

Hauptmann in Purgatory:

A Creative Examination of Richard Bruno Hauptmann's Trial and
Execution in the 1935 Lindbergh Case

By

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A Thesis Submitted to the Honors College

In Fulfillment of the Bachelors degree
With Honors in

History

THE UNIVERSITY OF ARIZONA
MAY 2017

Approved by:

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Abstract

On March 2, 1932, Charles Lindbergh Jr., son of the famous American aviator Charles Lindbergh, was kidnapped from his second story nursery at his New Jersey home, Hopewell. Nothing remained of the child except a ransom note left on the windowsill, demanding \$50,000. The infant's kidnapping spurred the nation into a mad scramble to recover the child and catch the kidnapper. Yet four months later when the baby's body was discovered in a shallow grave, it became a manhunt for the "Little Eagle's" murderer. Nearly two years elapsed until the arrest of Richard Bruno Hauptmann, a German carpenter from the Bronx, New York. He was brought to trial in 1935, convicted, and executed by electrocution in 1936. Yet Hauptmann did not receive a fair trial. His conviction was the product of several factors: faulty evidence, bungled police work, personal agendas, the celebrity of the Lindbergh's, his German background, and the voracious appetite of the press.

Foreword

I first stumbled upon the Lindbergh case as a college sophomore in my World War I to World War II history class. The case was about the kidnapping and murder of Charles Lindbergh, Jr. by Richard Bruno Hauptmann. I was terribly puzzled that this man, this Hauptmann fellow, (who as far as I could tell), had no motive and no connection to the Lindberghs, could be found guilty of the crime. The whole premise of the case seemed questionable to me and so I was inspired to research this case for my Honors Thesis.

Instead of choosing to write a traditional paper, as I had just completed my history capstone on Human Rights Violations in 20th Century Insane Asylums the semester before, I wanted to write a fictional piece based upon real evidence. In the last eighty years, there has been an avalanche of scholarly research examining the 1935 Lindbergh Case. In the majority of my research, I found that most publications attempted to confirm Richard Hauptmann's execution by way of extolling the available evidence, while a few intrepid researchers attempted to show Hauptmann was innocent of the crime. I am not entirely convinced that Hauptmann worked alone or that he in fact was the kidnapper/murder of Charles Lindbergh Jr. Of his involvement, there is no question. The question is: to what extent was he involved?

In my thesis, I am not interested in proving the man's guilt or innocence. Rather, I want to illuminate how factors such as race, celebrity, bungled evidence, personal agendas, and the role of the media all played their part in this man's conviction. Moreover, I wanted to make this case accessible to the reader in a way

that traditional books on the subject are not. The humanity of the people involved in the case has been erased with the passage of time. My motivation is to make these people live again and to place the reader in the role of judge—was the evidence convincing? How would someone else feel in similar circumstances? Was justice really served? By putting this case in a fictional setting, I believe that not only is this research accessible to the general public, but it also allows for critical analysis in a manner different from all other research done on this case.

This case has fascinated the American public and legal scholars for nearly a hundred years. With the passage of time, however, it is nearly impossible to find the truth in such a convoluted and complicated situation. Yet the case lives on, as each generation hopes to solve the mystery of what really transpired. This is my interpretation.

Character List

Richard Bruno Hauptmann: Convicted and executed for the murder of Charles Lindbergh, Jr.

Anna Hauptmann: Wife of Richard Hauptmann

Charles Lindbergh, Jr.: firstborn son of Charles and Anne Lindbergh, kidnapped March 2, 1932 and found dead four months later

Charles Lindbergh: Completed first successful Trans-Atlantic flight, American hero, and father of Charles Jr.

Anne Lindbergh: Wife of Lindbergh and mother to Charles Jr.

David Wilentz: Lead Prosecution attorney

Edward J. Reilly: Lead Defense attorney

C. Lloyd Fisher: Defense attorney

Dr. John "Jafsie" Condon: Official go-between of the Lindberghs and the kidnapers

New York Police Department Officer

New Jersey Police Department Officer

Federal Bureau of Investigation Agent

Isidor Fitch: Hauptmann's former business partner

Violet Sharp: Maid at the Morrow Estate, Englewood, New Jersey

Harry Gleeson: Irish man convicted and executed for the murder of Moll McCarthy in 1940, exonerated posthumously in 2013

Newspapermen

Scene I

The stage is a dark, abandoned graveyard. Headstones of varying sizes and ages cover the stage. The ground is lumpy and caution is needed to navigate where to walk, with one gnarled tree to the left of the stage and a large mausoleum to the right. There is a light mist snaking its way across the stage. Color is muted: dull greens, browns, grays, and black. The backdrop is stippled gray without any definition. Time is suspended. It does not move here. This graveyard is a waiting room. It is Purgatory.

Two figures appear on stage, one of a tall man dressed in a blue suit, the second man dressed in a light gray morning suit. The latter is in a high mood, elated.

Harry Gleeson (*sitting atop a tomb*): I can't believe I'm actually getting to leave! I got me a new suit—don't you think it's nice?—gonna leave here real nice and spiffy. I even slicked back my hair for the occasion. First impressions count for everything, Bruno!

Hauptmann (*leaning against a tall headstone, puts a cigarette in his mouth and prepares to light it*): It's Richard.

Gleeson: It's gonna be great getting out of this time warp of a dump.

Hauptmann: Where do you think you're going? Above or below?

Gleeson: (*laughs*) I've yet to figure that out. No use in worrying, though. I'm gonna go where I'm gonna go.

Hauptmann: How'd you swing it?

Gleeson: (*takes Hauptmann's cigarette*) You see Bruno—

Hauptmann: It's Richard.

Gleeson: --You see, Richard, what happened was I was cleansed. Purified, if you will.

That's what this place is all about, isn't it? Well I fought it for ages. I didn't want to work through the history of my life, to get square with the things I did, things I didn't do, things people did to me. You know they said I killed that girl? No one believed me when I said I didn't. So they made me swing for it and I've been here ever since. But you know what? I've been released, exonerated! Who'd've thought it? *(laughs)* You've been here, what, 80 years? Today I get to leave; tomorrow it could be you, my friend.

Hauptmann: *(intrigued, he takes his cigarette back)* How?

Gleeson: You have to talk to your ghosts, Richard. Well, I better get going. Hey, thanks for the cigarette.

Gleeson exits stage.

Hauptmann: *(Smokes his cigarette quietly for a minute)* I've been here since 1936.

Whistles. A hell of a long time to wait. I guess I might've left sooner but where would I go from here? To the light above or the fire below? I know what everyone would say. That I belong in the pits of hell. But I feel I was innocent of what they accused me. Why would I hurt that baby? *(Sits smoking his cigarette)* Maybe it is time to talk to my ghosts.

Hauptmann begins to move about the cemetery, searching for names he knows. When the right person is found, he touches the headstone and the person walks

onto the stage. The first person he finds is the headstone of his wife, Anna, who appears on stage as he gazes at the stone lovingly.

Anna: Richard!

Hauptmann: Anna.

They embrace.

Anna: Oh, Richard, I fought so hard for you. To the day I died I fought to clear your name.

Hauptmann: I know, Liebling.

Anna: *(breaks from Hauptmann's grasp)* Richard, what are we doing here?

Hauptmann: I need to talk to my ghosts, Anna. I cannot stay here any more. Will you help me?

Anna: Of course.

Together they search the graveyard and key trial participants walk onto the stage in large clump, arguing loudly. Charles and Anne Lindbergh, Attorneys Wilentz, Reilly, and Fisher, NYPD, NJPD, FBI, John Condon, and Newspaperman all appear at once.

Defense Attorney Reilly: I say, what the hell is going on?

Anne Lindbergh: Charles, where—where are we?

Charles Lindbergh: I don't know, Anne. What the devil is going on?

NJPD Officer: Quit touching me!

NYPD Officer: Then move faster.

FBI Agent: Will you two shut up?

Dr. John Condon: Look at the state of this place!

Hauptmann jumps onto the tomb and shouts loudly. The crowd stills and stares.

NJPD: Oh God, not him again. What do you want?

Hauptmann: Gott in Himmel, quit your bickering! Even in death you are all the same!

For the last eighty years I have suffered in this place, in this Purgatory, with my name blackened and reviled by every new generation. I've summoned you all for the truth and to clear my name.

Prosecution Attorney Wilentz: *(sardonically as he moves to sit on a headstone)* Yes

well, having a criminal past makes clearing your name rather difficult.

Hauptmann: *(jumps down from the tomb to confront the crowd)* That is because you

were looking only for the worst! You do not consider the three lives I saved at the peril of my own! You do not know what it was like after the war in Germany. The desperation . . . the destruction . . . my streets were rubble, little children staring at me with deadened eyes. I had served to protect my country, been gassed and shot, only to return to a broken people. You Americans cannot comprehend such desolation.

