to a dead person, it was “the late distinguished, so and so.”

Finally Reilly asked—“what weight would you call me?”

Condon looked him over. Above his waist line Mr. Reilly might pass for a middleweight; below his Mason Dixon line, he is a weight of another ton-
nage. Condon seemed to sense this—"May I come down and look you over?"
he asked. . . .

Reilley invited him down. Condon turned him around, looked below the
tell-tale waist line and said: "A heavyweight, undoubtedly"—and 'undoubted-
ly' had an extra emphasis.

Even the Judge enjoyed it. "What are you," asked Reilley, "a heavy-
weight?"

"Yes," was the answer. "Then," said Reilley, "we start even."

"Physically only," came the answer. And that made Mr. Reilley angry.
He has shouted and bellowed in this court room, but I have seen him in ac-
tion enough to know that he was using the tools of his trade. This time,
Mr. Reilley was not acting. He was mad, as Condon would describe it, clean
through. He had tried a friendly exchange and Dr. Condon had left him out
on the short end of the limb; the crowd had laughed, and the laughter was
decidedly unpleasant.

And the criminal lawyer plunged into his cross-examination. He asked
Condon about theosophy. "Had he taught it?" "No," "Did he study it?" "No."
"Did he read about it?" "No." Then Reilley bringing his voice to its highest
pitch cried: "Then why did you withdraw a book from the public library in
New York on theosophy only two weeks before the kidnapping of this child?"

"No," shouted Condon, "I did not." He grew pale. His face darkened.
He leered at Reilley; he brought his shaggy head down again, and shook it
like a terrier . . .

"Will you sign the name John Condon for me?" asked Reilley.

"I will not," cried Condon, "that is not my name. . . ."

"My name is John Francis Condon."

"Will you sign that name?" Reilley challenged. "Yes," was the reply.
Dr. Condon reached for his fountain pen; and resting on the Judge's bench,
he wrote John Francis Condon in a vertical line, one name above the other,
and then John Francis Condon horizontally as he does in writing his signature.

BATTLE OF WITS

The fight was on. Both men were now at the peak of excitement. One
red, florid, crimson; the other dark, worried, fighting; determined that this
lawyer would not upset him.

"Did you tell a druggist at Brockton two weeks ago that John was not
Bruno Hauptmann?" Reilley thundered . . .

The Attorney General rose to object. Condon forgot himself completely.
He ordered the Attorney General to sit down; this was the teacher again
taking command of the class room; "leave it to me" he seemed to say. "I did
not tell him that," came the reply. . . .

"Enjoying the show here, aren't you?" snarled the lawyer . . .

The old man brought his eyes together—close and piercing. His fingers
reached out as if to take Reilley by the neck—"I am not enjoying it," he said
sadly, like a boy ashamed, his head drooping again. "I am sad and suffering
. . . ."

At this point the Attorney General arose. "Referring to that question
about the druggist—I have a letter from this man in which the defense might
be interested."

Then bedlam broke loose. Reilley threatened to ask for a mistrial. Then
he did move for one. But the Judge denied it and cautioned the jurors to
disregard any reference to the letter. . . .

For three hours Reilley badgered Condon and Condon fought back. Both men
crouched like wrestlers, eager for a hold; Reilley leaned over as he asked each
question snarling, his hand going up and down, his voice rising and falling like white caps in the wind.

And Condon leaned over just as far. Snap for snap, sneer for sneer, he gave; at one time he was actually cross-examining Reilly and Reilly was answering him; words barked across the room, ripping like machine guns—finally with both men exhausted, worn and spent—the Judge called for a recess . . .

CONDON vs. REILLY

CHAPTER V

THE epic struggle between the doctor and the lawyer went into another session at Flemington court house. Once more, the 12 good men and women true, listened to another installment in what is rapidly becoming the case of Dr. John Francis Condon against Bruno Richard Hauptmann. And as was predicted before the first juror was paneled, or the first witness sworn; the final verdict in this case may rest more on what this jury concludes about Dr. Condon; the accuracy of his memory; his veracity; and his personal integrity—than it will on any other evidence in this case.

The one fact on which there seemed to be general agreement as this day's session began, was that the doctor had out-matched the lawyer in yesterday's meeting. It was pretty well conceded that Condon was the first witness in the case to cause the lawyer to lose his poise. It was the first day on which the Reilly smile failed to come into play; and although both were badly nettled by the excitement when it reached its climax—it was the resourceful and experienced lawyer who was the more nettled of the two.

It was the general opinion of observers, that the widely heralded queerness of the celebrated J. F. C. failed to develop; that his story held up on all important points throughout the cross-examination—as well as any story might be expected to hold up, after two years filled with so much mystery; its details blurred and shadowed by so much excitement and confusion. And as one highly intelligent observer said to me as I came into court this morning: "An infallible witness who never forgets may not impress the jury nearly so much as one who appears to be human enough to forget some things. . . ."

STILL A MYSTERY

And when I speak of mystery—that precisely is what this case continues to be for all of us tonight, except of course for the officials who have pieced the evidence together and who see it now in one long chain which they are seeking to tie around the stoic who sits in the defendant's chair.

There are many of us here who attempt in our amateur way to piece parts of it together for ourselves. But before we go very far we find ourselves lost in such a labyrinth of fact and circumstance; some reasonable, some so highly improbable; the whole thing becomes one of those deep subjects like the origin of life or its manifest destiny—one of those dizzy, spinning affairs which one soon concludes, it is better to leave alone.

