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The Trial of Richard Bruno Hauptmann

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The Trial of Richard "Bruno" Hauptmann: An Account

by Douglas Linder

Journalist H. L. Mencken called the trial of Bruno Hauptmann, the accused kidnapper of the baby of aviator Charles Lindbergh, "the greatest story since the Resurrection." While Mencken's description is doubtless an exaggeration, measured by the public interest it generated, the Hauptmann trial stands with the O. J. Simpson and Scopes trials as among the most famous trials of the twentieth century. The trial featured America's greatest hero, a good mystery involving ransom notes and voices in dark cemeteries, a crime that is every parent's worst nightmare, and a German-born defendant who fought against U. S. forces in World War I.

On the cold, rainy night of March 1, 1932, sometime between 8:00 and 10:00 o'clock, Charles Lindbergh, Jr., the twenty-month-old child of Charles and Anne Lindbergh, was snatched from the second-floor nursery of their Hopewell, New Jersey home. The kidnapper left a small, white envelope on a radiator case near the nursery window. It contained a ransom note:

> Dear Sir!
> Have 50,000$ redy 2500$ in 20$ bills 1500$ in 10$ bills and 1000$ in 5$ bills. After 2-2 days we will inform you were to deliver the Mony. We warn you for making anyding public or for notify the polise the child is in gute care. Indication for all letters are singnature and 3 holes.

An investigation outside the house revealed a broken three-piece homemade extension ladder. The side rails of the middle section were split, suggesting that the ladder broke when the kidnapper descended with the baby. Investigators also discovered a chisel and large footprints leading away from the house in a southeasterly direction. In a remarkable oversight, the footprints were never measured.

By the next morning, word of the kidnapping had been broadcast to the world and reporters, cameramen, curious onlookers, and souvenir hunters swarmed over the Lindbergh estate. Any evidence not yet retrieved by police was lost in the stampede.

Charles Lindbergh made very clear to Colonel H. Norman Schwarzkopf, head of the New Jersey State Police, that he wanted the police to allow him to negotiate without interference with the kidnappers. No arrests were to be made until the ransom was paid and the baby safely returned. The Lindberghs broadcast a message to the kidnapper or kidnappers on NBC radio promising to keep confidential any arrangements that would bring their baby back safely.

On March 5, the Lindberghs received their first communication from the kidnapper(s) since their baby was taken. It came in the form of a handwritten note mailed from

Brooklyn. The note said "Don't by afraid about the baby two ladys keeping care of it day and night." The note warned the Lindberghs to keep the police "out of the cace" and said that a future note will tell them "were to deliver the mony." Feeling a need to find a go-between to deal with the kidnappers, the Lindberghs settled on two bootleggers who had volunteered for the assignment. Meanwhile, gangster Al Capone, calling the kidnapping "the most outrageous thing I have ever heard of," offered $10,000 for information leading to the return of the child.

In the Bronx, New York, an intelligent, patriotic, and a bit overbearing seventy-two-year-old retired principal named Dr. John Condon wrote a letter that ran in the *Bronx Home News* of March 8, 1932. In his letter, Condon offered the kidnappers $1000 of his own money in addition to any ransom money provided by the Lindberghs. He promised "to go anywhere, alone, to give the kidnappers the extra money and promise never to utter his name to any person." The next day Condon found in his mailbox a letter from the kidnapper(s) asking him to "gett the mony from Mr. Lindbergh" and await "further instruction." Condon called Lindbergh with word of his letter. Lindbergh urged Condon to drive out to Hopewell for a meeting to discuss a response to the note. Lindbergh gave Condon toys and safety pins so that he might identify the baby and authorized him to place a "Money is ready" note in the *New York American*. At 8:30 on the evening of March 12, the doorbell rang at Condon's house. The man who rang the doorbell handed Condon a letter. The man explained that a man in a brown topcoat and brown felt hat had stopped his taxi and asked him to deliver a letter to 2974 Decatur Avenue. The letter turned out to be from the kidnapper. The letter told Condon to "take a car" to a specific location near an empty hot dog stand where he might find a note under a stone telling him where he should go next. He was to be at the location in "3/4 of a houer."

