

called Condon. It tied him up with Condon that he had the telephone number in his house.

Q: Did Condon think Hauptmann was the man he met over the cemetery wall? He must have been asked.

DELONG: Oh, yes, and he answered, "Yes." Of course, again you have a pretty old man with ~~g~~ thick glasses, and a little hard of hearing. It was up to the jury to believe it or not. Apparently the prosecution believed the story.

The next witness was a New Jersey State Police detective sergeant, John Wallace. He said that Hauptmann's car stopped at Park Avenue and ~~XXX~~ 178th Street. That's where the arrest was made. Wallace ~~also~~ jumped into Hauptmann's car, and they found a \$20 ransom bill on him. Later they found money in the garage, as I said. Hauptmann explained that by saying it was some of the money that Fish had left there, and he felt he was going to get his money back, the few thousand he'd loaned Fish -- just take it out, and when Fish came back he could have the rest.

Walter Lyle (~~4~~), who was in charge of the Warner-Quinlan gas station at 127th and Lexington, said he saw Hauptmann on September 15, 1934, serviced his car, and that Hauptmann took a \$10 gold note from his pocket. He ~~xix~~ noted the number

of the car, jotted in on the margin of the bill, and told John Lyons, his assistant, to take the bill to the bank. That was the bill that led to the identification.

Detective Paul Tetrazzini of New Jersey told of accompanying Sargeant Wallace to Hauptmann's house -- that was an earlier witness -- and finding bills in a gallon can. They totalled \$11,930 and were in twelve packages. By this time, the apparently, Hauptmann had taken them out of ~~a~~/shoebox. They spent several days in the house, looking around. You can bet your life on that.

Edward F. Morton, a timekeeper at the Majestic Apartments, denied that Hauptmann was employed there on March 1, '32, the day of the crime, as Hauptmann had said he was.

Then you got into the wood~~x~~ testimony, and the ladder. The defense contended that there was no proof at the scene of the crime connecting the ladder with Hauptmann. I think that the testimony that subsequently developed, Arthur Koehler, the wood expert, was overwhelming, that undoubtedly this ladder was made from boards taken from Hauptmann's house. That came up later. Koehler, a wood technologist, took the stand and Wilentz said that he would wrap that ladder around Hauptmann's neck.

Koehler testified that a side rail had been taken from the home rented by Hauptmann, from a floor board in the attic, and they offered in evidence two pieces of board that were rungs of the ladder with testimony about how the board had been cut,

and that the two rungs fitted together, filled the space in the attic. Impossible that another board could have fitted the nails and the joists and match the grain of the flooring exactly, as it did. The Koehler testimony is exhaustive. A book has been written on it. It's too technical to go into, but in my judgment it was the real clincher.

Q: Did you think at this point in the trial that the jury would have to swing toward a verdict of guilty, and that the nation itself felt that Hauptmann was guilty?

DELONG: I think there were some persons, even among the press, who felt there was someone else involved, that it wasn't Hauptmann alone. Personally, as the testimony developed, I couldn't see how there was anyone else. I think even the state police initially thought there might have been two or three people there. They found footprints going back and forth from the house, but heavens, there were so many people there and they didn't look for the footprints until the next day. So they could or couldn't have been.

Q: Again, they could have been one of yours.

DELONG: Yes.

They produced evidence that whoever climbed this

ladder would have to take fairly long steps, because the rungs were quite a distance apart. Also, they made these duplicate ladders of board of the same size and weight, and so forth, and ~~xxxx~~ they found that a man weighing 170 pounds could climb but with any additional weight the ladder would collapse. As you know, the ladder was broken when they found it.

Of course, the ~~xxxxx~~ distance between the rungs proved that a short-legged man like you or I couldn't have climbed the ~~xxxxxx~~ ladder, very handily, but a man the stature of Hauptmann could have stepped up more easily. He was 5 feet 10 or 6 feet.

At that point the State rested.

Q: You know, tomorrow will be the 31st anniversary of the kidnapping, March 1st.

There are a few miscellaneous questions I'd like to ask you about in here. To go back to the jury for a minute. You told me they were locked up every night?