And today, again, it was Dr. Condon. There had been so much publicity in advance of this trial about his quaintness, one expected everything from a benevolent and harmless crank to a fiendish master mind. One saw instead, however, yesterday and again today, a highly unusual citizen; true—a peculiar man, but one whose peculiarities were due to qualities which belonged to
another age, which seemed peculiar only to those of us who lived in a new age, which no longer valued or enjoyed those qualities.

CONDON PLAYS A ROLE

If I am to describe him as he sat on the stand today, I should say he is the living symbol of PRO BONO PUBLICO; the man who writes to the editor; who is disturbed as much by things which are no direct business of his, as he is by those things which do touch him closely. Perhaps an even better definition is that he is the type of man who would not close his door if he heard his neighbor abusing his wife and tell himself, 'this is no affair of mine; but who would say: 'What's this—a husband abusing a wife—that should not be; that must not be; I will see about that;' and he does see about it . . .

And as he resumed his seat on the stand today, he looked more like Lionel Barrymore than anyone else I have ever seen. That same pained expression, the slightly broken voice coming up in a plea for understanding, the same gesture which brought the right hand up in a plea—the head down, and the eyes up, as he seemed to be trying to say: 'Don't you see how simple it is, if you will only listen . . . ?'

You have heard a great deal about the doctor's loquacity. There is an abundance of it. He is a fine speaker and he knows it. He uses words as a master painter does tints and colors. He turns them over on his tongue as carefully as a cook taking a cake out of its container; and when they do come out, they are clear, concise; each chisled and striking from his lips like flint.

NARROWED EYES

But with all this, his eyes make even his tongue seem as silent as a cathedral at midnight. His eyes are never still. They flash, they dart, they leap—now raised in startled wonder as if to say 'what's this'—now closed in a very narrow slit as if to say: 'Don't try that—I can see through you'—as he must have narrowed them when he said to John—"if you fail me, I will follow you all the way to Australia. . . ."

And with that kind of look, directed this time against Lawyer Reilly, he took the stand for a second day. But Mr. Reilly was in many ways a changed man. There was a new pitch to his voice, low, careful, studied and mellow. It was evident that he was determined to hold himself in check—and not allow the schoolmaster to run off with him and the trial, as so many persons thought he had yesterday.

Yesterday, Mr. Reilly was a charging bull, snorting, trumpeting, bellowing. Today he began in a voice which was meek, humble and with a note of apology creeping in as if to say: 'sorry to annoy you doctor'—And the doctor sat back in a slight half crouch seemingly telling himself: 'Beware John Francis Condon of cross-examiners, bearing gifts. . . .'

Reilly began with the note which Condon reported finding under the rock in a florist's shop. "What note?" asked Condon, as if he had never heard of the case, or a note, or Mr. Reilly before. And like the lawyers, his voice was pitched low; he too seemed determined to spare himself for the gruelling hours ahead.

Mr. Reilly handed the note to the doctor. The grey-haired man reached for his glasses; read the note again (his lips coming together to form the words as he read, but meeting so lightly, that they made not the slightest sound.)

"This is the note," said Dr. Condon. . .

"WE MUST BE PRECISE"

Mr. Reilly asked about the deserted frankfurter stand where Dr. Condon met John. "Is it," he asked, "to the left or the right of the subway station?"
And again this incredible man; this man of a million surprises, springs a new one. He becomes the schoolmaster again. He admonishes Mr. Reilly not to speak of left, or right, because it was neither. He instructs him to use the technical terms of the compass—"We must be precise," he declares. And again, as he did yesterday when he came down from the witness chair to estimate Mr. Reilly's poundage—he now employs the lawyer as a mannequin—poses him with a photograph in his hand, tells him to wheel around slowly on the heel of his right foot; and the burly Mr. Reilly turns like an automatic model in a shop window.

And after three-fourths of the circle is completed, the doctor shouts "Whoa," and the lawyer model comes to an obedient and abrupt stop.

While reporters and spectators shake their heads as if to say: 'Are there no limits to this man?' For the first time since this trial began, everyone forgets Bruno Hauptmann, his eyes and his hands; forgets that there is such a man; forgets that there is anyone else in the courtroom but Dr. Condon, Mr. Reilly and the Judge who sits between the two.

The story continued. Reilly took him over the same ground which he covered with the Attorney General yesterday. Again the question of left, or right comes up. And while Mr. Reilly stands by patiently the doctor delivers a thesis on the respective points of the compass, with the doctor really concerned about instructing Mr. Reilly, not for this trial, but for something which he may be able to use at a future time. And Reilly smiles good naturedly, as Condon again refers to him as 'Colonel.' . . .

THE MAN IN THE CEMETERY

For the rest of the morning, the questions went back and forth—Reilly asking, Condon replying, the room quiet—very quiet until the witness arrives again at the meeting with John in the cemetery. The lawyer asks about the fence which John climbed.

"A large fence, wasn't it?"

"A high fence, Sir," is the correcting rejoinder which the schoolmaster offers.

"Any guards in the cemetery?" asks Mr. Reilly.

And the doctor is almost out of his chair with surprise. "Gods—Gods in a cemetery? What sort of gods do you mean?" he asks. Reilly repeats the question: "any guards—any keepers?" And Condon, again the schoolmaster, raises his head; opens his mouth—"Guards—guards" digging into the "r" and rolling it, while the lawyer stands by shaking his head, and finally in desperation crying out, "we are all plain people here and we speak United States."