[Beat] A wheelbarrow. It took a wheelbarrow of Deutschemarks to buy bread. I was desperate to provide for my family.

Wilentz: That's all very touching, but you robbed two women pushing a baby carriage at gunpoint—

Hauptmann: --I did not know Fritz would pull a gun!—

Wilentz: --not to mention robbing the mayor of your hometown. Face it, Bruno, you are a man of criminal impulses.

Hauptmann: My name is Richard, not Bruno. The mayor was corrupt. He had taken bribes and was untouched by the anguish of the people of Kamenz. He ate bratwurst while we ate rats.

Lindbergh: That does not give you the right to descend into a life of crime.

Hauptmann: You cannot understand. You, Lucky Lindy, America's Eagle. You have never known such hunger, fear, desperation. You have never known what it is to be an immigrant. Yet we are two sides of the same coin, Mr. Lindbergh. Your father was the product of an extramarital affair. Your grandfather, Ola Måsson, fled from Sweden with his mistress due to allegations of embezzlement. He changed his name and concealed who he once was. You could have very easily been in my shoes.

Anne: He is right, Charles.

Lindbergh: My grandfather never committed murder.

Scene II

Battle lines are drawn. The Hauptmanns and Fisher are on the right of the stage while the Lindberghs, Wilentz, and the police are on the left. Reilly lounges in the middle, unperturbed. The Newspaperman remains in the back, shiftily listening and chain-smoking a pack of cigarettes. His shirt is rumpled, hair greasy, and tie askew.

Hauptmann: I never murdered anyone, especially not that child. I'm a father; I have a boy about your son's age. I may be guilty of many sins, but I could never hurt your child. But it is so easy for you to say I could, Lindy. Everyone believes everything you say. Lets talk about what you did to me, what you all did to me. You dragged me out of my car and arrested me without telling me what for! Without any reason!

FBI Agent: Oh we had plenty of reason enough, Bruno. Remember when you spent that \$10 gold certificate at Walter Lyle's gas station? *(Gets up and gets really close to Hauptmann's face)* That bill was one of the Lindbergh ransom bills. Lyle took down your license plate number, in case it was counterfeit and called the bank. They called us and guess what happened when we ran the plates? We got you, Bruno. *(pokes him in the chest)*

Hauptmann: *(swats hand away)* You stuck a gun against my ribs! And arrested me on the suspicion of how I folded a dollar bill!

Defense Attorney Fisher: Purely circumstantial.

FBI Agent: (*demonstrating*) All the recovered ransom bills were all folded the same: lengthwise and then three times, making a tiny square. We had the serial numbers on the bills, Bruno. The \$20 gold certificate we found on you resembled the folding of the other bills. Plus there was all that cash we found hidden throughout your house.

Hauptmann: You searched my home without just cause! You had no right to invade my home, to frighten my wife and son, and rip my house apart! Oh and that was just the beginning. You took me to the police station where you questioned me nonstop. You held me more than two days and allowed me only 30 minutes of sleep. I had no lawyer, throughout all of the interrogation. You know what you did. The bruises might have faded, but I remember exactly what you did.

Fisher: You violated his sixth amendment right to representation, Officer.

Hauptmann did not know he was entitled to counsel because you deliberately did not inform him. That was unconstitutional.

Wilentz: (*Stepping forward to flank FBI*) Nonsense. It was only in 1966 when officials had to read his rights after the Miranda case in Arizona.

Fisher: The sixth amendment still applied, Wilentz, regardless. He should have had an attorney present.

FBI Agent: He would've clammed up. We needed to get him talking.

Fisher: That did not get you very far, did it?

Hauptmann: I didn't say too much. I was afraid that they wouldn't understand, that they would take the money. I didn't have much opportunity for work

and I was afraid of inflation like after the war in Germany. I didn't know it was ransom money—Isidor Fisch left it at my house in an old shoebox.

FBI Agent: Oh, not that ridiculous story again, about how your former business partner Isidor Fisch left you a box of money that happened to be the Lindbergh ransom money. What a flimsy story! How could you honestly expect us to believe that?

Hauptmann: It was true!

Condon: Come, come, Bruno. The truth is better.

Hauptmann: My name is Richard! [Beat] Truth? You want to speak to me about truth, a man whose only language is exaggeration and egotism?

Condon: How dare you? I am an honest man.

Hauptmann: Honest? You're crazy! What kind of person integrates himself into business that has nothing to do with you! Why would the Lindberghs or the real kidnapper want your services? Who are you really? Honest. Well if you are so honest, how come you said, "I have to be very careful, the man's life is in jeopardy" at the police lineup but later claimed you knew immediately I was "Cemetery John"? You know, the real kidnapper?

Condon: I made a distinction between "identification" and "declaration of identification."

Reilly: (*Hefts himself off a nearby tombstone and barrels forward, throwing his cigar to the ground*) Jesus Murphy, Mary, and Joseph! That was the most

hair-splitting, asinine rubbish I have ever heard! You know damn well that Hauptmann wasn't your man but you had to save face and make me look inept. You succumbed to the pressure of the case and let truth be buried by your lies.

Condon: I did not lie. I knew he was the man, he was the most like John in the line up.

Reilly: From among 14 obvious policemen! Hauptmann was the only man who didn't look like the poster boy for the NYPD. You said he looked the MOST like John—not that he *was* John.

Condon: He certainly fit the description I had given police three years prior. Only Bruno Hauptmann—

Hauptmann: Richard!

Condon: --looked heftier than John, which I why I kept my declaration of identification to myself.

Reilly: There is no difference between identification and declaration of identification, Condon! You either knew or you didn't and you clearly didn't. You spent more than an hour harassing my client, trying to convince him he was the man you met in the cemetery, trying to convince yourself, and after that hour you *still* weren't sure. That's why you did not ID him in the police department.

Condon: How dare you question my integrity! I have been a well-respected pillar of this community and I would not endanger a man's life if I was not sure he was Cemetery John!

Fisher: Dr. Condon, by the time the trial came to court, you were displaying signs of early dementia. Is it possible that you could not remember what John looked like?

Condon: He was a tall man, with a foreign accent, thin face, pointed chin, and slender build.

Fisher: Yes, I know, but do you remember specific details of John's face, his hands, his body language? It was nearly three years later when Hauptmann was before you in the lineup. I myself would have a difficult time remembering a man I'd only met briefly three times.

Condon: It was not a brief meeting. I sat with John and talked with him for an hour on one occasion.

Fisher: Why? I doubt that a man full of adrenaline and criminal intent would linger for a long conversation on a cemetery bench with you, Doctor.

Wilentz: Your doubts aside, Counselor, Dr. Condon was the only person to actually deal with the kidnappers. So it's his word against your client's.

Scene III

While the men were arguing, the women moved apart. They are standing before a grave decorated with cherubs. This grave belongs to a child. Both women look sad and speak quietly.

Anna: Mrs. Lindbergh, tell me about your son.

Anne: He was a lovely little boy, a normal little boy. Just beginning to lisp words. I was so afraid he would take after me but he had the strong chin of his father and his fearlessness too. Bright blue eyes and a crop of curly hair. He was my little lamb.

Newspaperman: *(sidles over from the background, eagerly eavesdropping on their private conversation)* We heard the kid had a deformity. Clubbed feet or something.

Anne: *(angrily)* That was a lie! You newspapers constantly made up lies about Charles and me, about what I thought or felt, about our private lives. You made it up—that falsehood about Charlie!

Newspaperman: Lady, if the kid was ordinary, why make such a stink about the “normalcy” of your son on every occasion?

Anne: Those nasty rumors stuck. Charles wanted to refute them and every time we turned around, people asked what was wrong with our son. Nothing was wrong with him. He was perfectly normal.

Newspaperman: Where there's smoke, there's bound to be fire, lady. And you are blowing a lot of smoke.

Anne: Excuse me? *(The rest of the party ceases bickering to witness this exchange.*

Lindbergh gets up and moves as if to protect his wife)

Fisher: Mrs. Lindbergh, if I may? The coroner's report describes an anomaly with your son's feet. Overlapping toes, corroborated by the child's nurse, Betty Gow, and the child's pediatrician. Was this true, Mrs. Lindbergh?

Anne: I . . . He was a perfectly normal little boy.

Newspaperman: So perfectly normal that no photographs exist of the child's feet?

Anne: *(weakly)* Who takes pictures of feet? He was perfectly normal.

Lindbergh: Enough! You are upsetting my wife. My son was a healthy boy and that is the end of it.

Hauptmann: *(Moves to center stage)* Is it? The autopsy was conducted by a man who wasn't even a doctor, standing in for an arthritic coroner who simply wrote the report! No tissue samples taken, no photographs. No way for anyone to verify his cause of death.

Lindbergh: Are you saying that the doctor lied about the cause of death?

The women retreat to the side as the men again begin to argue.

Hauptmann: No, I am simply saying that the job was not properly done.