Condon found the note. It told him to "follow the fence from the cemetery direction to 233rd Street. I will meet you." Condon walked toward the cemetery gate when he saw a figure inside the cemetery--deep in shadows--signaling him. The man had a handkerchief over his nose and mouth. "Did you gottit my note?" the man asked in a German accent. The man asked whether Condon had the money. He replied, "I can't bring the money until I see the baby." Then, spotting another man outside the cemetery, the shadowy figure said "It's too dangerous!" and turned and ran. Condon chased the man down and they sat down together on a bench. Condon told the man (who called himself "John") he had nothing to fear; no one would hurt him. The man expressed to Condon the fear that he "might even burn." Alarmed, Condon asked him what he meant. "What if the baby is dead?" he asked. "Would I burn if the baby is dead?" Condon, blood rushing to his face, demanded to know why he was asked to deliver a ransom if the baby was dead. "The baby is not dead," the man said. "Tell the Colonel not to worry. The baby is all right." Condon asked where the baby was. "Tell Colonel Lindbergh the baby is on a boat," the man answered. Condon asked that the man take him to the baby, but instead the man, saying he had "stayed too long already" and that the chief conspirator--"Number One"--will be mad at him, got up to leave. He promised to send Condon "a token": the baby's sleeping suit. "I must go. Goodnight."

A few days later, Dr. Condon received a package containing a gray wool sleeping suit. It was the sleeping suit worn by the Lindbergh baby on the night of the kidnapping. Lindbergh worried that the kidnappers might be losing patience, and urged that the ransom be paid immediately--even before the baby was actually seen. On Tuesday, March 31, Condon received a note from "John" demanding that the ransom money be ready by Saturday evening. IRS officials helped assemble the ransom money using gold notes. Within two years the country would be off the gold standard, officials reasoned, and the bills round yellow seals of the gold notes would set them apart from other currency. Officials delivered two boxes containing the ransom money to Condon's house. At 7:45 on Saturday evening the doorbell rang again at the Condon home. A taxi driver delivered a note telling Condon to drive to a florist shop where he would find another note under a table outside the shop. Condon, accompanied by a gun-toting Charles Lindbergh, drove to the location. The note pointed Condon to another cemetery, this one across the street from the florist shop. Lindbergh decided to hang back and see what happened. "Hey, Doctor!" the man he recognized as "John" yelled. When they met, "John" asked Condon if he had the money. Condon said the money was in the car, but he wouldn't hand it over until told where the baby was. When "John" promised to be back in ten minutes with a note identifying the baby's precise location, Condon went to the car to retrieve the ransom money. Condon handed "John" $50,000 in return for an envelope said to contain directions to a boat called *Nelly*, where the Lindberghs might find their long-lost baby. Condon took the envelope to Lindbergh, who opened it. The note said: "You will find the Boad between Horseneck Beach and gay Head near Elizabeth Island." At dawn the next morning, Charles Lindbergh was in the air, flying along the Atlantic Coast looking in vain for a twenty-eight-foot boat called *Nelly*.

At 3:15 on May 12, 1932, a truck driver named William Allen stopped just north of the small village of Mount Rose, New Jersey (two miles from the Lindbergh home) to relieve himself in the nearby woods. About seventy-five feet off the road he looked down to see a baby's head and a foot protruding from the ground. It was Charles A. Lindbergh, Jr. The hunt for the Lindbergh baby was over. Investigation later revealed that the baby was probably killed by a blow to the head, possibly from a fall coming down the ladder from the nursery.