Mr. Reilly returned to the cemetery wall. He asked if the kidnapper climbed easily or with a very real effort. "No," replied the witness. "He came over Turner fashion"—and without waiting added— "Do you know what Turner fashion is?"—and again without waiting, he proceeded to explain that Turner fashion in climbing involved a movement rich in grace and beauty; while the other was a slow, cumbersome, awkward climb which the newspapers refer to as a Palooka—and here his voice dropped like a boy's who knew he had used a word which was not proper.

Mr. Reilly asked if the doctor did not think it strange that the cemetery guard failed to observe him standing there, or John climbing the wall. He asked "if any alarm was sounded." "No," replied the doctor. "Well," said Mr. Reilly, "did you ever try to climb a cemetery wall at night?" To which the doctor, raising himself to his full giant height, replied, "Sir—I never went into one at night."

TWO MEN ALONE

And so these men dominated the court room, while their nimble thrusts were weighed and appraised by observers, as are the movements of two wrestlers or fighters in a ring. And when Condon testified that a certain
point was 30 yards away—Mr. Reilly snapped: “point out an object 30 yards away.” Again the large man drew himself up, “Sir,” he said, “You are incongruous in your requests. Please be specific,” and then he did estimate a distance of 30 yards apparently with such accuracy that Mr. Reilly did not return to it again.

His full story was now told for the second time in this court. The two men were going along smoothly—but the quiet which hung over that court room was an ominous one. Before this day ended, there would have to be a break. And a break there was . . .

Mr. Reilly returned to the hour in which Condon and John sat on the bench. He asked him to show how John’s collar was turned up and he obliged by turning his own collar up, and bringing his head down to show his own face well covered above his chin. “And his hat?” said Mr. Reilly, “a soft hat?” “Yes,” said the witness. And Mr. Reilly reached over for a hat and invited Dr. Condon to put it on—and show how John wore it down in front . . .

“Sir!” blared the schoolmaster. It was sort of ‘how dare you’—as if a child were playing a prank with a serious man. “I wear a derby. I will not put it on—I will show you how it was turned down in front,” —and he did.

Back and forth it went, both sparring for position. Condon looked not unlike President Roosevelt when he squared off in private with Mr. Muldoon in the White House gymnasium; again, as John L. Sullivan looked in exhibitions in his older days; while Reilly, head straight, lips brought together in an angry pucker; questions bouncing one after another; shrewd questions from a shrewd lawyer groped for the one real break on which he could create the first doubt about this man, and his part in the case.

Reilly came to the morning when the envelope containing the baby’s sleeping garment arrived at Condon’s home. Colonel Breckenridge was inside the house. Reilly tried to show that again Condon went out himself—again he and he alone contacted the kidnappers or their agents—

**SPARRING FOR AN OPENING**

“Is that the first letter you received?” asked Reilly. And Condon opened his eyes wider than I have ever seen human eyes opened before. “In my life?” he asked incredulously.

“No,” stormed Reilly. “You know what I mean,” and although I have thought about it all day, I am still unable to decide if this reply was spoofing on Condon’s part—like an elphin creature romping on the green tickling someone behind the ears—or if he really believed that this was what the lawyer meant. And I doubt if anyone else does either.

Finally Mr. Reilly returned to the notes. “What,” he asked, “is your independent recollection of the second note which came with the sleeping garment?”

And the old man thundered for the first time today—his eyes flashed—the heavy watch chain which he wore across his vest heaved like a ship in a gale; “What do you mean ‘independent recollection’, Sir—all my recollections are independent. . . .”

And now Reilly lost himself. They were at it furiously again as they were yesterday. This was no longer the long range sparring for an opening; this was fighting, close and inside; it was give and take—above the belt and below, with Condon’s voice booming.

“Don’t you shout at me, Sir. I can hear every word you speak. I know exactly what you are going to say as your lips come together” . . . And again both men retire to their corners. (There has been so much talk about heavy-weights and lightweights in the cross-examination I have finally surrendered to its spell . . .)
The lawyer asked about the box. The witness explains that it was built under the directions of Col. Breckenridge and in compliance with the instructions in the ransom note.


"What," roared Reilly. "You don't recall the name of the man who made this important box? You don't recall that," he thundered—his voice cascading like a waterfall. But when Dr. Condon explained that the Department of Justice had the box maker's name, Mr. Reilly went to other things.

And at this point a woman came into the case. The lawyer asked if the educator had not been transferred on the complaint of a woman. He denied it.

He was asked to identify a woman who sat in the rear of the court room—and he did. "Did you," he was asked, "give this woman a letter which you said looked like the kidnapper's handwriting?"—But Dr. Condon denied that he had discussed the kidnapper's note with her—and there it ended, except for the points which the State cleared up again—those on which Condon was in error yesterday. He now testified that Col. Lindbergh authorized him over the telephone to open the letter addressed to the Colonel, and that it was in this way that he knew the symbols, and described them over the telephone.

THE END OF THE ROAD

The Doctor came down from the stand. The ordeal was over. The story for which the world had waited almost two years, was now told. And before he left the court room he heard Col. Breckenridge testify that 'Dr. Condon had never asked for a penny or received it; and that he was always opposed to the payment of any ransom unless the child was returned at the same time.'