Reilly: Technically, the report should never have been entered into evidence. It was hearsay.

Hauptmann: From what the reports show, the corpse was badly decomposed. How could you clearly identify that as the body of your son?

Lindbergh: The material found on the body matched the sleeping suit Betty had made for my son. I was perfectly satisfied that it was my son.

Anna: *(her head swivels to Lindbergh)* It? You called the body of your son “it”?

Lindbergh: *(Snaps)* I don’t need to explain myself to you. *(beat)* I had tried so hard to bring him home to Anne. We fought to keep hope alive that we would have our child back. When I saw that little form . . . I was glad Anne was not with me. The realization my boy was gone . . . you could not understand what that feels like.

Anne: *(moves to him)* Oh Charles.

Anna: But why cremate him? If my Manfred had passed, I would want to visit his grave.

Lindbergh: Reporters had already attempted to desecrate my son’s remains the night of his autopsy in the coroner’s office, breaking in and taking pictures. What would stop them from digging him up for the sake of a story? They had already partly killed my son. I would not let them harm him any more or cause Anne more pain.

Anna: Surely if you buried him at Englewood—

Anne: To have a daily reminder of what had happened to my baby? No. That’s no way to live. People would still find a way onto the estate and find a way of harming my son.

Anna: Still, why no burial for your baby? Back then no one chose cremation and the Church disliked the practice.

Anne: Your husband’s remains were cremated.

Anna: Yes, but we are paupers. The state disposed of Richard; I had no say. If I had had my way, he would have been buried properly. But I could not have afforded a funeral. The trial and the appeals, they had taken all of our resources.

Anne: As had the ransom we so hopefully paid Cemetery John.

Anna: Surely you weathered the Depression better than us working class Americans.

Anne: Charles had employment but the money we gave for the baby's safe return was a majority of our wealth. We were not unaffected by the Depression.

[Beat]

Hauptmann: Five miles. They found the remains five miles from your house *four months* after the child went missing. The night of the kidnapping, when the cops searched everywhere, how did they miss the body? They were all over the road and nearby estates; surely they must have looked at that road!

NJPD Officer: We looked down that road!

NYPD Officer: Maybe he had already buried it and you guys just didn't look hard enough.

At the same time

Hauptmann: I did not harm that child!

NJPD Officer: We looked plenty hard.

Fisher: Did you ever consider that maybe the body hadn't been there when you searched? That maybe it was buried there later?

Wilentz: What hack theory are you trying to sell, Fisher?

Reilly: There was never a question that those remains were not those of the baby.

Fisher: Yes, because you never considered the possibility other than the obvious one! If the road to Hopewell was swarmed with police and they found nothing in their search, not even the hastily overturned dirt of a shallow grave, maybe that grave didn't exist until later!

Wilentz: I presented evidence from a nearby orphanage, establishing that all those children were well and accounted for. It had to be the Lindbergh baby.

Fisher: But the body was so badly decomposed, certain identification even by the child's parents could not really be possible. Since you cremated the remains, Lindbergh, now it can never be genetically proven it was your son.

Lindbergh: What are you insinuating?

Fisher: Just as Anna pointed out, cremation was unusual in the 30s and that cremation incinerates bones and tissues.

Lindbergh: What's your point, Counselor?

Fisher: That because you cremated your son, there was nothing left to genetically test if that body was the body of your son or that of another child! The question of identity could have been solved if you had not burned him to a crisp!

Lindbergh: How dare you, it *was* my son.

Scene IV

Assembled group all remain in heated discussion.

NJPD Officer: Yes, Mr. Lindbergh, we all agree that it was your son. And our expert psychiatrist Dr. Shoenfield said that the killer was a German immigrant, adjusting to the English language, and probably living in a German neighborhood. As we all know, the Bronx was a major German hot spot. The kidnapper would be clever and experienced at planning, somewhere between thirty to forty years in age. He would be low class, living in obscurity but convinced of his own omnipotence. Kidnapping the American hero's infant son would validate his feelings of superiority. This profile was extremely useful during our investigation. You fit the bill, Bruno.

Hauptmann: That doctor never interviewed me, never gave me a psychological evaluation! How can you say I fit a profile made by a man who never confirmed its existence?

NYPD Officer: You lived in the Bronx, you were a day laborer! You were smug during our interrogation, thinking you were so much smarter than us. Calm and controlled in the courtroom, it was like you did not care how the trial ended. Believe me, your attitude did not help you at all.

Hauptmann: It would not have been manly if I had shown my emotion. Teutonic people, we value strength in times of adversity. Mr. Lindbergh would

understand that value of strength as a man. I had to be strong for my wife, for my son. If I had cried in the courtroom, I would have been less of a man, would have been perceived as guilty. I wanted to appear strong in my conviction of innocence, unbroken despite the stigma you forced upon me, but you do not know the storm that raged inside. How would a man, living in the Bronx, know what this family was doing on this particular night? I had no connection, no motivation to hurt that child.

NJPD Officer: You must've been in league with Violet Sharp, the maid at Mrs. Morrow's estate, Englewood.

Hauptmann: I never knew a Violet Sharp.

Anne: Violet's death was an added tragedy in that troubled time, but Violet was a good girl. She would not harm my child.

NJPD Officer: Drinking silver polish in the middle of police questioning is not a sign of innocence, Mrs. Lindbergh. Violet would not kill herself for nothing. She must have been involved. The question is to what extent?

Anne: Oh that's nonsense, Officer! She was ill and not in her right mind!

NJPD Officer: Clearly.

Anne: She did not have to be guilty to be suicidal.

Lindbergh: What on earth do you mean by that, Anne?

Anne: I mean that I understand that impulse, Charles. After Charlie's . . . after it happened I felt so empty inside. I could not share with you my pain, my

desperation for fear you would think less of me. Think I was weak. I can understand the longing for release.

Lindbergh: Anne, you cannot be saying you thought about suicide?

Anne: And what if I was? Did that make me guilty for our son's death? I was full of conflicting emotions: I was carrying our second son Jon while mourning Charlie. I wanted to mourn my firstborn, I wanted to be with my little lamb. But I had to be strong for the baby I was carrying. [Beat] I am simply saying that Violet's death did not necessarily mean she was involved in our son's kidnapping.

Hauptmann: In any case, I never knew a Violet Sharp.

NJPD Officer: Maybe she was your lover, like Greta Hinkle.

Hauptmann: That is a lie! I was never involved with Greta! I was faithful to my wife, unlike some. *(Pointedly stares at Lindbergh)*

Lindbergh: How dare you?

Hauptmann: How dare me? How dare you! I was always faithful to my wife, you cannot say the same! Anna, how many was it?

Anna: Seven. *(Moves to comfort Anne, whose face has gone white)*

Hauptmann: You had seven children by three women not your wife! Two of whom were sisters!

Lindbergh: That was a terrible lapse in judgment and I hurt my wife terribly. She forgave me for my sins.

Hauptmann: You all tried to accuse me of being morally corrupt, of being unfaithful to my wife—as if that proved my guilt—while America’s hero was having multiple affairs with multiple women and no one batted an eye.

Lindbergh: No one batted an eye because I was careful. My children did not know I was Charles Lindbergh. They knew me as Karu Kent.

Hauptmann: *(scoffs)* Because that sounds like a real name.

Lindbergh glares at Hauptmann. Everyone is listening intently at the showdown between the pilot and the carpenter. Hauptmann stares at the crowd, searching for sympathy or understanding. Seeing none, Hauptmann becomes hysterical.

Hauptmann: *(desperate, impassioned, almost wild)* After all of this, do you not see? Do you not understand? I was a chess piece that all of you moved about the board to checkmate each other! I was a pawn! A means to an end! None of you really cared if I was innocent or guilty!

Anna: *(rushing to his side)* Richard, dear, calm yourself.

Hauptmann: No, Anna, I will not be calm! They condemned me for my calm when I was on trial; they condemned me for my emotion on death row! They will condemn me no matter what I say or do, Anna! *(Turns to face the ghosts)* You all used me to further yourselves! Reilly—“Bull of Brooklyn,” your career was in jeopardy. Your reliance on alcohol and your increasing age started to affect your practice and acquittals were becoming fewer and fewer. You thought if you could acquit me, your

career would rejuvenate! And you were bankrolled by the newspapers! You, Wilentz—you had never tried a criminal case before and you were intent on running for governor! If you won this case, if you put the Lindbergh Baby's murderer in the electric chair, you would be guaranteed the governorship! You corrupt policemen; you were so busy fighting each other that you never once thought to collaborate to catch the *real* criminal who committed this crime! Your clumsy and inept investigations got you nowhere for three years—the government and the American public were breathing down your neck! You needed someone to throw before the judge and I was as good as any to hang for the crime! *(Stops for a moment to gather breath. All the ghosts are stunned by this display of emotion. As he lists each person, they shift and move uncomfortably, occasionally look sheepish and guilty.)*

And you, Mr. Lindbergh. I am sorry your boy was harmed, I truly am. I would not wish that on any parent. But can you not see that because of who you were you had already damaged the investigation for your son? That everyone jumped when you snapped your fingers and gave you special deference? When I was arrested, that was the end for me, Mr. Lindbergh. Because of your fame, because of your influence, and your celebrity, I had no chance of ever being perceived as anything but guilty, not after I was labeled the Lindbergh Baby's killer. You are not the hero everyone thinks you are. You are a man, a flawed man. But then, you were a god and could do no wrong. And when you said you

recognized my voice in the courtroom, that was the final nail in my coffin. *(Hauptmann sags under the weight of his emotion, sinking down to lean against a headstone)* I never had a chance.