In the days that followed, investigators continued to question one of Lindbergh's maids, Violet Sharpe, who they viewed as having been evasive in prior interviews. Sharpe told police that she had been out with a man named Ernie Brinkert on the night of March 1 (although, curiously, an Ernest Miller later came forward and admitted that he, and not Brinkert, had dated Violet that night). Sharpe's photo identification of Brinkert, and business cards of Brinkert found in Sharpe's room, caused police to consider him a possible suspect, but he turned out to have a solid alibi for the night of the kidnapping and his handwriting did not match that on the notes. The day after identifying Brinkert as her March 1 date, Violet Sharpe--ill, depressed over the death of the baby, and shaken by relentless prying into her private relationships--committed suicide by drinking cyanide chloride from a measuring cup. Speculation began--and continued through the years that followed--that Sharpe was connected with the kidnapping. The investigation was adrift.

During 1932 and much of 1933, the police kept tracking locations where the marked gold ransom notes appeared. First scattered all over the city, over time the notes began to concentrate in upper Manhattan and the German-speaking district of Yorkville. On November 27, 1933, a cashier at the Loew's Theater remembered taking a gold note for a movie from an average-sized, big-nosed man who matched Condon's description of "John." Ten months later, the head teller of the Corn Exchange Bank in the Bronx came across a gold note with "4U-13-14- N.Y." penciled in the margin. The teller informed investigators who assumed that the notation was for a license plate, penciled in by a gas station attendant. Their assumption turned out to be correct. The attendant at the upper Manhattan service station, John Lyons, recalled that the note came from an average-sized man, with a German accent, driving a blue Dodge. He told investigators he remarked to the man, as he gave him the gold note, "You don't see many of those anymore." The man replied, "No, I have only about one hundred left."

The New York Motor Vehicle Bureau reported that the license number written on the note belonged to Bruno Richard Hauptmann, a thirty-five-year-old carpenter living in the Bronx. The next morning, after leaving in his home in his blue Dodge, Hauptmann was arrested. In his possession was a twenty-dollar gold note. A subsequent investigation of Hauptmann's garage uncovered $1,830 in Lindbergh bills hidden behind a board and another $11,930 in Lindbergh money in a shellac can sitting in the recess of a garage window.

Confronted with the discovery of the ransom money, Hauptmann said that Isidor Fisch, a German friend who had sailed for Germany the previous December, then died a few months later of tuberculosis, had left some of his belongings with him for safekeeping. When he discovered that Fisch's belongings contained the gold notes, Hauptmann told investigators, he decided to spend it without even telling his wife, Anna. Investigators had expected Hauptmann to confess. They were disappointed.

In the weeks that followed, Hauptmann was given the third degree. Officials fingerprinted him, put him in line-ups, and made him submit handwriting samples.

Meanwhile, detectives kept busy. They investigated the "Fisch Story"--and found it to be fishy. On the trim of a door in a baby closet in the Hauptmann home, detectives noticed a smudged phone number, written in pencil. It was Dr. Condon's phone number. In Hauptmann's attic, investigators noticed a sawed-off board. (Prosecutors would later charge that Hauptmann used the board to repair the ladder found at the Lindbergh home on the night of the kidnapping.) From interviews with Hauptmann's neighbors, a picture emerged of Hauptmann as a shy, hardworking, and frugal carpenter.

The case against Hauptmann kept building. On September 24, 1934, Hauptmann stood before a New York magistrate to hear that he stood accused of extorting $50,000 from Charles Lindbergh and would be held on $100,000 bail. Two weeks later in the Hunterdon County Courthouse in Flemington, New Jersey, twenty-three grand jurors unanimously voted to indict Hauptmann for the murder of the Lindbergh baby. New

York agreed to extradite Hauptmann to stand trial in New Jersey. An opening date for the trial was set: January 2, 1935.

By New Years Day, Flemington overflowed with 700 hundred reporters, thousands of curious spectators, and hundreds of communications technicians. Celebrities such as Walter Winchell, Arthur Brisbane, Damon Runyon, and Jack Benny began arriving in town for the trial. Vendors hawked miniature kidnap ladders, locks "of the Lindbergh baby's hair," and photographs of Charles Lindbergh.