And as the grey-haired man of 74 heard those words from the handsome former Ass't. Secretary of War—as he heard himself exonerated from a witness chair in open court, his eyes closed, and his head came down as if he had come to the end of a book he was reading—or to the end of a long, a very long and tiring journey.

Before the day was over his daughter testified. She confirmed the fact that a messenger had brought an envelope containing the sleeping suit to her father's home. Police officers followed with specimens of Hauptmann's handwriting which were taken after his arrest in New York City. Here Judge Large came into the case for the prosecution and Lloyd Fisher took over the defense. The defense objected to their introduction as evidence on legal points; Justice Trenchard sent for the law—and then announced they would be admitted. They were not offered as notes purporting to show a confession by Hauptmann, but as specimens of his handwriting to be matched before the jury with those of the ransom notes.

And a long, hard day came to an end. Four portraits now hang in my Flemington gallery on this the 7th night of this case. Judge Trenchard—the truly remarkable and inspiring man whose wise and just presence continues to guide these proceedings; the figure of Anne Lindbergh on that witness stand; Colonel Lindbergh under cross-examination and today his friend Col. Breckenridge. He testified that no attempt was made to seize the messenger who brought the note to the Condon's while he waited inside.

"You were there," asked Mr. Reilly.

"I was."

"As a lawyer did you not feel it was your duty as an officer of the court to summon the police?"

And the answer came, sharp, clear, cut like a jewel: "I had a higher duty to perform to the mother of that baby. . . ."
VIOLET SHARPE CLEARED

CHAPTER VI

BUT before this case came to a close, a girl named Violet Sharpe who died by her own hand, was cleared of any suspicion in the death of Anne Lindbergh's baby. There is a legend somewhere, that “those who die by their own hands drift timelessly and for all time in a shadow which never comes in to any port.” According to this legend, they are voyagers on a ship without a captain or crew. They are known as travellers on a ghostly vessel which is forever outward bound into infinite space. Here they hang like a cloud in the sky, never to know the hereafter which belongs to those who live out their allotted time on earth.

A SPIRIT WITNESS

Somewhere in this mystic Outward Bound there is this girl named Violet Sharpe. And today, even she must have heard the words which were spoken of her in this Flemington court house. In that hour in which these words were written into the record,—this was no longer the trial of a man named Hauptmann. This was a court, and a judge, and a jury, and the one in whose judgement they sat, was a maid who died by suicide, at a time when police sought those who stole a baby from its nursery bed. And when that hour came to the end of its time, the world knew that this girl was innocent. And even if it is never to know the true story of that baby's death, it does know tonight that Violet Sharpe is not stained with any share in that crime.

This is the strangely fascinating case we are trying here. It is true, the docket in this case reads, “People against Hauptmann.” But others were on trial here as much as this man is. Betty Gow was on trial in this court until she returned to face Hauptmann and his lawyers and the eyes of the world; until all men realized that she had no part in this crime.

Dr. Condon was on trial here until a witness named Breckenridge, whom even Hauptmann must believe, said in open court that Condon was opposed to paying a dollar of ransom money unless this baby was returned to the arms of its mother. And the world then knew that he was innocent of any share in this crime.

A tubercular furrier was on trial here until men and women came to the stand with overwhelming evidence that he could not have been in Hopewell on a night in March when a baby disappeared; that he lived and died a poor man. And I think that most of those who heard their words absolved him of any part in this crime.

And today, the last of these—the girl named Violet Sharpe, received an unwritten verdict of “innocent”, in this same crime. I think this is evident, regardless of whether Bruno Hauptmann did or did not climb a ladder and cause the death of a child in its sleep. And before many days he will know what this same jury has to say about his share in the tragedy of Hopewell.

DAMNING EVIDENCE

It is our 29th court day in this trial. It is close to our 7th week by the calendar. It is the first Saturday we have spent in this room. And over it hangs a breathless quiet, as there does when a small group is called together early and suddenly; as if a father or mother had passed away in the night, and their children are together and the words which are said are spoken in whispers. . . .

It is speaking a commonplace to say that those who are here are tired and heavy eyed. This fatigue is something you can touch and feel; it hangs over the room like a fog. No one smiles. The principals take their seats and re-
main seated; and they look neither to the right nor to the left—but straight ahead—and they are waiting.

The clerk polls the jury, and like pupils in a class room they answer "here," as they have for almost a month. The court crier who waits for each "here," turns after the last and announces: "Jury is in the box, your honor." And Justice Trenchard, quietly, softly, announces; "Counsel may proceed." And the very last day for the testimony from this witness chair begins.

And Mr. Wilentz calls a detective who identifies the nails which came out of Hauptmann's attic floor. The defense insists 'it was promised an opportunity to inspect the attic, but could never obtain the key.' The witness declares 'he was ready at all times providing the inspections were made in his presence.' And in a few moments he steps down.

The State recalls Mr. Koehler, the wood technologist from Wisconsin. And he disputes the conclusions of the man from Waterbury. He provides another demonstration for the jury to support his conclusions that the ladder rail and attic plank are one. He challenges the Waterbury man's testimony, 'that a knot hole in the plank proves they are not from the same board.' The Hauptmann witness said, 'there were more knots at the bottom of a tree.' He claims, 'they go up with the growth of a tree.'