Offstage the chant "Kill Hauptmann! Kill Hauptmann!" grows louder and closer. An electric chair is wheeled center stage and despite Hauptmann's impassioned plea, the FBI, NJPD grab Hauptmann by his arms and wrestle him into sitting in the chair.

Hauptmann: No! No! I feel am innocent! I am innocent!

Anna: Richard!

NYPD buckles Hauptmann in and strobe lights begin to flash. The chanting gets louder as the sentence is read.

"Richard Bruno Hauptmann is condemned to die by electrocution on May 13th, 1936."

Stage goes black except for the strobe lights. In one colossal, desperate scream Hauptmann calls out "I AM INNOCENT!!"

Curtain falls.

Afterword

On the night of March 2, 1932, Charles Lindbergh, Jr. was kidnapped from his nursery at the Lindbergh's New Jersey weekend home, Hopewell. The family usually spent the week living at Anne's mother's house, Englewood, a few miles away from Hopewell. On that particular Tuesday in March, Charles Jr. and Anne were recovering from a cold and thus it was decided the family would stay at Hopewell. Sometime between 7 pm and 10 pm, the child was snatched from his crib with nary a sound. All that was left was a ransom note on the windowsill and an abandoned ladder seventy feet from the house. Charles Jr.'s kidnapping and subsequent death were later dubbed the "Crime of the Century." Richard Bruno Hauptmann was convicted of the crime and executed.

On June 22, 1930, Anne Morrow Lindbergh and Charles Lindbergh welcomed their firstborn, Charles Augustus Jr. The "Lindbergh Baby" became an overnight sensation, with everyone in the nation desperate to see what the "Little Eagle" looked like. Highly private, the Lindberghs refused to expose the child to the corrosive influence of the media. A rumor began to circulate that the child was in some way deformed, evidenced by the Lindberghs' secrecy about their son. Despite Charles Lindbergh's attempts to establish that his son was a perfectly healthy, normal baby, the rumor stuck and hounded the family.

Charles Lindbergh married Anne Morrow on May 27, 1929. Anne Morrow was the daughter of Dwight Morrow, who had earned his fortune working for J.P. Morgan and was appointed U.S. ambassador to Mexico by President Calvin Coolidge

in 1927.¹ Anne and Charles met in Mexico later that same year. To cement U.S.-Mexico relations, the president had asked Charles Lindbergh, who had already skyrocketed to international fame, to make a goodwill flight to Mexico City. It was there he met all of Dwight Morrow's daughters: Elizabeth, the oldest; Anne, the middle; and Constance, the youngest.

Anne Morrow was a reserved young woman with a talent for writing. Not exceptionally pretty like Elizabeth or precocious like Constance, Anne retreated into the world of her diary to articulate her desire for another life, for love, for adventure.² Well educated and refined, she was the product of a strict Protestant household and her father's financial success afforded her the opportunity to attend college at Smith, following in her mother, Betty Cutter's, footsteps. When her father was posted to Mexico City, Anne lamented leaving their New Jersey estate, Englewood. Yet upon the appearance of Charles Lindbergh, Anne was captivated. He taught her fly his plane and in her found a partner and a kindred spirit. She believed the rumors that Charles was keen on Elizabeth, but was startled when Charles made his attentions toward her known in his proposal on October 18, 1928.³

Unlike the long-established American Morrows, who had built their way to American aristocracy, the Lindbergh family was relatively new. The Lindberghs came to the United States in 1858, when Charles Lindbergh's grandfather, Ola Måsson, emigrated with his mistress Louisa Callén amidst a financial scandal from

¹ Kathleen C. Winters, *Anne Morrow Lindbergh: First Lady of the Air* (New York: Palgrave Macmillan, 2006), 25.

² *Ibid.* 21.

³ Kenneth S. Davis, *The Hero: Charles A. Lindbergh and the American Dream* (New York: Doubleday & Co., 1959), 275.

Sweden.⁴ They settled in Minnesota and changed the family name to Lindbergh. Charles grew up in Minnesota and in Detroit, hunting, fishing, and enjoying the outdoors. Yet Charles was very shy and private, preferring to be alone instead of among others. In 1924, Charles enlisted in the U.S. Army Air Service, where he spent the majority of his time delivering mail.⁵ On May 10, 1927, Charles attempted the impossible: to be the first person to successfully fly across country and across the Atlantic Ocean.⁶ Many skilled pilots had attempted to cross the Atlantic, only to be lost at sea. By May 21, 1927, Charles had successfully flown to Europe and landed in France, launching him into international stardom as the ultimate American hero. The Lindbergh family became an instant sensation.

By the time of their marriage in 1929, the American public was obsessed with the Lindberghs. Charles, focused on his privacy, admonished Anne to not write or say anything she would not want on the front page of the newspaper. Much of her diaries were encoded or edited about the events of her life and Anne found the need for secrecy, even in her private journal, grating.⁷ The Paparazzi plagued the newlyweds during their two-week honeymoon and wrote sensational stories based on pure conjecture. To escape the hounding of the Paparazzi, frequently Charles donned disguises to escape notice.⁸

⁴ Kenneth S. Davis, *The Hero: Charles A. Lindbergh and the American Dream* (New York: Doubleday & Co., 1959), 30.

⁵ Kathleen C. Winters, *Anne Morrow Lindbergh: First Lady of the Air* (New York: Palgrave Macmillan, 2006), 36.

⁶ Ibid. 41.

⁷ Anne Morrow Lindbergh, *Hour of Gold, Hour of Lead: Diaries and Letters of Anne Morrow Lindbergh 1929-1933*. (New York: Helen and Kurt Wolff, 1973.), 17.

⁸ Ibid. 33.

In 1930, when Charles Jr. was born, Anne and Charles had completed several international flights and had bought a 425-acre property north of Princeton, New Jersey, where they hoped to build their own home: Hopewell. Occasionally the young family experienced harassment from fans. Once, an unstable woman approached the family at their temporary farmhouse home and refused to leave until she saw the infant; a pair of sightseers hit Anne's dog with their car and left the animal for dead.⁹ In reaction, Charles became more aggressive about his desire for privacy, refusing to have his personal life on display for the nation. Yet Lucky Lindy would never have the privacy he desperately sought.

On March 2, 1932, Betty Gow, Charles Jr.'s nurse, discovered the baby was missing from his crib.¹⁰ The family soon realized that the child had been kidnapped, as no one in the house had seen the child since Betty put him down for bed. All that remained in the child's nursery was a white envelope on the windowsill.¹¹ After a cursory search of the estate, Lindbergh called the New Jersey and New York State Police and reported his son's kidnapping. He ordered that no one touch the envelope on the windowsill until the police had arrived. By the end of the night, nearly thirty police personnel were investigating the crime.

A broken ladder was discovered about seventy feet away from the child's window. Instead of securing the ladder, the police left it where it was to focus on the

⁹ Ibid. 155.

¹⁰ Kathleen C. Winters, *Anne Morrow Lindbergh: First Lady of the Air* (New York: Palgrave Macmillan, 2006), 121.

¹¹ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 12.

envelope in the child's nursery, leaving the ladder unguarded and unattended.¹² By now the press had gotten wind of Baby Lindy's kidnapping and journalists descended on Hopewell. Countless reporters handled the ladder, still left lying on the ground, before the police decided to remove it from public view. By then the damage had been done—the kidnapper's prints, if there were any, were obliterated by the journalists and police officers. Moreover, with nearly thirty police officers and hordes of reporters tramping around Hopewell, any footprints left by the kidnapper were destroyed.

Inside the house, the police fared the same. An officer dusted the envelope and the room for fingerprints but “nothing of value” remained, just a few smudges and partials.¹³ The contents of the envelope were a poorly spelled and error-ridden demand for \$50,000, the modern equivalent of nearly a million dollars. The signature of the kidnapper consisted of two interlocking blue circles with a red circle between them and three holes punched through all the circles.¹⁴ Based upon the grammatical errors, the police suspected a foreigner, possibly of German descent.