DELONG: Yes, in the hotel across the street from the courthouse. They went to church under guard, too. The meals were served them at the hotel, in a special dining room. There

was only one hotel in the town. They had to stay there.

Q: And how long did you say the trial lasted?

DELONG: 31 days, including Saturdays and Sundays, when they didn't have trial sessions.

Q: Did you get any particular impressions of jury members? You must have looked at them, hour after hour.

DELONG: I did. I thought they were fine country people, for the most part. They weren't the same type of juror you might have in one of Mr. Dewey's trials, but they were a cross-section of Hunterdon County, I think.

Q: What do you mean about Mr. Dewey's juries?

DELONG: I mean the majority of them were college graduates, men of considerable substance, financially speaking.

Q: Well, why didn't he get a country bumpkin or a subway operator or a manicurist?

DELONG: I don't think there are many country bumpkins in New

York City, for one thing. For the rest, I think Mr. Dewey was looking for a blue ribbon panel, and the blue ribbon panel, as I take it, means a winner. That's what a blue ribbon stands for, doesn't it? I think that Mr. Dewey felt that that type of juror was probably opposed to racketeering of any sort, or was less sympathetic to it than some other types of people might be.

Q: How can a d.a. manage this?

DELONG: By using every challenge, and by jockeying around to get a juror to commit himself in some way that would disqualify him. I've covered trials that Mr. Dewey prosecuted where it took an entire week to get one juror. As I pointed out, this jury was selected in four or five hours.

Q: In a case like mine, if I were under consideration, he would stir up that I'd been to Moscow, use tricks like that?

DELONG: It would depend on the case, but he would use such tricks to get the jury he wanted. I think one of the reasons for his great success was the selection of the jury. He did a magnificent job in getting a blue ribbon panel. He insisted on it in the first place, right from the start, and Supreme Court Justice ^{Mc}Cook, I believe it was, agreed to that. You know, ~~there are two panels -- a blue ribbon panel~~

for special cases , and then there's the run-of-the-mill jury.
Were you run-of-the-mill?

~~XXXXXXXX~~

Q: I guess I was.

Another point I would like to ask about again is the conduct of Lindbergh and Hauptmann during the trial, whether they ever confronted each other.

DELONG: They never encountered each other during the trial. Hauptmann was brought in first, under guard of course, although he wasn't handcuffed. There were State troopers behind him and next to him, and this was not a ~~fix~~ place where he could make a break, anyway. As I said earlier, Colonel Lindbergh came in by a side entrance later and took a seat to the left of Hauptmann, every day, right straight through. He apparently had the courtesy of the judge's chambers or some reception room, and just as Judge Trenchard called the court to order, he would come in and sit down. He never faced Hauptmann. He sat alone, but near the prosecution table.

Q: Mrs. Lindbergh didn't attend after she testified?

DELONG: I'm positive she didn't.

Q: So Lindbergh sat alone?

DELONG: That's right. Right through the trial. He sat with his back to me. Nobody could have seen his face but the judge and possibly the witness.

Q: Did Hauptmann look at him?

DELONG: Well, Hauptmann could have turned his head and looked at him, but he didn't.

Q: Where did Mrs. Hauptmann sit, and I think you mentioned that she once did break out.

DELONG: Yes, she did, and was reprimanded. As I recall, she sat in the first row of spectator seats. Of course, she had a seat allocated to her throughout the trial. She didn't have to stand in line and wait to get in the courtroom. I believe she was there throughout the trial. She lived in Flemington.

Q: Well, now about the press. I'd like to go back to that. You were lucky in that you could go back to Princeton at night. Where did the others stay? Walter Winchell, for example.

Q: Some went back to New York and came in on the train.

I noticed that Mr. Reilly, defense counsel, went back to Brooklyn every night and came down on an early train, the Jersey Central. Others stayed at New Hope and Lambertville -- there's plenty of nice inns over there. This was a great bonanza for the town of Flemington. There were lots of nice old houses that could rent a room or two and a bath. Mabel Green, who was a feature writer on the Sun, was there throughout the trial and had a very nice room and bath right there. We had a room for our group when we first got there, but it had no heat, so we moved out. Then we found a house and rented the second floor. I had a room there but I didn't stay there very often.