And for some unaccountable reason the messenger boy near my desk now looks like a boy peering through a knothole at a ball park. And here is a knothole on which a man's life may hang.

Now Mr. Wilentz asks Mr. Koehler about marks left by a carpenter's plane. Mr. Pope objects. He claims the witness is not qualified to reply. And Charles Lindbergh smiles for the first time in 29 weary court days. His eyes are opened in surprise. He knows that Koehler went through 1400 lumber mills tracking down a plane with a nick in its blade. He looks up at Judge Trenchard and waits for the ruling. And the Judge rules Mr. Koehler is competent to answer.

And now Wilentz asks in quick succession. "Do these nails match the holes in the attic plank?" "Yes." "Did they match before Hauptmann was arrested?" "Yes." "Did you match them?" "Yes." Take the witness.

REBUTTAL WITNESSES

The two practical lumbermen called by the defense move closer to the defense table. Mr. Pope begins the cross-examination of one of the nation's outstanding wood experts. The two practical men begin to write questions for Pope to fire.

These are the men in overalls against the man of science. These are tools against books—experience against experiment. This is the home-made remedy against the doctor's prescription. And again Colonel Lindbergh follows the tilt with a boyish wonder lighting up his eyes. And one offers a prayer of gratitude that he has come finally to a moment of forgetfulness in this tragedy.

For more than an hour Pope fires his questions. He asks about planes, nicks, knotches, and knotholes. He asks about micrometers and measurements, less than one thousandth of an inch. This is a case of a human life hanging by less than a thread. Pope speaks of planes and solids and geometrical exactitudes. And a lady in the jury box yawns and looks at the clock; and juror No. 11 refills with a gastronomical tid-bit which strong men know as a chew.

Now Mr. Reilly leaves the court room. Someone whispers, 'he has run out of cough drops.' But he returns a few moments later, weighted down with law books. Hours seem to be dragging by. Pope is trying to prove that Koehler is wrong; Koehler sticks by his conclusions. They undertake
long experiments for the jury. The court room waits and so does a patient judge. I never realized before, how patient a good judge must be. And when three hours of withering cross-examination come to an end, Kochler turns to the jury and declares, "The rail in the ladder and the piece from the attic floor are one." And Pope shouts, "that is only your opinion." And a study in solids and planes is finally over.

ALIBI BROKEN

Now the case turns from boards and nails to living men and women again. Wilentz calls a man named Singer. And this is his story. On a day in January he listened to a radio report of the Hauptmann trial. He heard that a witness for the defense named Kiss, swore that he saw Hauptmann in a Bronx bakery on the night of March 1st. He was certain that it was March 1st because an hour before he had come from the home of a Mr. Singer in Manhattan.

And Mr. Singer testifies 'that Kiss was not at his home that day, or that week. It was late in March, near the end of March;' and Mr. Reilly takes the witness.

"You came down here for your daughter, didn't you?" "No." "She was promised a theatrical engagement if you testified?" "No." "The newspapers got you down?" "No." And this witness, whose brow is beetled and whose jaw is like Mussolini's and whose eyes never flicker for an instant, fires back, "No. I came because this is the truth." And in that Valhalla where broken alibis fall, one hears the echo of another as it comes to earth.

Now the State calls Mrs. Hober. A timid woman who makes you feel her home is spotless and her pies well and honestly baked, she swears that Isidor Fisch was in her home on the night when the ransom was paid. And she brings a document signed on that night, some transaction, to support her story.

TO CLEAR MISS SHARPE

And the State calls Ernest Miller. And there is a stir in this room, as if the ghost of a girl who died by suicide, suddenly came to life again. A young man, whose answers are loud and clear and emphatic, swears 'that Violet Sharpe spent the evening of March 1st with him.'

And again Mr. Reilly takes the witness. "How did you meet Violet Sharpe?" "She hailed me in my car as I was driving along the road." "Picked her up?" snarls Reilly. The young man with eyes blazing fires back, "I did not pick her up!" "You were never introduced, were you?" "No, she thought I was someone she knew." "That's a pick-up, isn't it?" And this witness cries out in a voice which drowns even Mr. Reilly's. "Maybe a pick-up to you. Not to me." And for 20 minutes a young man, speaking of a dead girl and a grizzled lawyer, fighting to keep a man from death, fight hard and close, with no quarter asked or given on either side. And the witness sticks stubbornly to his story.

And the State calls Catharine Miners, a pretty girl, badly frightened, her lips white and her hands trembling. She was the other girl with Violet Sharpe in the group that night. And Mr. Reilly's voice booms like a heavy surf at midnight. "What time were you there?" "Who saw you?" "You went to a speakeasy, didn't you?" "What did you drink?" In that same chair last week sat a girl named Henkel; and she chewed gum, and tossed her answers, and rolled her eyes . . . .

But this girl is white and bewildered, and looks as if she might faint, but she holds to her story; she was with Violet Sharpe from eight to eleven on the night when a baby was stolen from its nursery bed.

TRIAL NEARS END

We are moving now with lightning speed. It is easy to grow dizzy and
confused. Things are happening swiftly, like a motion picture which an operator is racing on the screen. The State calls Elmer Johnson. He looks as if he might be Leslie Howard's twin brother. Now he faces a lawyer who is reaching into his bag for every trick in his trade. Again the questions boom. “Are you certain it was March 1st?” “Where were you February 29th?” “Was there a 29th?” “Where were you ten days ago?”