Once word broke across the front page of every newspaper, the Lindberghs were inundated with mail, mostly letters of sympathy but a substantial number of false leads, threats, and crackpot conspiracies, frightening the family. Anne released to the press the child's dietary routine while Charles attempted to contact the kidnapper through the newspaper, even suggesting a mediator. The FBI claimed

¹² Ibid. 14.

¹³ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 18.

¹⁴ Ibid. 22.

jurisdiction over the kidnapping and joined the New York and New Jersey police ranks. The notorious gangster Al Capone offered a substantial reward for information regarding the child's whereabouts.¹⁵ His help was politely declined.

The police turned to the members of the Hopewell household: Betty Gow, the nurse; Olly Whateley the butler; and Elsie Whateley, the housekeeper. Since the family dog had not barked at all the night of the kidnapping, the police suspected an inside job. Yet after extensive questioning, the servants were cleared of suspicion. Thus, the police brought in Mickey Rosner, a police informant and virtuoso in the underworld.¹⁶ He was given the ransom note and allowed to make a copy. Researchers have argued as to whether Rosner made copies and published them among the underworld. Although not proven, the possibility cannot be ignored. Rosner did discover that organized crime syndicates in New York, Chicago, and Detroit did not conduct the kidnapping.

On March 4, the kidnapper made second contact, assuring Mrs. Lindbergh her child was in good health but that the ransom was now \$70,000, as the kidnapper had to involve more people to care for the child.¹⁷ March 5 brought another missive, accepting the Lindbergh's offer of a go-between and suggesting communicating through the *New York American* newspaper. Both letters had the signature of the three circles and holes.¹⁸

¹⁵ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 24.

¹⁶ *Ibid.* 24.

¹⁷ *Ibid.* 25.

¹⁸ *Ibid.* 27.

Enter Dr. John F. Condon to the scene. A former professor, lecturer, and gregarious man, Condon became the official go-between after he published a note in the *Bronx Home News*, offering \$1,000 of his own savings and his services to the kidnapper.¹⁹ On March 8, he received a message from the kidnappers, accepting his role in the case, and a letter for the Lindberghs. After a phone call to the Lindberghs, Condon drove to New Jersey and was integrated into the investigation. In publications in the newspaper with the kidnappers, he assumed the alias “Jafsie,” or J. F. C. Thus, a man with no connection and uncertain motive inserted himself into the Crime of the Century.

On March 12, Jafsie would meet the kidnapper in the Woodlawn Cemetery in New York.²⁰ Condon’s story of what transpired in this meeting is unsubstantiated. Condon was a man for whom exaggeration was his first language. Condon claimed he spoke with the kidnapper, a tall man with a Scandinavian accent, for nearly an hour. This man Condon spoke with became known as “Cemetery John.” Condon asked for insurance that the child was alive and well. The next day, the Lindberghs received the gray sleeping suit their son wore March 2, but the suit had been cleaned.²¹

After a month of negotiations, April 2 brought the date of the ransom exchange. Lindbergh insisted that he accompany Condon to the drop-off in St. Raymond’s Cemetery. When Condon stepped out of the car, Lindbergh heard a voice

¹⁹ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 40.

²⁰ Richard T. Cahill Jr., *Hauptmann’s Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 54.

²¹ *Ibid.* 60.

cry, "Ay Doctor!" a voice he later testified belonged to Richard Hauptmann.²² After Condon gave Cemetery John the box of money cross checked by the IRS, he was handed a note saying that the child was aboard the boat, *Nelly*.

No such boat existed.

A man named John Curtis contacted Charles, claiming he knew the kidnapppers and the actual place where the child was hidden, a boat called *Mary Moss*. After several days hunting along the coastline, it became clear that there was no *Mary Moss* and that Curtis had lied.²³

On May 12, two truckers were driving five miles near Hopewell when one man needed to relieve himself.²⁴ He walked seventy-five feet into the woods and was startled to see a flash of white: a small human skull with bits of blonde hair still clinging to the decaying flesh. Within minutes of him reporting this, the police arrived to rake up the body. They took the remaining clothes off for identification and allowed Walter Swazyze, the county coroner, to remove the little corpse. Betty Gow identified the fragments of cloth as Charles Jr.'s. Anne and Charles were then informed that their firstborn son was dead.

Walter Swazyze and Dr. Mitchell conducted the autopsy. Swazyze conducted the autopsy while Mitchell wrote the report.²⁵ They determined the child was killed by a substantial fracture on the left side of the skull, resulting in a massive hemorrhage. The remains of the child were badly decomposed, a leg was missing

²² Ibid. 81.

²³ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 105.

²⁴ Ibid. 107.

²⁵ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 98.

and most of the organs were gone as well. The toes on one foot overlapped; Charles Jr.'s pediatrician confirmed this condition.²⁶ Even though one side of the face had been preserved by mud, certain identification was nearly impossible. No tissue samples and no photographs were taken of the procedure. Outside the coroner's office, journalists were camping while vendors sold souvenirs and hot dogs. One reporter supposedly broke in after hours and photographed the remains.²⁷ On May 13, Charles Lindbergh was asked to identify the body. "I am perfectly satisfied that it is my child," he is reported to have said.²⁸ The Lindbergh's had their son's corpse cremated, ostensibly to prevent desecration of his grave. Cremation was infinitely cheaper than bodily internment, \$1,020 for cremation versus \$4,000 for burial, a fact that would have been considered in light of the Great Depression and the hefty ransom the Lindberghs had paid.²⁹ Yet in the 1930s, only 2.56 percent of Americans chose cremation instead of traditional burial.³⁰ With such a low number for cremation, many researchers have speculated about the reason why Charles had his son cremated.

The nation mourned for the "Little Eaglet" and the Lindbergh family. Political and social pressure began to build for the police to catch the murderer. Until the actual discovery of his son's body, Lindbergh had been in command of the investigation, involved in every detail and false lead. The police quietly took control, starting with the liar, John Curtis. On May 17, Curtis admitted he had lied in order to

²⁶ Ibid. 98.

²⁷ Ibid. 101.

²⁸ Ibid. 101.

²⁹ Fred Rosen, *Cremation in America* (New York: Prometheus Books, 2004), 119

³⁰ Ibid. 103.

garner personal fame.³¹ He was tried and convicted for tampering with the investigation. Wanting to understand how Charles Jr. had sustained the massive cranial fracture, police experimented with a replica ladder and a sack of sand about the child's weight. A 160-pound officer climbed the ladder, clutched the bag, and the ladder broke halfway in his decent. The bag of sand dropped against the stone windowsill below.

The police then turned to Violet Sharp, a maid at Englewood. In her initial interrogation, she told the police she had a date the night of the kidnapping and went to the movies.³² Yet she could not recall her date's name nor what movie they saw. Mrs. Morrow vouched for the girl but the police were suspicious. The police interrogated Violet a total of five times, each time becoming more and more aggressive. The day before the recovery of Charles Jr.'s body, Violet had been hospitalized with severe tonsillitis. After the news about the boy's death, Violet became withdrawn and moody. She had \$1,600 in her bank account, more than a servant girl should have, as argued by the police.³³ Violet admitted that she had lied and that she and her date Ernie had gone to a speakeasy. With each new bout of questioning, Violet became more and more agitated and doctors asked the police to cease questioning until Violet was well. Yet on June 10th, just as the police were to

³¹ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 106.

³² Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 143.

³³ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 111.

question Violet for the fifth time, she ran up stairs screaming hysterically, grabbed a bottle of silver polish, and drank it.³⁴ Within minutes, Violet Sharp was dead.

Violet Sharp's suicide has baffled investigators and contemporary researchers alike. Her death appeared to be an admission of guilt, whether she was deliberately or accidentally involved. Many argued that an innocent person would not commit suicide to escape questioning. Others believe that she was terribly ill and not in her right mind, resulting in her overreaction to another interrogation. Regardless of Violet Sharp's involvement, her death indicated to the police that she was guilty of something. The press came down hard upon the police departments for their brutal treatment of Violet. Word had spread that the police had pushed her to suicide and the public protested such police brutality.³⁵

With this promising lead dead, the police then turned on John Condon. This man had no connection to the Lindberghs and was the only person to have had contact with the kidnapers. He became a person of interest. Yet despite their best efforts of proving otherwise, Condon remained spotless.

A psychiatrist named Dudley Shoenfeld delivered to the police in November 1932 a psychological profile he had developed about the kidnapper/murderer.³⁶ "Cemetery John" was the kidnapper, killer and author of the ransom notes. Due to the errors in grammar, he was likely German and based on his ethnicity, likely lived in the Bronx, a predominantly German neighborhood. John was a skilled carpenter and a meticulous planner. He would not be easily caught, as John was cautious and

³⁴ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 151.

³⁵ *Ibid.*

³⁶ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 130.

his inflated sense of self would not allow for a confession. Shoenfeld thought that John likely was a schizophrenic, enraged at his lowly social status and jealous of Lindbergh's success. His motive for kidnapping and killing the Lindbergh child was to demonstrate superiority and forever be known in conjunction with the Lindberghs.³⁷ Yet most of Shoenfeld's information was derived from newspaper reports and hearsay. He *never met* with any suspect to conduct a psychological evaluation.