Q: Did you get to know Fannie Hurst?

DELONG: No. We were too busy to see much of these people. I seldom went out to lunch because in those days we had five and six editions and we were writing a new lead for the next edition, so usually we just sent out for a sandiwch and ate right there at our typewriter. She was writing for Hearst, I think -- one of the syndicates. International News, or something like that. They were all writing daily pieces, most of them, one feature. Winchell was writing for the Mirror, just one article, a feature article usually, describing a witness, that kind of thing. They weren't covering the trial as such. They were getting the high spots.

Q: For some reason, I made a note about ^{Boaker} Bill Carter while we were talking off the record. What about him?

DELONG: Well, in those early days of radio reporting most of the radio reporters were not particularly qualified as newsmen. They would take all types of tips, put any sort of a rumor on the air, and you'd be out investigating some lead from the radio that they'd found the baby somewhere. You'd drop everything and go and find out that it just wasn't so. That was before the trial, of course, still during the investigation. Radio reporting has improved a lot since then, I think, but at that time they were a little wet ^{talking} between the ears as far as ~~reporterial~~ reporterial effort was concerned. And we had to follow up all those leads. The city desk always knew where they could find me fairly quickly, and whatever I was doing, I'd drop it and try to run down that lead, then call back and tell them it ^{wasn't} ~~isn't~~ so.

Q: Was Lowell Thomas on the scene?

DELONG: I can't recall whether he did anything in particular. He might have been there. I didn't see him at the press interviews. He undoubtedly came down, though. He would be responsible, but probably more on the political angle. He was one of the few who would be responsible.

Of course, there was no television then, though we

did have newsreels and thousands of cameramen. They were obviously not admitted in the courtroom, so they would try to catch the witnesses ~~xx~~ and anybody else they could on the street.

Q: By the way, do you know how Mr. Breckinridge was chosen to be Lindbergh's personal attorney?

DELONG: I think he handled Colonel Lindbergh's financial affairs. He was his business lawyer after Lindbergh returned from his flight across the Atlantic. Of course, he had the book that he wrote, he had all sorts of contracts, any number of offers for anything from endorsements on up or down the line. He was an advisor in the early stages, but ~~he was never at the trial,~~ and he had no connection with the prosecution.

Q: In other words, he played quite a role up until the time of the arrest?

DELONG: Yes. He was pretty much Lindbergh's spokesman. Later on it was Col. Norman Schwartzkopf and the State police. But at the very outset, Breckinridge was very close to Lindbergh.

Q: Off the record you had mentioned something else, also, the letter that Anne Lindbergh wrote after the trial to her neighbors?

DELONG: Yes. I said that she took the pains and the trouble to write a personal note to all the people in that vicinity, thanking them and telling them that she appreciated their forbearance and their helpfulness. They^{re} were not too many ~~xxx~~ people in that particular neighborhood. Most of them were some distance away, but in the early stages they undoubtedly experienced some inconvenience, with people asking to use their telephones and so forth. You see, there was only one telegraph wire in Hopewell, down at the railroad station, and if you get a couple of hundred reporters trying to file all at once, they certainly would clutter up the telephone wires. I found it was worth the 15 or 20 minute ride to Princeton. It saved time.

I was telling this to Harold Anderson, the ~~xxxx~~ famous old editorial writer on the Sun, the man who wrote "Lindbergh Flies Alone," which was a Pulitzer Prize~~d~~ editorial and one of the great editorials, in my judgment. My statement that Mrs. Lindbergh had been thoughtful and kind enough to write to her neighbors -- well, he felt that this was quite unnecessary. He didn't see her thanking them when her baby'd been kidnapped. Why wouldn't anybody be cooperative and helpful? Well, it's a different viewpoint. He didn't approve of the idea. I thought it was a thoughtful thing to do.

Q; Before we conclude, do you have any more of the

witnesses in mind? Or would you want to go into the testimony about the wood, or shall we leave that for another session?