But the answers hold. Over and over again Mr. Reilly tries for a single crack in a wall of iron. This is his last chance. If Violet Sharpe had no share in this crime, his theory of an inside conspiracy must crumble. Now he is like a man who has a single cartridge left in his rifle.

“Don’t you know,” he cries, “that you are being used here as a blind for Red Johnson?” And the witness replies, “No. I am not. I am here because I was with Violet Sharpe that night.” And this witness comes down.

Mr. Wilentz calls George Marshall. And a man who was a boy when Abraham Lincoln stood at Gettysburg, moves slowly to the witness chair. He is the night watchman at the Morrow estate. And he speaks in a steady voice: “I saw Violet Sharpe come in about eleven o’clock the night the baby disappeared. I remember that night because it was the night on which the baby was stolen.”

An old man of 74; yet a young man in his manner and voice. And he faces Mr. Reilly’s fire. But his story does not change. “I saw her come in. I remember that night, it was the night the baby was stolen.”

MRS. MORROW ON THE STAND

And now Wilentz, in a voice barely above a whisper, calls Mrs. Dwight Morrow. There is a stir in this court room, which we had here only once before. That happened when this woman’s daughter was called to the stand.

And an American mother and grandmother, in a simple black dress, set off with a white collar, walks across the court room aisle to that same witness chair. Her hand is placed on the same bible on which so many others were placed. If the memory of a dead baby has been befouled by false oaths on this bible, it is fitting that her hand should be the last to touch it in this case.

This is the supreme moment of dignity we have reached here. The Attorney General who planned this, could pay no greater tribute to this dead baby’s spirit.

She wears a simple gold wedding band on her left hand. Her hair is grey, her eyes are clear and her voice is soft and sweet. I think if Mr. Whistler came into this court room at this moment, he would do another portrait of the world’s mother.

On her right is a judge whose hair is grey, as her husband’s was when he served his country here and in foreign lands. On her left sit two women constables whose eyes are filled with respect for this woman. Not ten feet away sits the young father who is also the husband of her daughter. Across the aisle sits the mother of a dead baby who was lost in the night—and now there are tears in her eyes.

And she recalls that Violet Sharpe did not leave her home until eight o’clock that evening; that she did return at eleven. Mr. Wilentz asks in a voice which is hushed to a whisper, about others in that home. She speaks their names softly. Now she speaks the name “Elizabeth”, and Anne Lindbergh bows her head and fights to hold back her tears.

It is time for Mr. Reilly to cross-examine this grandmother of a baby which vanished into the night. His voice drops to a respectful hush. His two or three simple questions are asked in whispers.

Bruno Hauptmann and his wife, Anna, the clerks, the jurors and even the messenger boy are stilled in a reverence for this woman.
And Mr. Wilentz announces, "The People rest." Mr. Reilly declares, "The Defense rests."

And I think the restless spirit of a maid who died by her own hand comes to a rest.

And so does a baby, in whose memory those who have spent a long and lonely vigil here, rest tonight.
FINAL SUMMATION

CHAPTER VII

We came finally to the very last page in the story of Flemington. We heard the last, the very last word, in the case of the People against Hauptmann. We looked for the last time on a sleeping garment which a baby wore, when it disappeared into the night; on a ladder which the State claims Bruno Hauptmann built and climbed; and we heard again, the echo of a timeless cry: "An eye for an eye" . . . "a life, for a life which had been taken. . . ."

And this case, filled with so much which is eerie and mystifying, concluded as it began, on a note as strange as any we have had here. Here we had at one and the same time; the most shocking and reprehensible of all crimes—the strangest and most mysterious of all men who ever faced a judge and a jury;—a case in which hundreds of clues lead to this one man, yet woven into these, hundreds of clues which might lead to others. And as if this were not enough, we had the equally strange picture of a lawyer who never prosecuted anyone in his life, selected by the same blind fates which managed all this, to prosecute this one; and to speak the final words here today, as he spoke the first, which began seemingly so long ago.

And when this day was over, one could only hope that such a story as this might never be told again.

"BRUNO IS GUILTY!"

It was in this very room, almost seven weeks ago, that I heard him say: "We will prove that Bruno Hauptmann planned and committed this crime. We will prove that it was a deep, desperate hunger for gold, and those things which gold buys, which drove him to commit this crime." Since that day, his pitiless and devastating cross-examination held this court room spellbound. And today, it seemed as if he had resumed the story he began with the opening of this case; the story of a blue-eyed baby; of Dr. Condon and Betty Gow; of Violet Sharpe, and Red Johnson; of Isidor Fisch and Gerta Henkel; of Osborn the handwriting man, and Koehler who measures the life and heart beat of trees; the story of Hunter's Island, and Fredrickson's bakery; of a garage and gold notes, and a telephone number written on a closet wall; of a pale-eyed, hauntingly white-faced carpenter, and a wife who sat this day with such forbidding grief in her face, one had to hold one's hand in check, because the impulse to touch her and see if she was still alive seemed at times, beyond all control.

One forgot that this was a court room, and this man speaking, a lawyer. This might have been a town meeting, such as this same court house knew a full hundred years ago. A child was killed in its sleep; a man accused was protesting his innocence, and here was this man who spoke for the people demanding a life for the life which was taken.

Wilentz begins in a very quiet voice. "My adversary," he remarks, "said to you yesterday: 'Judge not lest you be judged.' But he failed to complete his admonition: 'Kill not, Lest You Be Killed.'"