At ten o'clock the next day, Judge Thomas Trenchard, a seventy-one-year-old, well-respected jurist, took his seat on the bench. Bruno Hauptmann, followed by a state trooper, entered the courtroom and took his seat next to his lawyer, fifty-two-year-old Edward J. Reilly, a hard drinking man known as the "Bull of Brooklyn." Colonel Lindbergh walked briskly through the courtroom door and was greeted by prosecutor David Wilentz, the Attorney General of New Jersey. Judge Trenchard ordered that 48 names of prospective jurors be drawn from a box containing 150 names. The "trial of the century" (or at least one of them) was underway.

In his opening statement, Wilentz outlined the prosecution's theory of the case. He described how Hauptmann, carrying a burlap bag, climbed the ladder and entered the nursery:

> Then as he went out the window and down that ladder of his, the ladder broke! He had more weight going down than when he was going up. And down he went with the child. In the commission of this burglary, the child was instantaneously killed when it received that first blow.

He continued with his story of the crime. The jurors hung on every word. Finally he closed by telling the jury, "We will be asking you to impose the death penalty, it is the only suitable punishment in this case."

The prosecution began its case by calling Anne Lindbergh to the stand. She related what happened on March 1. Wilentz handed her items of clothing her baby had worn on the night of the kidnapping, and she identified them. Reilly, for the defense, chose not to ask any questions: "The defense feels that the grief of Mrs. Lindbergh needs no cross-examination."

Colonel Lindbergh, dressed in a rumpled gray suit and blue tie, was the next prosecution witness. He told the jury how at nine o'clock he heard a noise that sounded "like an orange box falling off a chair." (The sound might, of course, have been that of his child falling to his death.) Wilentz asked Lindbergh if he knew whose voice he heard near a New York cemetery say "Hey, Doctor." Lindbergh replied with an air of assurance, "That was Hauptmann's voice." Cross-examining Lindbergh, Reilly pursued a bizarre line of questioning. He suggested that the kidnapping and murder was carried out by neighbors upset over Lindbergh's decision to cut off access to a forest in which they liked to hunt. Continuing, Reilly suggested through questions that Lindbergh was negligent in not looking into the backgrounds of his maid, Betty Gow, and other household servants, and

that those servants might somehow be responsible for the crime. The reason that Lindbergh's dog didn't bark that night, Reilly suggested, was that because this was an inside job. Finally, Reilly tried to cast suspicion on Dr. Condon, asking Lindbergh, "Did it ever strike you that a master mind might insert an ad in the paper and answer it himself?"

Betty Gow, the Scottish maid who was the last person in the house to see young Charles Lindbergh, testified on the fourth day of the trial. She identified the sleeveless undershirt she had made for the baby that was found on the corpse and told how she had identified the baby at the morgue. Reilly, in a harsh cross-examination of Gow, intimated that she and some of her friends had been accomplices in the crime. Reilly showed Gow photographs of the Purple Gang, a notorious group of Detroit criminals, and demanded to know whether she knew any of them. She said that she did not. Gow fainted as she walked back to her chair after Reilly's attack, and was quickly revived.

The prosecution next called three state troopers to the stand. The first, Corporal Joseph Wolf, described seeing a large footprint in the mud near ladder marks by the nursery window. He estimated the footprint to be larger than size nine. On cross-examination, Wolf was ridiculed for not measuring the footprint, and for not knowing whether the print came from a left or right shoe. The second trooper, Lieutenant Lewis Bornmann, identified a ladder in the courtroom as the one he had discovered on the night of the kidnapping lying seventy-five feet from the Lindbergh home. The third trooper, Sergeant Frank Kelly, described what he found--and didn't find (like fingerprints)--in the baby's room on the night of the crime.