DELONG: I'd like to do that at another session. I'd like to refresh my memory. I ~~may~~ have some notes somewhere in the house that would be helpful. But we could pick up the defense. I think we ended with the state resting.

Q: Yes. You say there were about 180 witnesses in all?

DELONG: That's about right.

Reilly began by asking that Hildegarde Alexander be recalled, and he questioned her. He & tried to knock down her story and create doubt in the jurors' mind about whether this girl could have remembered this after months, from a picture she saw in the paper. He just wanted to sow a few seeds of doubt in at least one juror's mind so that these things would not build up to that extent, and then he might get a hung jury.

Another of the defense counsel whom I have not named before, ^{highest} ~~Edward-Rosekrantz~~^C, asked for a directed verdict of acquittal. He said that the baby had been found in Mercer County, there was no proof that the defendant was at the scene, there was no jurisdiction, no evidence of flight, no one saw the kidnapper entering or leaving, no one placed him in the nursery, the baby might have been taken to New York. If the whole thing

was the result of a burglary, the ransom payments and the building of the ladder apparently ^{took place} was in New York. There might have been an emissary. Wilentz, in reviewing the case had said that they could not have a person sitting in the nursery or at the foot of the ladder. Even if they did not have a single ^{who saw} soul/~~xxx~~ Hauptmann coming up the Lindbergh lane that night, the handwriting on the note left in the nursery would be sufficient. Therefore the judge denied the motion by attorney ~~Roskrenz~~ ^{Rosen} for acquittal, after hearing Wilentz' reply.

On the 18th day of the trial Hauptmann spent the entire day on the stand under direct examination, and on the following day he was cross-examined. Hauptmann sat rather hunched on the stand. Wilentz, ^{wearing} ~~xxx~~ a double-breasted gray suit, was relentless, pressed him, brought out that he kept no books for two years and that after the ransom money was paid he did have an account, a bank ~~xxx~~ account. He was forced into admission of that under cross-examination. He said he did not kidnap the baby. He identified various writing. He spoke with quite an accent. He denied writing Condon's name on the board in his house as Inspector Bruckman had testified, said, "That's not my writing." He was badly excited at this time, became quite exercised. "I don't think so, I don't think so," he said. Whether the handwriting in the note was similar to this handwriting, as Wilentz brought out --

He denied the testimony of Mrs. Stella Auchenbach, who testified that his leg had been injured, said that she did not tell the truth in court.

Q: Was he cool and collected for the most part when he was ~~in~~ testifying?

DELONG: Sometimes he became quite excited; yes, he did. A pretty cold fish, I thought. But with somebody hammering at you for two days, there would be times, I guess.

Q: Do you think his knowledge of English was good enough so that he understood all the questions?

DELONG: Yes. The cross-examination developed that Hauptmann planned to take at least \$2,000 of the ransom money and hide it because he ^{feared} ~~thought~~ he might be robbed of the \$14,800 which the box contained and he wanted to get back-- to be allowed to take over the affairs of the deceased Fish, hoping to do that, but it turned ~~out~~ out to be a liability. He admitted that he lied on numerous occasions when questioned by various officials, including District Attorney Foley of Bronx County when he interviewed him up there before they turned him over to the State of New X Jersey.

He said he swore falsely regarding the writing on the board in his closet with the telephone number and address

of Dr. John F. Condon. He testified that his business relations with Fish started in 1933, almost a year after the kidnapping of the Lindbergh baby, with the exception of a small transaction in the ~~xxxx~~ spring of 1932. The cross-examine^{tion} developed further that Fish never put in more than \$2,000 cash in the partnership in the brokerage account that they held jointly in Mrs. Hauptmann's name, and that he had told Hauptmann he would give him the profits out of the skin and fur business which ~~it~~ never developed any great profits. It was brought out that Fish lived a solitary life in a single furnished room, had no motor car, and was not known as a spender or an extravagant person. He said that he would have told the Fish family about the money cached in the shoe box, but was arrested before he had a chance.