And now his voice rises to a high pitch. "My adversary said: 'Don't let the mob, clamoring for the life of this man sway you.' And I say to you, if there is such a clamor, it comes not from a mob, but it comes from millions of American homes, where fathers and mothers demand for their babies, the protection to which they are entitled."

"My adversary said to you, 'if you do not believe that this man committed this crime alone, you must acquit him.' And I say to you that the only question before us is: Did this man climb into that room and steal a
baby—and cause its death? Bring back the suicide corpse of Violet Sharpe; bring back the grave of Isidor Fisch from Germany and place it alongside this man's chair—if he had fifty accomplices; and you believe he stole a baby and caused its death—it is your duty to find him guilty; and the law must take its course."

"HAUPTMANN, HAUPTMANN ALONE—!"

The words are spoken in a court room crowded beyond all imagination. I am writing my notes perched on the edge of a chair, a choking mass of coats and hats weighing down one shoulder; the hot breath of bystanders meeting my own.

And now Wilentz's voice rings out—"No gang of criminals planned this crime; but the man who robbed the home of the most important man in his native city in Germany; the same man who could not rest until he stole the living child of the most distinguished father in our land."

"They come to you and say, 'This case is too perfect.' And they say, 'The police have framed this innocent man.' (Now his voice echoes through every part of this room.) This innocent man, this spotless man, the State and the police and this staff—we framed this innocent man."

Suddenly he turned to Colonel Schwarzkopf. "Colonel, will you do me the honor to rise, for a moment?" And Colonel Schwarzkopf, trim, military, rises from his chair to face the jury. And Wilentz turns to the jury:

"This man, good enough for the Governor of this State, good enough to have graduated with distinction from West Point, good enough for the legislature of this State, good enough for Charles Lindbergh and Anne Morrow—But not good enough for Hauptmann."

Now he turns to Inspector Bruckman from New York. "Inspector, will you do me the honor to rise?" A tall, strong man, with broad shoulders, rises to face the jury. "Twenty years with an honorable record fighting crime and protecting life; but here is Hauptmann spotless, innocent, martyred who claims that Bruckman stole into his home and wrote Dr. Condon's telephone number on his closet wall."

"Koehler, the wood expert, good enough for the U. S. Government. Osborn, three score and ten, respected and held in the deepest affection by men all over this country; expert after expert; distinguished men with souls of their own; all frauds, all conspirators, all liars, except Hauptmann."

And now those eyes of Hauptmann's seem planted so deeply into his face, they are like two pale grey discs in a moon, thousands of miles away. They are like eyes in a Benda mask, not eyes but deep, charred holes.

A WHITE FACE

His face is white, whiter than a dead man's. His knee is the only part of his body which moves up and down, up and down, a slow lifeless, measured up and down; like a rhythm of death; like the wheels of a funeral carriage, creaking on a cemetery road—up and down—as Wilentz unlooses a hail and a fury.

And the words come like hailstones:

"Evidence, evidence, mountains of evidence, evidence which shrieks to Heaven—and this murderer of a baby cries: 'Lies!' Mrs. Bonsteel who saw Violet Sharpe twice in her life—she knew that Violet Sharpe was in her restaurant, at 8 o'clock that night; but Mrs. Morrow, she was mistaken. She could not remember. She is not credible, but Mrs. Bonsteel is, Heier is, Stroponi is, Carlstrom is, but Mrs. Morrow is mistaken, and Colonel Lindbergh who swears he knows that voice. He is mistaken. Everyone lying, everyone mistaken—but Bruno Hauptmann."
And now Wilentz’s voice drops to a whisper, “They ask: ‘Where is John’s footprint?’ And they know, as they ask, it could never have been introduced into the evidence; knowing as they ask for it that it was taken two or three days later; hundreds of people walked on that spot, and they ask for a footprint.”

“They ask ‘For the record of Condon’s talk with John.’ There six feet away it rests ready to be played. Why didn’t Reilly call for it as he called Silk? And he would have heard: ‘John what would your mother say?’ ‘She would cry.’ ‘Have you got the money?’ ‘If the baby dies Doctor, will I burn? Will I burn?’”

Now Reilly rises to object, “This is improper summation your honor; this is not in the evidence.” But Judge Trenchard rules that Mr. Reilly asked about the voice record in his cross-examination and instructs Mr. Wilentz to proceed.

And Mr. Wilentz continues:

“Good God, men and women of the jury; Hauptmann won’t understand it. But you, fathers and mothers, you understand. What did Colonel Lindbergh want? His baby—his living baby—if it required fifty thousand dollars—pay it; fifty million; beg and borrow and pay it—but bring a baby back to its mother—You understand that.”

And now he leans over the rail and whispers again:

“But now let me reveal to you that everyone in this case, here and in Betty Gow’s Scotland; here and in Red Johnson’s Denmark; here and in Isidor Fisch’s Germany; in the Bronx and in Jersey, every one was shadowed, every minute night and day; but not one suspicious dollar, not one suspicious move could be tracked down.”

MIGHTY WORDS

“But everything, everything in this case cried, ‘Hauptmann,’ ‘Hauptmann,’ ‘Hauptmann.’ Mr. Reilly said yesterday, ‘I would tear him from limb to limb.’ I confess that I would have been driven to some desperate act if it were my child—But here sits the father of this baby; less than 20 feet removed from the man who killed his baby. And I bend my head before his restraint; and the example he sets for law and order. His baby—his child—and here are the cold hands which sapped its innocent life.”