The ladder held more information than originally thought. The New Jersey police contacted a wood expert, Arthur Koehler, in 1933, to dissect the kidnapper's ladder. Koehler discovered an irregularity in rail 16—a number of nail holes. Additionally, this rail had been split by a defective blade. Koehler was able to trace the wood to a South Carolina mill that had shipped its wood to the National Lumber and Millwork Company in the Bronx sometime between 1929 and 1932.³⁸ The wood in the kidnapper's ladder was later matched to the wood in Richard Hauptmann's attic and Rail 16 was found to be a perfect fit for a missing piece of lumber on the attic floor.³⁹

In 1934, President Franklin Delano Roosevelt took the American dollar off the gold standard.⁴⁰ All gold and gold currency had to be surrendered to federal banks. The penalty for not complying was ten years in jail. As most of the ransom money had been paid in gold-standard bills, the police began to hope they would find their suspect. Every few months or so, a ransom bill popped up in the banks.

³⁷ Ibid. 132.

³⁸ Ibid. 136.

³⁹ Ibid. 179.

⁴⁰ Ibid. 140.

The serial numbers confirmed these bills belonged to the Lindbergh ransom but the pattern of spending was too sporadic to narrow down the kidnapper's neighborhood.

For almost two years, the police had come up empty handed. The American populace, the press, and the president were breathing down their necks. Pressure and frustration at their lack of a suspect continually built. The police needed a lead and they needed it soon.

That remained the case until September of 1934, when Walter Lyle, owner of a gas station in the Bronx, contacted his bank with a \$10 gold-standard bill and a license plate number.⁴¹ Lyle described the man who had paid him with the gold note as five-foot eleven inches, thirty years old, about 160 pounds, and with blue eyes. He also had an accent. When the police ran the plates, the license belonged to a one Richard Bruno Hauptmann. As his address was central to all points of contact from the kidnapper, the authorities put him under surveillance.

On the morning of September 19, 1934, Richard Hauptmann was pulled over by FBI agents.⁴² He was treated roughly and quickly searched; a \$20 gold bill was found in his wallet. He was arrested and driven back to his home, where his wife Anna and son Manfred were frightened by Hauptmann's appearance in handcuffs. The police ransacked his home, searching for evidence but finding none. Annoyed, they hauled him to the police station, where he was held for nearly 42 hours without

⁴¹ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 185.

⁴² *Ibid.* 186.

food, water, rest, or a lawyer present.⁴³ He later made accusations that the police beat him with a hammer. By the time any documentation was allowed to occur, the majority of his bruises had faded. Although many researchers argue that this was a far-fetched theory, it is important to remember that the police believed they had finally caught the Lindbergh Baby's killer, the man who had made them look incompetent from the start. Clearly there was rancor against the suspect and in the 1930s there were no regulations for police interrogations. Therefore, it is possible that Hauptmann did suffer physical police brutality.

In the interrogation, Hauptmann informed the police about his immigration to the United States, claiming he did not know that stowing away on a boat was illegal. He admitted he was trained as a carpenter and that on the day of the kidnapping, the Majestic Hotel had employed him. The police asked him to write out several letters, in an attempt to try to match his handwriting to that of the ransom notes. Hauptmann was forced for hours to write sheet after sheet, the letters dictated by the police.⁴⁴ Meanwhile the police searched his house again, finding bundles of money hidden in the garage under a loose floorboard, a missing board in the attic with nails matching the holes in the kidnaper's ladder, and a board hidden in the closet upon which John Condon's address had been hastily scrawled.⁴⁵ When questioned about the money, Hauptmann explained that his former business partner, Isidor Fisch, had left a box in Hauptmann's keeping prior to his [Fisch's]

⁴³ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 159.

⁴⁴ *Ibid.* 155.

⁴⁵ *Ibid.* 180.

departure for Germany.⁴⁶ Hauptmann did not know that the box contained money from the Lindbergh ransom. Fisch had stolen several thousand dollars from Hauptmann, and so he assumed it was pay back with interest and hid it in the garage, fearing inflation during the Depression. The police did not believe his story. Fisch, they discovered, had died penniless in Germany of tuberculosis in 1933.⁴⁷ Additionally, they had learned that Hauptmann had a criminal past in his home country. He had committed two counts of larceny—burgling his hometown mayor and attempting to rob two women pushing a baby carriage. Everything was falling into place and the police were convinced they had their man.

John Condon was brought into the station to identify the man he knew as Cemetery John. The lineup consisted of 14 obvious police officers and a rumped, unshaven Hauptmann. For nearly two hours, Condon attempted to draw a confession from Hauptmann that he was Cemetery John yet Hauptmann denied ever seeing Condon before in his life. To the frustration of the police, Condon did not explicitly identify Hauptmann as the kidnapper, an issue that would prove problematic in court. He claimed in court that he knew Hauptmann was Cemetery John but made the distinction between “identification” and “declaration of identification,” preferring to save his declaration for an opportune moment. Regardless of Condon’s lack of ID, Hauptmann was booked for the crime.

On October 9, 1934, Hauptmann was formally indicted for the kidnapping and murder of Charles Lindbergh, Jr. However, linking Hauptmann to the deliberate murder of the child would prove difficult, as the death of the baby was likely

⁴⁶ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 203.

⁴⁷ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 204.

accidental and thereby Hauptmann could only be charged with manslaughter in New Jersey.⁴⁸ That would only guarantee life in prison. Prosecution attorney David Wilentz wanted the death penalty on the table and to do that, he needed charge Hauptmann with felony murder. Wilentz argued that Hauptmann committed a kidnapping and the child died as a result. Yet that required kidnapping to be a felony, which was only a misdemeanor in New Jersey. Burglary, however, was a felony. Wilentz argued that on March 1, 1932, Hauptmann maliciously broke and entered the Lindbergh estate with the intent of committing a felony—stealing Charles Jr.'s bedclothes, an implausible motivation.⁴⁹

If Hauptmann had been tried for manslaughter and kidnapping, he would have served a life sentence in jail. Apparently for the police and prosecution team, life without parole was viewed as too lenient for this monster. He had to die for his crimes. So on October 16, he was extradited to New Jersey to stand trial in Flemington.⁵⁰ The trial was to begin January 2, 1935.

Anna Hauptmann was approached by two reporters for the *New York Journal* with an offer to pay for the services of famed Defense attorney Edward J. Reilly, who was nicknamed “The Bull of Brooklyn.” Against Hauptmann’s wishes, Anna insisted on hiring Reilly. Reilly was an alcoholic, aging attorney whose career was slowly slipping away. Aggressive and flashy, the people of Flemington took an immediate

⁴⁸ Richard T. Cahill Jr., *Hauptmann’s Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 191.

⁴⁹ Richard T. Cahill Jr., *Hauptmann’s Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 191.

⁵⁰ Jim Fisher, *The Lindbergh Case* (London: Rutgers University Press, 1987), 260.

dislike to the lead defense attorney. C. Lloyd Fisher, a Flemington native, assisted the defense.

When the trial began on January 2, 1935, more than 150 squeezed into the courtroom: reporters, spectators, witnesses, and sightseers. Members of the crowd frequently interrupted the proceedings, chattering, reacting, and even filming in the courtroom. Outside the courthouse, vendors set up shop, selling trinkets, coins, and souvenirs commemorating this infamous trial. Throughout the trial, there were occasional outbursts from the attorneys, witnesses, and spectators. Several times, Judge Trenchard stopped the trial proceedings to admonish the spectators for their noise and smuggling in of cameras to film.⁵¹ The trial was a complete circus.

The Prosecution attorney was a man named David Wilentz. This was the first criminal case Wilentz had ever tried and he had his eye on snaring the governorship of New Jersey.⁵² The long string of evidence and witnesses he brought to the stand made an airtight case. His witnesses included the Lindberghs, John Condon, a multitude of handwriting experts, wood expert Arthur Koehler, and the manager of the Majestic Hotel. Wilentz had hand picked every witness and brought forward evidence that he believed would result in conviction.

Scholars argue that Hauptmann's conviction was ensured by Lindbergh's testimony. On January 2, Lindbergh testified that the voice he heard at the ransom drop-off, a voice he heard once three years prior saying "Ay, Doctor!" had belonged to Hauptmann. Indeed, who would dare question the American Hero's honesty?

⁵¹ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 207.

⁵² *Ibid.* 223.

Reilly's attempt to discredit Lindbergh backfired, allowing Charles to directly accuse Hauptmann of kidnapping his son.