He testified that he wrote two letters to Fish's relatives in Germany, one in January 1934, another in May of the same year, but Wilentz brought out that he did not take up the subject of the shoe box, although he mentioned two trunks which had been left in his custody by Fish. So I guess Fish did leave something or other.

One of the defense witnesses, Louis Kisch (?), a Hungarian silk (?) painter, said he ~~xxx~~ entered Frederickson's bakery and saw a man who was very excited because someone had tried to take his dog from him. This was the night of the crime.

Q: What was the significance of that testimony?

DELONG: Well, that was to show that Hauptmann was not in ~~XXXXXX~~ Hopewell that night, that he was in the Frederickson^e bakery in the Bronx.

Another witness was August ^{Madenke} ~~Hulhenky~~ or Vanhanky, said he'd seen Hauptmann at ^a the ~~gas station~~ on Boston Post Road that night. These were alibi witnesses, you see.

~~XXXXXX~~ Willis (?) Harding, a man of two convictions, said that while working on a road in Princeton he had seen a man with a ^{ladder} ~~ladder~~ strapped to his car, but the man was not Hauptmann.

John M. Connelly, a handwriting expert from East St. Louis, ~~XXXXXXXXXXXX~~ was his single handwriting expert. He was asked, and he said he'd studied the original for two and a half hours and photostatic copies of all notes, and he said that his ~~xxx~~ opinion was that the defendant did not write the ransom note.

Q: Did this handwriting expert have much of a reputation?

DELONG: I don't believe so, if they had to bring him all the way from East St. Louis. There are plenty of them around New York.

Philip Moses, an unemployed taxi driver, testified that he'd seen four men in a huddle in a cemetery, the implication

being that there was more than one man. That was at the cemetery where the ransom ~~xxxxxxx~~ money was paid, of course.

There's a lot of miscellaneous testimony that I've noted here. The witness Philip Moses described himself as an imitator of Will Rogers and signed his name ~~xx~~ in autograph books -- of course, there were all sorts of autograph hounds out there -- as the star witness of the trial. He said the men he had seen in a huddle were two blocks away from the cemetery.

Q: Do you think that Reilly was so desperate that he was calling a sort of crackpot fringe?

DELONG: I'll answer that this way. Another witness was Sam ~~(?)~~ ^{S. Diappone} ~~Sapone (?)~~, a radio repairman. He said that Fish had left a package six or seven hours before May 14, 1933, about the size of a shoe box, that he had seen this at Hauptmann's house. The prosecution had him pretty well cased. He'd been judged legally insane five times, in a hospital eight times for observation. Up to this point the defense witnesses had included three men with criminal records and one who was a bootlegger. They bore down on ^{S. Diappone} ~~Sapone~~ a little bit and he finally screamed out, "I'm no maniac!"

Q: Does the prosecution hear ahead of time who the defense witnesses are going to be, and therefore have an opportunity

to check into their records?

DELONG: I think they see them hanging around. In this particular instance the fellow was talking all over town about how he was going to testify. They wouldn't give them the list in advance, I think, but they could always call the witness back for cross-examination after they had time to look him up.

Then they had a Dr. Rastus M. Hudson, a graduate of the College of Physicians and Surgeons, who had a silver nitrate process. He said if Hauptmann built that ladder, the prints would appear when subjected to the silver nitrate process, and he gave quite a lecture on that. He said even though other prints were superimposed or even if the kidnapper used gloves, the silver nitrate process would bring this out.

The rest of the witnesses were about the same stripe. ~~THE~~ To counteract the Arthur Koehler wood testimony they produced a witness, Ewald Mjelke, who described himself as a practical lumber man. He said that the attick boards which the prosecution had said had been taken from Hauptmann's attic and used in the construction of the ladder actually came from the top of a tree. He went into a long harangue on his opinion of the knots, which was quite technical.

Just to wind up this particular phase of the trial, Reilly summed up in four hours, contending that the servants in the house all betrayed Lindbergh, criticizing the police, seeking to link Jafsie ~~CONSON~~ Condon with the ~~kidnap~~ kidnapping, calling