Now Wilentz, both arms out, his spare body crouched, resumes: “They ask ‘why this child, stolen in the night did not cry out?’ Why? Because this man, those white hands, this man who gloated and leered, and laughed, this man who moves like a panther—this man, public enemy number one of the entire world—his fingers strangled this baby in its sleep.”

“That’s why the baby never uttered a single cry,” and Colonel Lindbergh’s head comes down, and a full minute passes before he raises it again.

“They told you yesterday,” cries Wilentz, “That these men who testified against Hauptmann; these government agents all swore falsely at that time, because they expected the late Senator Morrow to become President, and wanted his favor.’”

“Good God, men and women of the jury,” cries Wilentz, “Don’t they know that the late Senator Morrow was dead before this crime occurred? That he was spared this horrible tragedy?”

And eleven jurors, and eleven pairs of eyes are fastened on this man talking—except one pair, which are fixed on the floor.

And now Wilentz begins in a low pitched voice:

“GOOD ENOUGH FOR THE STATE—”

“Mr. Reilly asks, ‘How can Colonel Lindbergh recall the voice he heard that night?’ ‘Hey Doktor,’ ‘Hey Doktor.’”
“He asks, how Lindy, Lindy whose ear is attuned to the faintest whirl of a motor; Lindy who crosses thousands of miles in the sky, over trackless, treacherous wastes—whose ear must detect the faintest echo—how does Lindy recall?”

And now turning to Hauptmann, “Forget that voice? Never, never!! I heard it in this court room and I will never forget it—not to my last moment in life.”

Like hailstones the words come from the lips of this man. This is no mere prosecutor speaking. No mere prosecutor could speak like this. This is the voice of a man aroused; aroused against a shocking, horrible, crime.

And Hauptmann sat like a man of wax; deathly still, except for the blink of that right eye, and as he sits there no living man can tell from the look in his eye, if he is wrapped in a story he is hearing for the first time, or a story he knows because he wrote every word.

“Perjury, fraud, lies. Never,” cries Wilentz, “did a defense present such a tissue of lies.” “Singature,” he cries, “Singature—trapped by his own hand—And he tells you that we told him to write ‘Singature’—And spell it that way.”

Now Wilentz’s voice rings out—“Here is the request writing, here on this wall.” “Where,” he cries, “is there a single word signature?” And now he turns on Hauptmann. “Super-man; super-man. The strongest man in this room; in this world. The man who couldn’t lose. The man who had to get Colonel Lindbergh’s baby.”

A SPIRIT DIES

And now the glint is gone from Hauptmann’s eye. An hour before I thought he would spring out of his seat. I thought his fingers would reach for this relentless prosecutor’s throat. But now he sits limp, exhausted, slumped in his chair, with as hopeless a look as any human eye ever held.

This man is no longer a man named Hauptmann. He is all men; all the ages of man; all the futile tragedy; all the blind groping; all the endless wastes in which innocent men are swept by panic and fright and fear; in which guilty men find a punishment greater than any a state can inflict.

Again Wilentz turns on Hauptmann—

“297 undotted i’s, 512 uncrossed t’s; boad with a d—senventy, singature, Lindenberg—There he sits. Those are the fingers which wrote the notes, which collected the $50,000.”

And now there is a stir in the jury box. Word is sent to the prosecutor that one of the women in the jury is ill. He promises to expedite his remarks.

He quotes the handwriting men: “We are not only convinced Hauptmann wrote the ransom notes, we are convinced no one else ever did.”

He stands on the valise which stood in the nursery to prove it could have held a man of 160 pounds; he places the ladder against the wall and almost climbs it as Hauptmann did.

Now he shouts: “The ladder, the plane, the chisel, the notes, the money, the sleeping garment, boad, singature, Hochmuth, Whited, Condon, Colonel Lindbergh, Koehler, Osborn, Sellers, his lies, his perjury.”

THE STATE RESTS

And now he turns to Colonel Lindbergh, who sits a few feet away: “Colonel Lindbergh, the State of New Jersey can’t bring your baby back, no one on this earth can. But if it can compensate you to know that civilization is fighting men like this; that other babies will be safe and secure—we offer you that.”

And now he turns to the jury: “Either this man committed the foulest crime of all time or he is entitled to an acquittal—” Now one hand is extended
high into the air, another way down—

“There,” he cries, and now he is breathless, “There are the scales, way up on one side. The evidence against Hauptmann; here way down, the enemy of men and mothers and sleeping children—Hauptmann. . . .”

He turns from the jury and is about to resume his seat, when a voice from the spectators calls out: “Your honor, a man confessed this crime.” Every head is turned; the court room is thrown into confusion. Wilentz shouts: “Stop that man; hold that man.” The constable nearest the judge’s bench breaks through the crowd to reach the man who shouted out. He is standing on a bench, and is dressed in the garb of a cleric.

Again the man shouts something about a confession and this time the constable’s hand comes down over his mouth, and crushes his words into a mumble. Another officer reaches him from another end of the room, and he is forced into an ante room behind the judge’s bench.

And this case conceived in mystery; filled with so much which is mysterious; with a man of mystery as defendant, ends on a note as strangely haunting and mysterious as any a court room ever held.
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