

JAFSIE ANSWERS Hauptmann's Death-Cell ACCUSATION

THIS ARTICLE CONTRIBUTED BY MARK FALZINI, W TRENTON POLICE ARCHIVE

BRUNO RICHARD HAUPTMANN gripped the bars of his cell so fiercely that the knuckles of his strong hands turned white.

"I want to see Dr. Condon," he said. "I want him to come here, in this jail, and talk to me!"

I looked at him silently. As his spiritual adviser since the day of his conviction, I had been visiting him often in his cell in the death house at Trenton, New Jersey. I had talked with him by the hour. He had confided in me freely. I thought I understood the motive for every one of his actions which have mystified other people. But this demand came as a surprise even to me.

Here was the condemned man, who had been saved from the electric chair only by the last-minute intervention of Governor Hoffman, demanding an interview with the old schoolteacher from the Bronx whose testimony had helped, more than any other evidence, to convict him.

Wouldn't Dr. Condon logically be the last person in the world Hauptmann would want to see?



Rev. D. G. Werner

Even though I believed Richard was innocent—and I still believe it, for reasons which I intend to disclose presently—I was puzzled. He spoke again—abruptly, urgently: "I want to ask Dr. Condon a question. It is a very important question which he must answer. . . ."

And then he made a revelation which left me stunned!

Later he repeated the request to Colonel Mark O. Kimberling, the superintendent of the prison, and even wrote a note to Jafsie, who was cruising the Southern waters on a vacation tour. The newspapers spread the story over the country. It created a sensation.

Why did Hauptmann want to see Jafsie? Every one wondered—but no one knew.

It will probably surprise many readers of Liberty to be told that Hauptmann, instead of being apprehensive or fearful, had rejoiced when Jafsie had taken the witness stand at his trial.

"I was glad when Dr. Condon was called to the stand," he told me. "I thought to myself, 'Now that old man will clear me!' I had a reason for thinking so."

"Some weeks before my trial started, he came to see me in the jail at Flemington. We talked for a long,

Says the Kidnaper: "I Heard the Doctor Say, 'I Never Can Testify Against This Man'"—His Pastor and Confidant Reveals a Strange and Startling New Allegation

by the

Rev. D. G. WERNER

LIBERTY MAGAZINE APRIL 11, 1936

READING TIME • 11 MINUTES, 35 SECONDS

long time. Over an hour, I think it must have been. When he got up to leave, the Doctor said:

"*'I never can (or 'I never will') testify against this man!'*"

This disclosure startled me. I gazed at Hauptmann in astonishment. His eyes were fixed intently on mine. I opened my mouth to ask a question, but he stopped me with a gesture and continued:

"Pastor, I myself heard him say those words. I am so careful in repeating it to you that I give you both versions. I am not sure if he said 'I never can' or 'I never will.' Mr. Hauck

was standing right there, and I am sure he must have heard it, too.

"Now, remembering this, how could I believe that Dr. Condon would stand up in the courtroom—as he did—and point his finger at me and shout, 'John is Bruno Richard Hauptmann!'"

The "Mr. Hauck" to whom he referred is Anthony M. Hauck, Jr., of Hunterdon County, one of the prosecutors at the trial. He went on:

"Yes, pastor, Mr. Hauck did hear Dr. Condon. I know he did. He was there, outside the bars of my cell, and when the Doctor jumped to his feet, very excited, shouting that he never would (or could) identify me, Mr. Hauck tried to calm him down. He told him, in soothing tones, 'It will be all right, Doctor; it will be all right.' This is true, pastor, and I am giving you every word just as I heard it that day."

I am not a lawyer, a prosecutor, or a judge. It is not my place to comment on the evidence. Naturally, I wouldn't cast any aspersions on the character of such a man as Dr. Condon. Yet I am perplexed. In Jafsie's articles in Liberty I have found no mention of the scene which Hauptmann described to me. He hasn't indicated anywhere, in any public statement, that he made the remark which the prisoner attributed to him.

Now, I have faith in Richard's honesty. I trust his word. I don't believe

"I thought, Dr. Condon will clear me!" says Hauptmann.



any man so close to the electric chair could look his spiritual adviser in the eye, speak in a calm, steadfast voice—and lie!

If later events should prove me wrong, I would be more astounded than mere words could express.

I questioned him over and over again, in a soul-searching way. He clung stanchly to the story. He explained:

"This is the question I would like to ask Dr. Condon. I would like to put it to him in person. Why did he change his mind after saying he would not identify me? Who talked to him and what was said? I would like to ask the Doctor if he would dare to face me here and deny that he made that statement in my presence."

