

LINDBERGH

L.T. Sunoco. Thure. Jan. 10 '35

*Good Evening Everybody! - It was a day of curious reversals of the ordinary, at Flemington. Yes, and the Third Degree. Reversals of the ordinary spell Jafsie.*

It certainly is a high spot in court procedure when a lawyer with his own witness on the stand, has to step in to protect the opposing lawyer who is doing the cross-examination. Usually it's the other way around, with the lawyer interfering to protect his witness from the verbal ~~assaults~~ assaults of the cross-examiner. But today Attorney General Wilentz jumped in to defend Defense Attorney Reilly from the wordy onslaughts of Jafsie.

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The second day of Jafsie on the witness stand began quietly, but Dr. Condon's extraordinary qualities as a witness were not to be suppressed by any amount of quietude or studied formality. ~~fixing~~ After the roughhouse and the riotous battle of words of yesterday afternoon's cross-examination, Defense Attorney Reilly, with a carnation in his buttonhole, <sup>today</sup> began with a note of extreme contrast, a note of elaborate courtesy. Most of ~~ax~~ the questions he asked took the Doctor again and again over the story of his various trips in the ransom transaction.

It's a common thing in court procedure for a lawyer to make a witness do stunts, such as getting up, standing in a

certain posture to illustrate something, pointing here and there. But such ~~xxxxxx~~ orthodox methods don't go with Jafsie. He turned the tables on <sup>Defense</sup> Attorney Reilly. He made Reilly do the stunts. It was he who made the lawyer turn around and stand in a specified position and turn to one side and then the other, ~~examining~~ exclaiming, "Just a bit more; ~~and~~ there, that's it," -- making Reilly illustrate something that Jafsie was saying.

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 And all the time the eccentric Bronx educator remained the school master giving a lecture. When asked <sup>a</sup> ~~the~~ question about distance, how far something was, he would reply: "Oh, eight hundred and eighty yards. You know that's half a mile." Then he'd go on: "Four hundred and forty yards is a quarter. And ~~xxx~~ two hundred and twenty yards is a furlong." He was so pedantically careful about his testimony that he wouldn't swear that the fence around Woodlawn Cemetery was <sup>of</sup> ~~an~~ iron. He swore it was "metallic."

It's an old and much condemned feature of court

procedure, for a ~~law~~ lawyer to badger and browbeat a witness.

But once again it was a reversal at Flemington. Jafsie continued his tactics of badgering and browbeating his cross-examiner.

He did that yesterday with Attorney Reilly roaring back. But

today Reilly was doing his best to be nice and polite. And <sup>Reilly</sup> ~~was~~

<sup>proved he</sup> could take it. As for <sup>example,</sup> ~~xxxxxxx~~ when Jafsie demanded of him

~~was~~ belligerently: "Do you know the points of the compass?" --

Reilly grinned and kept his temper.

And of course Jafsie continued his lectures on the

subject of English, one of his favorite themes. He continued to

correct the Defense Attorney's grammar and choice of words.

And that was when the strangest reversal of all came about.

Jafsie was telling Reilly all about English as "she should be

spoke." He was <sup>badgering</sup> ~~telling~~ Reilly <sup>about the way</sup> ~~how~~ he should have worded a certain

phrase. <sup>TP</sup> I suppose there must be a fellow feeling between lawyers,

because Attorney General Wilentz could stand it no longer.

He interfered to protect his adversary. He intruded, calling

sternly to Jafsie:-

"Just a moment please. Don't argue with the counsel.



Just answer the question." <sup>And</sup> that's what I <sup>id</sup> ~~had~~ call human

kindness. It stopped the learned Doctor for a while.

He apologized but it didn't have much effect. The school master was soon lecturing again.

Attorney Reilly's urbanity and sweetness couldn't last forever. The inevitable finally happened. He lost his temper, and the uproar was on again. And the two contestants had a violent clash on that same subject -- the English language. Jafsie didn't like the way Reilly used the word "visibility," and he roared:-

"I don't understand what you mean. You'll have to put it in English if you want me to answer."

Reilly yelled back: "You want me to talk baby talk, do you!"

"No, just English," hollered Jafsie.

The blustering battle led up to a free-for-all climax -- the thundering of a familiar theme. And that theme was not the ~~Engax~~ English language. It came in the form of a startling



question -- when Attorney Reilly demanded accusingly of Jafsie -- whether he had not been transferred from one school to another in 1902 as a result of misconduct with one of the women teachers.

*Just*  
try to figure out Jafsie's answer to that.

Defense Attorney Wilentz strenuously objected to the question, crying that it was a mere attack on character. But what about Jafsie's answer? He had already ~~xx~~ given it before Wilentz could jump in. To the question about the woman teacher he replied ~~calmly~~ calmly and coolly -- "No sir." To the most provocative and enraging question of the whole cross-examination the explosive Jafsie gave a calm answer, a placid denial.

But, it takes Jafsie to stand things on their head. I suppose ~~the~~ question must have been framed in impeccable English.

If Reilly had made a slip in grammar, that would have made Jafsie howl.