Amandus Hochmuth, an eighty-seven-year-old witness who lived on the road leading to the Lindbergh estate took the stand to tell the jury that on the morning of March 1, 1932 he saw a man in a green car with a ladder in it pass his house and proceed towards the Lindbergh home. Hochmuth said that the man in the car glared at him. "And the man you saw looking out of that automobile, glaring at you, is he in this room?" Wilentz asked. "Yes," Hochmuth answered, pointing his finger at Hauptmann. As he did so, a power failure sent the courtroom into semidarkness. Reilly had a quick explanation for the lights going out: "It's the Lord's wrath over a lying witness."

The most widely anticipated witness in the trial was the always-ready-to-pontificate Dr. John Condon. Condon began his testimony by stating his age as seventy-four and his residence as the Bronx, "the most beautiful borough in the world." Wilentz led Condon through a description of events leading up to his meeting in the cemetery, then asked "Who did you give that money to?" Condon answered, "I gave the money to John." "And who is John?" "John," Condon answered deliberately, "is Bruno Richard Hauptmann." With that revelation, dozens of news messengers scrambled out of their chairs, and Judge Trenchard tried to restore order. On cross, Reilly and Condon sparred over the significance of Condon's refusal to make positive identification of Hauptmann in a lineup in the Greenwich Police Station. Condon said that he identified Hauptmann at the time, but withheld his "declaration of identification." Reilly accused Condon of "splitting hairs in words."

On the eighth day of trial, Colonel Norman Schwarzkopf was quizzed about handwriting specimens. He identified two specimens as having been voluntarily produced by Hauptmann. Soon the prosecution had introduced a total of forty-five specimens, including fifteen ransom notes and nine automobile registration applications in Hauptmann's handwriting. Using blow-ups of the specimens, a series of documents examiners and handwriting experts, including John Tyrell (who also had testified for the prosecution in the Leopold and Loeb trial) told the jury that Hauptmann was the author of all the ransom notes. One expert, Clark Sellers, went so far as to assert: "He might as well have signed the notes with his own name." Reilly told the press afterwards that he would produce eight handwriting experts of his own to show Hauptmann was not the man who wrote the ransom notes. (Only one would eventually take the stand.)

County physician Dr. Charles Mitchell, who performed the autopsy on the Lindbergh baby, testified about the baby's fractured skull. He told the jury that "the blow [that caused the fracture] was struck prior to the death of the child." Listening to the doctor's graphic testimony about the autopsy, Hauptmann sat white-faced and frozen. Lindbergh, for the first time visibly affected by trial testimony, sat with shoulders bowed.

After testimony concerning Hauptmann's alleged passing of gold notes from the ransom money, Wilentz called his last witness, a balding forty-seven-year-old xylotomist (wood expert) from Madison, Wisconsin named Arthur Koehler. Koehler identified the board in the kidnap ladder as having come from a lumber store in the Bronx. Given the location and shape of the nail holes and the grain of the wood, Koehler argued that the board must have at one time been joined to boards found in Bruno Hauptmann's attic. As Koehler stepped down from the witness stand, Wilentz announced, "The State rests."

Reilly's first defense witness was Bruno Hauptmann. Struggling with his English, Hauptmann described in a monotone voice his difficult life in Germany and his hard work and frugal lifestyle in America. He denied any connection to the kidnapping or the ransom notes, and claimed that the money found in his garage had been left by his now deceased German friend, Isidor Fisch. Hauptmann said that he was told by police to misspell the words in his handwriting samples that were also misspelled in the ransom notes.

Wilentz's cross-examination was rough and effective. He began with questions about Hauptmann's criminal record in Germany. Wilentz asked Hauptmann how he spelled "boat," one of the misspelled words on the last ransom note. Hauptmann replied, "B-O-A-T." Wilentz walked to the prosecution table and picked up a ledger taken from Hauptmann's apartment. Pointing to a page in the ledger, Wilentz asked Hauptmann, "Will you please look at this one word?" The word was "boat," spelled in Hauptmann's ledger "B-O-A-D," just as on the ransom note. Question followed question for two days: questions about his finances, Condon's phone number in his closet, about the money in his garage, about the missing board in his attic. Asked after Hauptmann's testimony for a comment on the trial, spectator Jack Benny replied, "What Bruno needs is a second act."