On January 9, 1935, John Condon testified that Bruno Hauptmann was Cemetery John and without a doubt the kidnapper. Condon was asked multiple times to identify Cemetery John and once he misspoke, saying a different name instead of Bruno, before quickly correcting himself.⁵³ Reilly attempted to discredit Condon by questioning his lack of ID of Hauptmann at the police station. Reilly attacked Condon's premise of "identification" and "declaration of identification." Yet Condon's emphatic and didactic personality easily routed the lawyer and made him appear a simpleton.

Albert Olson, the Prosecution's handwriting expert, confirmed Hauptmann's handwriting as matching the ransom notes from the kidnapper. Handwriting analysis is not a definitive science and there is room for human error, despite Olson's expertise. Reilly attempted to make this point but his cross-examination was so lengthy that the jury became bored and stopped listening.

A major issue for researchers was the testimony of Edward Morton, employee of the Majestic Hotel. Morton claimed that while it was true Hauptmann had been hired March 2, he did not begin work until March 21. When questioned about the existence of records from March 1 to the 15th to prove Hauptmann's employment, he simply answered, "Our records do not indicate that any such records exist at this time—or at that time, either."⁵⁴ An unusual way to say there

⁵³ Ibid. 233.

⁵⁴ Anthony Scaduto, *Scapegoat: The Lonesome Death of Bruno Richard Hauptmann* (New York: G. P. Putnam's Sons, 1976.) 278.

were no records of Hauptmann's payroll, many researchers have speculated that the records *did* exist yet were purposefully destroyed to ensure Hauptmann's conviction. Since three police forces were covering the investigation, it is possible that those records could have been given to the police and lost in the shuffle. However, in most trials, evidence is rarely as overwhelmingly partisan as was in Hauptmann's case. Since Wilentz's case was so carefully and deliberately constructed, investigators questioned if he ignored evidence that could contradict his case. The Defense team could not prove this, though, and the lack of payroll records stuck.

There was no argument to be made with Arthur Koehler's analysis of the kidnapper's ladder and its perfect fit to the missing board in Hauptmann's attic. However, based upon Dr. Shoenfeld's analysis of the kidnapper, a careless move such as using wood from one's own home seemed out of place with his profile. The discovery of the missing board in Hauptmann's attic seemed too perfect a find to have been real evidence. Some researchers strongly believe that the police tampered with the scene, possibly even planting Rail 16 in his attic. While there is little evidence to support this claim, considering the climate in which the investigation took place, it is a possibility that cannot be ignored.

The Prosecution had created a compelling case against Hauptmann but the Defense attempted to establish reasonable doubt. Reilly needed to humanize Hauptmann and he began with Hauptmann's military service, his family life, and the sympathetic working man angle. Hauptmann explained that on March 1, 1932 he had arrived at the Majestic Hotel only to be told there was no work until the 15. That

night he had gone to the bakery where Anna worked and waited for her until her shift ended at 9 pm and then stayed home for the remainder of the night. He had quit the carpentry job at Majestic after three weeks when he was given \$80 instead of the promised \$100. He explained that on the night of the ransom exchange, he was home with his wife and a few family friends, preparing to send off Isidor Fisch to Germany. That was when Fisch left the boxes at his house, claiming they were full of business papers.

When Hauptmann and Wilentz came head to head during his cross examination, Wilentz attempted to discredit Hauptmann by exploring his criminal past in Germany, insinuating he was unfaithful to Anna and kept secrets from her, and that Hauptmann felt no remorse for murdering the Lindbergh child since he sat so impassively in court. The clash of these two men left Wilentz the victor, as the more Wilentz rattled Hauptmann, the less articulate Hauptmann sounded and the less the jury believed him. The aggressive and speedy wit of Wilentz was no match for a man whose first language was not English. Although the jury saw his lame answers as a sign of guilt, likely under the pressure of questioning, translating what Wilentz said into German and then back into English, Hauptmann's explanations lost something in translation.

Curiously, the entire courtroom universally saw Anna Hauptmann as a sympathetic character, including the grieving Anne Morrow Lindbergh.⁵⁵ Anna was present throughout the entire trial, quietly listening and supporting her husband. Once she cried out against a Prosecution witness and was admonished by Judge

⁵⁵ Anne Morrow Lindbergh, *Locked Rooms and Open Doors: Diaries and Letters of Anne Morrow Lindbergh 1933-1935* (New York: Helen and Kurt Wolff, 1974), 247.

Trenchard to hold her counsel. Yet as much as the public reviled her husband, they pitied her loyalty to her husband and the situation in which she was mired.

The Defense brought forth a multitude of witnesses, trying to discredit the Prosecution witnesses. Yet with new witnesses, Wilentz destroyed their credibility. Many of the witnesses Reilly picked had criminal backgrounds or connections to shady business deals. None could withstand cross-examination and redirect was useless. Hauptmann knew his life was in jeopardy. He reportedly lamented, "Where are you getting these witnesses? They are killing me."⁵⁶ At the end of closing statements, a disturbance occurred in the courtroom, as a crazed spectator shrieked he was the real killer of the Lindbergh baby before he was swiftly dragged from the courtroom, ending the sensational trial with a fantastic note of drama.

After the conclusion of the trial, Judge Trenchard read the charges to the jury and discussed the law. However, his address to the jury has been subject of criticism by researchers and investigators alike. Trenchard made comments regarding the plausibility of Hauptmann's defense in such a way that he biased the jurors. With each new piece of evidence he asked the jurors, "Now do you believe that? Does this sound credible?"⁵⁷ The role of the judge in a trial is to stand impartially with the law. Yet Trenchard's comments seemed outside the realm of impartiality. Many believe that although subtle, Trenchard's reading of the law and summary of the trial damaged Hauptmann's case as much as Wilentz's adroit cross-examinations did.

⁵⁶ Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 292.

⁵⁷ *Ibid.* 325.

The jury deliberated until 10:30 pm on February 13, 1935. The air in the courtroom was charged and the restless crowd outside began to loudly chant, "Kill Hauptmann! Kill Hauptmann!"⁵⁸ Fisher told Hauptmann not to make a sound, no matter what the verdict. Fisher was already planning on appealing the likely guilty verdict. Yet when the foreman announced his guilt, Hauptmann remained as if one stunned while Anna Hauptmann fought back tears. The roar of the crowd outside was curdling and gleeful in its demand for blood. Hauptmann crumpled in his cell and wept bitterly, displaying the largest outburst of emotion throughout the entire ordeal. Anna wept quietly until the police chief, full of pity, offered her his arm and walked her out of the courtroom.

The next day Fisher visited Hauptmann in his jail cell and attempted to plan his appeal. Fisher and Anna Hauptmann embarked on a "crowd funding" expedition, rallying the German immigrant population and collecting several thousand dollars. In the aftermath of the trial, even Eleanor Roosevelt questioned the fairness of Hauptmann's trial.⁵⁹ For over a year, Anna Hauptmann and Fisher attempted to appeal Hauptmann's conviction without success. The New Jersey Governor Harold Hoffman offered a one-month reprieve from the electric chair so that new evidence, the confession of a man named Paul Wendel, could be examined.⁶⁰ Yet the confession was unable to stick, as Wendel claimed a police kidnapping coerced his confession. From death row, Hauptmann made one more attempt to clear his name. In a short video released to the public, a gaunt Hauptmann with haunted eyes spoke

⁵⁸ Ibid. 330.

⁵⁹ Jim Fisher, *The Lindbergh Case*. (London: Rutgers University Press, 1987), 380.

⁶⁰ Ibid. 417.

out with his heavy German accent that he felt he was innocent of the crime, that he had never hurt that baby, and that he will die and innocent man.⁶¹ But his pleas fell on deaf ears.

On April 3, 1936, Richard Bruno Hauptmann was strapped into the electric chair. For three minutes, electricity ran throughout his body until he was declared dead.⁶² Anna Hauptmann fought to have her husband's name cleared to the day of her death. She filed federal lawsuits against the state of New Jersey in 1981 and again in 1986. She passed away in 1994 and is survived by her son Manfred.⁶³ Richard Hauptmann's only child, Manfred, became something of a recluse and not much is known about his private life, despite many journalistic attempts to uncover his secrets.

After the trial, the Lindberghs went on to have five other children: Jon, Land, Anne, Scott, and Reeve. After the trial in 1935, the Lindberghs fled the publicity and heartbreak for an isolated estate in Wales.⁶⁴ Anne Morrow particularly struggled with grieving her firstborn and trying to rebuild her life. For a period of several years after the trial, Anne Morrow penned her heartbreak and depression in her private diary, for she could not confide in her husband.⁶⁵ The Lindberghs kept a low profile, occasionally traveling throughout Europe. Yet with the swift approach of

⁶¹ *Hauptmann's Statement from Behind Bars 1935*. Youtube.

<https://www.youtube.com/watch?v=Eu_E00Xh408>

⁶² Richard T. Cahill Jr., *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping* (Kent: Kent State University Press, 2014), 331.

⁶³ Jim Fisher, *The Lindbergh Case*. (London: Rutgers University Press, 1987), 425.