Hauptmann went on to tell me just what took place at their dramatic meeting in Flemington. According to him, the aged educator sat down beside him and asked, "Richard, are you the man I talked to in the cemetery?"

To which Hauptmann responded, "I never saw you until that day in the Bronx courthouse."

(He referred to a meeting which took place in the Bronx County Courthouse shortly before his extradition to New Jersey. No words passed between them at this encounter, I have been given to understand.)

Then, not content with this denial, Jafsie kept repeating the question—Hauptmann did not know how many times—receiving the same answer each time:

"I do not know you. I saw you only once before, and that was in the Bronx."

At this point I should like to make clear my own connection with the case.

I didn't know Hauptmann and his wife before the trial—indeed, I hadn't heard of either of them until the man's arrest in September, 1934. Solely because I thought Hauptmann needed the aid of a minister, I traveled from my home in New York to Flemington, one day at the beginning of the hearing, to see Mrs. Hauptmann. I brought her some religious literature in German.

You see, I came from the same section of Germany as Mrs. Hauptmann—the Province of Württemberg—and perhaps that created a common bond of sympathy. I am a native of Germany naturalized in this country, and I have spent twenty-eight years of my life in the ministry.

WHEN I called on her, I had an open mind on the subject of her husband's guilt. But after we had talked together for two hours, I came away with the feeling that he was wrongly accused. She talked so openly, so earnestly and sincerely. "Certainly my husband would be glad," she said, "if you could see him too."

She was right. Hauptmann heard about me from her and was eager to have me see him. But it was not until after he was transferred to Trenton that I was allowed to visit him.

During the trial I was present at several sessions. From my place among the spectators, I saw a confused bewildered man—a defendant so innocent that he couldn't even understand the testimony against himself!

Later, when he was convicted and sent to the death house, I was permitted to converse with him freely. He sent word by Colonel Kimberling that he wished me for his spiritual adviser.

I have devoted a great deal of my time to Hauptmann during the past fourteen months. Sometimes I saw the prisoner once a week, sometimes oftener. For a time a Trenton minister took my place, for he was nearer to the prison and more conveniently situated; but I was there as often as I could be.

At the very beginning, Hauptmann informed me that

he was indeed confused at the trial. He was handicapped by his ignorance of the English language.

"I tried so hard to make out what they were saying," he told me. "Those lawyers, they talked so fast, and they used words I had never heard before—legal words I didn't know. Maybe I made mistakes in answering when I was on the stand. I guess many times I got mixed up."

He went on to say, touchingly, "Do you know, pastor, that I thanked God when the trial started? I could hardly wait for it to start. I thought, when my chance came, I would defend myself and every one would know then that I was an innocent man."

Few people seem to realize that Hauptmann is deeply religious. His calm demeanor, which many attribute to the brazen stolidity of guilt, actually is due to a strong faith in God—a belief that the truth will indeed, somehow, set him free.

ALTHOUGH he has seen several condemned men march past the door of his cell to meet their deaths in the chair, the spectacle has failed to shake his iron composure.

"I am sorry for them," he said to me during one of our talks. "But if they were guilty, it could not be helped. I am in a different position.

I will never go through that door!"

He has been reading the Bible incessantly. I recall that he was tremendously impressed by the story of the earthquake which opened prison doors to Paul and Silas, as told in Acts 16, verses 19 to 40. He still clings to the hope that a "miracle" will occur to save him. When Governor Hoffman granted him an eleventh-hour reprieve, he was jubilant. This, he said, was a triumph of his faith in the Maker. He gave his wife four portions of the Bible to read. We were each to read these verses—the prisoner, Mrs. Hauptmann, and I—at the exact hour when he would have been executed if the Governor hadn't intervened. They dealt with miracles wrought by faith, prophecies of Christ concerning his second coming to this earth, and the stirring Psalm, Number 121, which begins:

"I will lift up mine eyes unto the hills, from whence cometh my help."

Except for certain replies he made to questioning right after his arrest, Hauptmann has told the same story straight through. I am willing to admit that when he was arrested he did make some conflicting statements which he later changed. I attribute this to the excitement of the moment. I think he was not deliberately lying—he was confused.

What did he confide to me, his spiritual adviser, about the testimony against him? Substantially, just what he has said about it all along. He assured me not once but many times that he knew nothing of the kidnaping, the ransom notes, or the ransom money; that he received the bills from his friend and partner, the late Isidor Fisch, and kept them without knowing what they were until he opened that now famous shoe box; that he didn't start to spend any of the bills until August, 1934.