A parade of alibi witnesses, beginning with his wife Anna, followed Hauptmann to the stand. To say that none was a compelling witness would be an understatement. A young Swede named Elvert Carlson testified that he saw Hauptmann (who he did not know until he saw his picture in the paper following his arrest) in his bakery on the night of the kidnapping, but under cross confessed that he couldn't begin to describe any other customer that appeared that same evening. Wilentz also revealed Carlson to be a thief, a bootlegger, and to have a history of mental instability. Another witness, August Van Henke, claimed to have seen Hauptmann walking his dog in the Bronx at the time of the kidnapping. On cross, Van Henke turned out to be a speakeasy operator and a man of many aliases. Witness Peter Sommer created a stir when he testified that he saw Isidor Fisch with Lindbergh's maid, Violet Sharpe--but Sommer turned out to be a professional witness who testified for a fee. And so it went. Nearly every defense witness to take the stand was destroyed on cross-examination. Reilly's radio appeal for defense witnesses to come to Hauptmann's aid seemed to have produced only publicity-seeking loonies. Exasperated, Reilly told one potential witness, "Never been convicted of any crime? Never been in a lunatic asylum? I can't use you!"

After presenting a total of 162 witnesses, lawyers delivered their summations. Reilly suggested, implausibly, that the crime was a conspiracy involving Condon, Fisch, and Sharpe, among others. He theorized that the ladder was planted near the Lindbergh house by clever, disloyal workers to throw police off the track of what was really an inside job. Sharpe stole the child, then committed suicide when she realized the net was closing in. Wilentz followed with a five-hour summary of the evidence against Hauptmann, who he called "the lowest animal in the animal kingdom" and "public enemy number one of this world." Wilentz concluded by telling the jury the defendant is "either the filthiest, vilest snake that ever crawled through the grass, or he is entitled to an acquittal"--there should be no thought of mercy if they were convinced of his guilt.

After giving final instructions, Judge Trenchard sent the jury out to begin deliberations at 11:21 on February 13. At 10:28 that night, the courthouse bell rung, signifying that the jury had reached its decision. A few minutes later, jury foreman Charles Walton stood with trembling hands to announce: "We find the defendant, Bruno Richard Hautpmann, guilty of murder in the first degree." Judge Trenchard asked the ashen Hautpmann to stand as he pronounced sentence: "The sentence of the court is that you suffer death at the time and place, and in the manner specified by law." The thirty-two-day-long trial was over.

The next day Hauptmann was interviewed in jail by two reporters. "Are you afraid to go to the electric chair, Bruno?" one of the reporters asked. "You can imagine how I feel when I think of my wife and child," Hauptmann replied, "but I have no fear for myself because I know that I am innocent. If I have to go to the chair in the end, I will go like a man, and like an innocent man."

After the New Jersey appellate court unanimously rejected Hauptmann's appeal, lawyers for the convicted man asked the Board of Pardons to commute his sentence. That appeal was also rejected, this time by a 7 to 1 vote. Hauptmann's lone support on the Board

came from New Jersey's Governor, Harold Hoffman, who believed that the kidnapping could not have been pulled off by one man alone. (Under New Jersey law, Hoffman could not unilaterally commute Hauptmann's term.)

All attempts to win a confession from Hauptmann proved fruitless. Samuel Liebowitz, the defense lawyer in the Scottsboro Boys case, visited Hauptmann's cell three times, trying to convince him that his only chance of avoiding the chair was in confessing. A newspaper promised to give Hauptmann's widow, Anna, and young son $75,000 if he would provide the paper with details of his kidnapping. Still, he continued to insist he was entirely innocent.

At 8:44 on the evening of April 3, 1936, in the New Jersey State Prison, two thousand volts of electricity were sent through Bruno Hauptmann's body.

https://famous-trials.com/hauptmann