

# Did He Do It?

A shadow of doubt hangs over the execution of Bruno Hauptmann. How big a shadow? You decide.

Nearly 60 years have passed since Bruno Richard Hauptmann was strapped into an electric chair and killed with 2,000 volts of electricity. At the time, many people had doubts about his guilt. Those doubts and the whole incredible story have kept the case very much alive. Like the sinking of the *Titanic* and the assassination of President John Kennedy, the Lindbergh kidnapping seems to be endlessly fascinating and has been told and retold.

Was Bruno Hauptmann guilty? The more people have studied the case over the years, the more reasons they have found to question the verdict.

■ Because their mansion was not yet finished, the Lindberghs were not living there full-time. On the day Charles Jr. was kidnapped, they were in the house only because of a change in routine brought about by the baby's cold. How could Hauptmann have known about that change? How could he have known precisely where the infant was sleeping? The trial produced no convincing answers to those questions.

■ No highly reliable witness placed Hauptmann at the scene of the crime. A logger who at first said he had seen Hauptmann near the Lindbergh estate later said he had not seen him.

A second witness was an 87-year-old man who claimed to have seen Hauptmann in a car with a ladder in it. Defense lawyer Edward Reilly failed to bring out that the man had cataracts and could barely distinguish objects 5 or 6 feet away.

■ The night the ransom money was delivered, Charles Lindbergh was sitting in a car 80 yards away when

"John" called out "Hey, Doctor, over here!" At first, Lindbergh said he could not identify the voice based on hearing four brief words at such a distance. But at the trial, he testified that the speaker was Bruno Hauptmann. Since Lindbergh was an American hero, his testimony had a powerful effect on the jury. Lawyer Reilly let the identification pass without playing up its obvious weakness.

■ The prosecution claimed that Hauptmann was not at his job on the day of the kidnapping. The employer's work sheet showed a mark indicating that Hauptmann *was* on the job—but the mark had been covered over. It appears that someone tampered with the record, and many Lindbergh trial experts blame the police.

■ Prosecutors during the trial said rung 16 on the kidnap ladder was made from wood in the attic of the house where Hauptmann lived. They argued that Hauptmann had run out of wood and had ripped up a floorboard to finish the ladder.

But had he? As Hauptmann himself pointed out, he was a carpenter and had access to as much wood as he needed.

That's not all. When Hauptmann first became a suspect, hordes of detectives searched every inch of his apartment, including the attic. No one reported a large section of wood missing from the attic floor.

Later, during the trial, a detective named Lewis Bornmann made the case for the plank's being used in the ladder. Reilly asked him why the missing plank had not been discovered when the house was first searched. Bornmann answered that he was the first officer to go into the



attic. That was a lie and contradicted testimony already given by Hauptmann's landlord.

Some historians believe that Bornmann and other detectives ripped out the plank and used it to make rung 16.

■ On the witness stand, Dr. Condon announced dramatically, "John is Bru-no Rich-ard Haupt-mann." His confidence strongly influenced the jury—after all, he was the main prosecution witness, the man who had spoken with John several times.

Yet Condon had failed to make a firm identification during the first police lineup and had said that Hauptmann was "not the man." Furthermore, Condon



**Dr. Condon and Bodyguard**

Dr. Congdon had a bodyguard during the trial. Afterward, he would be criticized for shifting his testimony and for giving up the ransom money without receiving the infant Lindbergh in return.

several times identified innocent people as John when shown photos of possible suspects. The prosecution suppressed that information at the trial.

■ A number of handwriting experts said that Hauptmann's writing did not match the writing on the ransom notes. Only those experts who said the writing *was* Hauptmann's were asked to testify.

■ A cabdriver picked up one of the ransom notes from a man and delivered it to Dr. Condon. Later, police asked the driver to identify the note sender as Hauptmann. He said he could not. Police kept working on the driver until he changed his mind. Later, he said he'd been coerced into the change.

■ The ransom notes had a

## A Lone Kidnapper?

One of the most tantalizing questions of the kidnapping concerns the number of people involved. It seems unlikely that one man could have climbed the ladder in the dark, opened the shutters and the window, hoisted himself into the room from a top rung that was 2½ feet below the windowsill, seized the 25-pound infant, regained the top rung while holding the infant, negotiated the

18-inch spaces between rungs, fallen to the ground when the ladder broke, and made a silent getaway—all *completely unaided*.

Defense lawyer Reilly tried to convince the jury that the kidnapping was an inside job involving the Lindbergh staff. He failed. But to this day, no one knows how many people might have taken part in the "Crime of the Century."

number of misspellings. There were earlier notes and letters written by Hauptmann in which the words in question were spelled correctly. The prosecution kept most of those notes and letters out of the trial.

■ A telling piece of evidence against Hauptmann was Dr. Condon's address and telephone number handwritten in a closet in Hauptmann's apartment. Here was another hard fact that pointed to the suspect's guilt.

Actually, the address and number appear to have been written by a reporter named Tom Cassidy. Why? To create a new piece of "evidence" with which to scoop other newspapers. The Lindbergh kidnapping was big news for months, and competition among papers for new developments was fierce. Faking evidence to get a scoop was not unusual among

newspapers of the time. Three other reporters said that Cassidy made no effort to cover up what he had done. Yet that information was not brought out in the courtroom.

The examples given above are not the full list of doubts and questions concerning Hauptmann's trial. It is not surprising that an FBI agent told the director, J. Edgar Hoover, that "questionable tactics" had been used by the prosecution.

Obviously, capital punishment is a serious matter; a human life is at stake. Under American law, a jury is not supposed to convict a defendant unless it believes that person is guilty *beyond a reasonable doubt*.

Knowing what you know now, would you find Bruno Hauptmann guilty of murder?

## 'Dear Mother'

Right after Christmas in 1935, knowing his execution was only weeks away, Bruno Hauptmann wrote a long letter to his mother in Germany. Here are some excerpts:

*Dear Mother, you can hardly conceive how I feel. I must suffer for something of which I know nothing and people who laugh outside and hold festivals amuse themselves at my expense. I cannot see my child in whom my whole heart is placed, in this world. My God, my God! Where is justice in this world? . . .*

*Where I was arrested, they almost crippled me by beating in order to apprehend something which is not in me. There are indeed societies for pre-*

*vention of cruelty to animals, but, unfortunately, not for men. . . .*

*Dear Mother, if there is any shame in this case then it lies on the shoulders of the prosecutor, for I have carried on in this case with a clear conscience.*

*In the hope that justice will triumph, I greet you most affectionately.*

*Your dear son, Richard.*

The prison warden decided that release of the letter in Germany could cause "an unfavorable reaction and place us in an embarrassing position." He locked it up, and Hauptmann's mother never received the last words written to her by her son.