"If I knew that was Lindbergh ransom money," he said, "do you think I would spend any of it to buy for my wife a pair of shoes in a store on Fordham Road, where the bill could so easily be traced to me?"

After he discovered this unexpected fortune, he said, he decided to hold it, awaiting the arrival of Isidor's brother Pinkus, who, he expected, would come to this country to settle Isidor's financial affairs.

"I thought Pinkus would come and I would say to him, 'Your brother owed me so much; I have this much of his money here. I did spend some, but he owed me several thousand dollars and I have taken only a few



mann as the man he dealt with at the request of Colonel Charles A. Lindbergh."

ANTHONY M. HAUCK, JR., Prosecutor of the Pleas, Hunterdon County, New Jersey.

Here Is Jafsie's Reply

"My dear Mr. Oursler:—No such thing ever transpired. The Attorney General and another gentleman were listening to me and I never said any such thing. I declared my identification of the accused to the Attorney General, who deemed it prudent to hold the secret until the day of the trial. I am quite a big target, but well equipped. Truly, JAFSIE."

OFFICE OF
FULTON OURSLER
EDITOR IN CHIEF

Liberty

America's Best Read Weekly
LINCOLN SQUARE
NEW YORK CITY

December 9th
1935

Dear Doctor:

Here is an important matter that I think you should clear up as soon as possible.

Hauptmann has made another accusation against you. This accusation was brought to me by Reverend Werner, the clergyman who was visiting Hauptmann in the death cell. Here is what Hauptmann says:

You came to his cell to talk to him. While you were in the cell, back of the Attorney General's staff stood outside in the corridor. You were talking to Hauptmann and recording of Hauptmann's statement you suddenly got up, went to the door of the cell, and shouted through the bars to Hauptmann - "I can never identify this man". Hauptmann says he is not quite sure whether you said "I can never identify this man" or "I will never identify this man".

Is there any basis at all for this statement - any foundation on which Hauptmann can make such an accusation? I have told you one of this except you it is strictly between ourselves.

I enjoyed your letter this morning and noticed that you addressed it to Sandalwood Snell - so you didn't forget.

Yours faithfully,
John Dink

Dr. John F. Condon
C:P



"I never said any such thing as he alleges," replies Jafsie.

hundred.' We would have an accounting of this later.

"I did know the bills were gold notes! I could see that. Why didn't I turn them in? Because the newspapers said people weren't supposed to have gold notes and I was afraid I would be arrested."

He reminded me that on the night of April 2, 1932, when Dr. Condon passed the ransom bills over a hedge in St. Raymond's Cemetery, he himself was at home in his apartment, enjoying music with his friend Hans Kloppenburg—according to Kloppenburg's own testimony.

"Kloppenburg is an honest man," he assured me. "Even for me, his friend, he would not lie."

Incidentally, I learned Hauptmann's own explanation of his dramatic outburst in the courtroom at Flemington, when he shouted, "Stop it, mister—you are lying!"

The outcry came when Thomas H. Sisk, the Department of Justice agent, was testifying. Sisk had just stated that when Richard was being questioned in his second-floor apartment, he kept glancing out of the window. Following the direction of his glances, Sisk said, the detectives were led to the garage where some \$15,000 of the ransom money was unearthed.

"I couldn't keep quiet any longer," Hauptmann told me. "He was saying I looked out of the window to the garage. How could I do that? The window was on one side of the house, and the garage was on the other. *I could not see the garage from where I sat!*"

AS for the ransom letters, he claimed he had not written them or seen them up to the time they were produced in court. "There is some similarity in the handwriting," he admitted, frowning. "It does look like the way I write. Nights when I lie awake here, I try to figure that out."

Finally he offered a possible explanation. Could an expert forger somehow have had access to his handwriting and copied it? He recalled hazily that samples of his writing had been stolen in Mount Vernon, New York, and at Hunter's Island, some time before his arrest.

I have definite reasons for believing the story Hauptmann tells. Though I am personally very fond of him, if he were guilty I wouldn't hesitate to say so. I wouldn't disguise the truth, or gloss it over. It was a terrible crime. The man, or men, who committed the crime should certainly be suitably punished.

Hauptmann himself doesn't know whether to believe he is the victim of a diabolical and deliberate plot or of circumstances. He has told me, however, that he does hope the guilty man, or men, will come forward to confess—before it is too late.

There has been much talk of the possibility of a "confession" from him.

I am positive Hauptmann will never confess!

THE END