⁶⁴ Kenneth Davis. *The Hero: Charles A. Lindbergh and the American Dream*. New York: Doubleday & Co., 1959. 362.

⁶⁵ Anne Morrow Lindbergh, *Locked Rooms and Open Doors: Diaries and Letters of Anne Morrow Lindbergh 1933-1935* (New York: Helen and Kurt Wolff, 1972)

Nazi aggression, Lindbergh supposedly became embroiled in intelligence for the United States. In 1936, he and Anne visited the Fürher for several weeks, Charles reporting on the number of planes, tanks, and weaponry the Nazis had prepared for war.⁶⁶ Many believed that Lindbergh was doing the United States an invaluable service, secretly befriendng the Nazis and Stalin in order to gather military intelligence, while others believed him to be a secret fascist sympathizer. However, Lindbergh soon came into conflict with President Roosevelt in 1941, as he announced his thoughts on American isolationism, German military capability, and the German “Jewish Problem” over the radio.⁶⁷ His fascination with the eugenics movement proved to be problematic to the American public, but when the Japanese bombed Pearl Harbor later that year, Lindbergh re-enlisted and fought in World War II. He wrote his autobiography in 1953, *The Spirit of St. Louis*.

Despite his heroic status, Lindbergh’s character lacked heroic qualities. In 2003, it came to light that Lindbergh had not been faithful to his wife Anne. He had affairs with three women: his secretary, a young hat maker in Germany, and the hat maker’s sister.⁶⁸ In total, Lindbergh fathered seven children outside the bonds of marriage. Thus the mythological American hero proved he was no more than a man with failings.

In the eighty years since this trial, the American populace has been fascinated with the possibility of miscarriage of justice. Although the right to a fair and speedy trial is beloved by Americans, Richard Bruno Hauptmann did not receive this right.

⁶⁶ Ibid. 375.

⁶⁷ Ibid. 411.

⁶⁸ *Who Killed Lindbergh’s Baby?* Directed by Larry Klein. 2013. PBS

Based upon his Germanic ethnicity, the immense fame of the Lindberghs, the agendas of the police and attorneys, and the avarice of the press, Hauptmann was doomed the moment he was arrested, regardless of his innocence or lack thereof. What can be taken away from this infamous case is that the criminal justice system is still evolving and it is important that the system learns from its mistakes, especially the conviction and execution of Richard Bruno Hauptmann.

Author's Note

I would like to thank Professor Hemphill for her patience as I researched and struggled to put to page all of my ideas as well as my mother, for editing all my drafts and encouraging me.

Since my sophomore year I knew I wanted to research the Lindbergh Case for my Honors thesis and do something creative. But what was the angle? What did I want to prove? I did not know; I only knew the rudimentary facts of the case. I spent the fall of my senior year researching everything about the case and trial. I read the diaries of Anne Morrow Lindbergh, biographies on Charles Lindbergh, social histories and parenthood in the early 1930s, step-by-step case analysis, and cremation history, to name a few examples. The more I researched, the more I saw a massive miscarriage of justice. Of Richard Hauptmann's involvement somewhere in the case I have no doubt. But I doubt he worked alone or murdered that child.

I put myself in his shoes. How would I feel, how would I react if I was being railroaded and felt I was innocent? History is considered by many to be boring, full

of dates and dead people. But history is the study of people, and what could be more exciting than that? I wanted the characters of this case to live again, if only for this brief discussion lead by Hauptmann. By setting the play in Purgatory, I wanted to eliminate the passage of time and create a cyclical movement throughout the play. No matter if Hauptmann proves his points, the characters will never relinquish their conviction of his guilt and so this discussion will take place over and over again.

I started first with the problems I had encountered in my research. When Lindbergh was asked to identify the body of his child, he called his son “it” and cremated the remains. The coroner was not a doctor and he did not submit the report, nor did he take samples or photographs. The police bungled evidentiary procedures multiple times throughout the case. There was continual reference that Charles Lindbergh Jr. was “normal” yet his feet were never shown in any photographs. These were primarily minor details but they were sources of major controversy. I wrote each scene based upon one or two of these issues I came across in my research.

I deliberately decided not to prove Hauptmann’s innocence or guilt. That was beside the point for me. I wanted to show how celebrity, ethnicity, evidentiary problems, personal agendas, and the media all compounded Hauptmann’s conviction. He never had a fighting chance and that was the point of my play.

I did not want to stray too much from fact, apart from the setting. I wanted to keep the essence of each character: the swaggering methods of Reilly, the condescension of Dr. John Condon, and the malicious attitude of Wilentz. I had a difficult time writing lines for Charles Lindbergh, to whom I had a large distaste.

Lindbergh was a god to the American people yet he was just as dastardly as everyone thought Hauptmann to be, if not more so. The Prosecution tried to prove that Hauptmann was a liar and unfaithful to his wife. Yet the real person guilty of those crimes was the Prosecution's main witness.

When Anne discusses her sympathy with Violet, I took inspiration from her diaries. During the trial, Anne white knuckled depression and grief over the loss of her firstborn son while pregnant with her second child. A very strange dynamic of equality and subservience in their relationship, Anne could not tell her husband how she felt so she wrote it all down in her diaries. Later, with the knowledge of Lindbergh's secret side families, it broke my heart to read her diary.

Richard Bruno Hauptmann was only known as Richard. No one, not even his own mother, called him Bruno. Yet Bruno sounded Germanic and peasant-like that it stuck. The kidnapping occurred between both world wars, when ethnic tensions were high. Hauptmann's constant referral as Bruno was likely an avenue for the dislike of Germans and of immigrants. That is why I have Hauptmann become agitated whenever someone calls him Bruno.

Oddly enough, no one in any of my research called Charles Jr. by name. He was always the baby or the Lindbergh baby, not Charles Jr. I found it strange that both parents did not call their son by his name. Yet since he was the firstborn, there was no need to distinguish him from his future siblings and "the baby" could have stuck. Methods of parenting have changed in the last eighty years so it is possible that I was looking at the past through a modern understanding of childhood and

parenthood. I also am not a parent so I cannot say for certain if something, like not always using the child's name, is out of place.

After I had the chunks of dialogue written, I took some time to string them together. I wanted a fairly seamless flow with a strong build up to the execution climax. I then wrote an Abstract, introducing the topic and a Forward, outlining why I choose fiction instead of a traditional paper. Following that, I wrote my play. At the end, I knew I needed to include my research. Since the case is so complicated, I needed to give a solid run down of the entire proceedings for the reader to understand. Writing out the details of the case was by far the lengthiest process.

My capstone requirement had actually been completed my junior year when I took Hist 498. I did not realize I could do both at the same time so instead I took two separate classes and by graduation completed a capstone and a thesis. My capstone was focused on exploring the human rights violations in 20th century insane asylums. For my thesis, I did not want to research the same topic as my capstone and I did not want to write another grueling, traditional research paper. Many of my advisors said I would have difficulty in finding a history professor willing to oversee my creative thesis. After meeting with a few professors to tell them my research topic, I was directed to speak to Professor Hemphill. I was very fortunate that Professor Hemphill was willing to try something new and let me write a thesis outside the box. We met every couple of weeks to review the research I had done and to see what I wanted to investigate next. At the completion of every book, I sent her an annotated bibliography and gave her a thesis overview of what I

hoped to accomplish in my paper. For the most part, I was given independence to research and write at my own pace.

I thank Professor Hemphill for her help, my mother for her editing, and the Honors College, for giving me the opportunity to research this case and showcase my knowledge through creativity. I am pleased with my thesis and I hope the readers are too.

Works Cited

- Cahill, Richard T. Jr. *Hauptmann's Ladder: A Step-by-Step Analysis of the Lindbergh Kidnapping*. Kent: Kent State University Press, 2014.
- Davis, Kenneth S. *The Hero: Charles A. Lindbergh and the American Dream*. New York: Doubleday & Company, 1959.
- Fisher, Jim. *The Lindbergh Case*. London: Rutgers University Press, 1987.
- Lindbergh, Anne Morrow. *Hour of Gold, Hour of Lead: Diaries and Letters of Anne Morrow Lindbergh 1929-1932*. New York: Helen and Kurt Wolff, 1973.
- Lindbergh, Anne Morrow. *Locked Rooms and Open Doors: Diaries and Letters of Anne Morrow Lindbergh 1933-1935*. New York: Helen and Kurt Wolff, 1974.
- Rosen, Fred. *Cremation in America*. New York: Prometheus Books, 2004.
- Scaduto, Anthony. *Scapegoat: The Lonesome Death of Richard Bruno Hauptmann*. New York: G. P. Putnam's Sons, 1976.
- Winters, Kathleen C. *Anne Morrow Lindbergh: First Lady of the Air*. New York: Palgrave Macmillan, 2006.
- "Who Killed Lindbergh's Baby?" Directed by Larry Klein, PBS, 2013.