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The net result of today's examination was that once more Dr. John P. Condon held his own. ~~The defense attacked him from every point, brought forward a woman ~~ix~~ in the courtroom to~~

The afternoon session brought to sudden prominence a familiar sinister idea, the third degree. Cynics who doubt everything have been rather surprised not to hear that the cops had beaten up Hauptmann. That's what gives the sudden appearance of the third degree, in the case, the sharpest kind of interest.

There was evidence concerning samples of script which Hauptmann wrote at the second precinct station in New York after his arrest. Lloyd Fisher, second in command among the Defense lawyers, jumped to his feet with an objection. He based one point on the statement that Hauptmann had written the samples of script after he had been continually examined for fifteen hours by no fewer than ten police officers.

The defense asked Lieutenant Finn of the New York Detective Force whether Hauptmann had any chance to rest during that time. The Lieutenant replied: "Yes, in a chair."



"You mean," demanded the Defense, just such a chair as we have here in court?"

"Yes," admitted the policeman.

And so the third degree was brought in. As it stands, There is no hint that Hauptmann was subjected to beating or physical violence -- just the ordeal of being questioned incessantly for fifteen hours at a stretch.

The afternoon session brought to the stand two other witnesses, one Colonel Breckenridge, Lindbergh's friend, and attorney. Only one new point was ~~ex~~ developed in his testimony, and this was no help to the Defense. Hauptmann's lawyers have insinuated that Jafsie might have had dark and <sup>d</sup>ev<sub>^</sub>ilous motives, a guilty part in the ~~kind~~ <sup>kidnaping</sup> ransom affair. Colonel Breckenridge testified that in the ransom proceedings Dr. Condon did not urge the payment of the seventy thousand dollars. His urging, in fact, was quite to the contrary. Jafsie protested against Lindbergh's paying the money except upon the safe delivery of the baby.



A ~~big~~ hint of defense strategy became apparent in the cross-questioning of Jafsie's daughter, the comely young Mrs. Hacker. Defense Attorney Reilly questioned her about the man who brought ~~the~~ the package to Dr. Condon's house, the package that contained the baby's night garment. This man has been a mysterious person. Attorney Reilly showed Mrs. Hacker a photograph and asked her if it were a picture of the man who had delivered the package. She could not answer whether it was. The presumption is that the defense will try to pin the crime on some person, <sup>maybe</sup> the man in ~~that~~ picture. But this is all blank, and will have to await developments.

## BONUS

In Washington they are trying to figure out the bonus battle when it flares up. The question is -- will the Senate veto the two-thirds bonus majority needed to nullify a veto from the White House. A poll among the Senators shows that thirty-five members will support the President on the veto. According to this the bonus could not be carried over the President's denial. The idea of a compromise between Congress and the White House is becoming increasingly popular.



President Roosevelt today scored another victory in his budget estimate for next year. It is said that he has reached an agreement with Congressional leaders to make available some four billion dollars to be used at once in Public Relief work. And as another concession to the President

the Congressional leaders have agreed to let <sup>the funds be administered</sup> ~~the Administration~~ <sup>by</sup> ~~of the funds come under~~ Mr. Roosevelt.



ULLMO

That thing we call the news is a bungling dramatist. Or maybe the news is a great dramatist. Certainly, from the daily sequence of events and tidings, the plot is seldom rounded off with a complete and satisfying cadence of romance. Too often, the news goes in for anti-climax. But perhaps that makes the drama all the greater - grim, ironic realism, instead of sunset fadeouts of romance.

The reason for this sudden philosophizing, is the immensely theatrical story of Charles Benjamin Ullmo. We had that story before - and it was sheer romance. Before we come to the morbid close, which flashes in the news today, let's rehearse the strange tale, with an amplification or two.

~~Charles~~ <sup>came of a wealthy family and</sup> Charles Benjamin Ullmo, after a brilliant career in naval college, <sup>he</sup> became a lieutenant in the French navy. Allured by maritime legends <sup>Pierre Loti and</sup> of the exotic orient, he became a drug addict.

Then he met LaBelle Lison. He squandered his fortune on her, but she was insatiable. Desperate with the need of more money for LaBelle Lison, Ullmo communicated with the German Secret Service and bargained to sell French naval secrets. The French Secret Service got on to him,

and in one of the famous espionage cases of twenty-six years ago, he was arrested, tried, degraded and condemned to Devil's Island.

After years in the tropical inferno, two things happened to the outcast prisoner, two things that so placed him in the bitter memory of his downfall - downfall of drugs, LaBelle Lison, treason, condemnation. One thing was religion, the other romance.

At Devil's Island, Ullmo attracted the attention of the priest who ministered to the convicts. The two ~~men~~ became fast friends, and Ullmo, who had been born a Jew, renounced <sup>Judaism</sup> ~~his Jewish~~ ~~faith~~ and became a Catholic.

It was shortly afterward that he received a letter from a woman - a woman in France, a nurse, who knew of his tragic story and who pitied him. They began an exchange of letters that lasted for <sup>many</sup> years. And the woman in France devoted her life in his behalf. She started a campaign to get a pardon for him, and moved heaven and earth. And at last she succeeded. We heard some months ago how Charles Benjamin Ullmo, the prisoner of Devil's Island, had been pardoned by the President of the French Republic, and was returning to France - and to the woman who had saved him!



That made a perfectly happy ending. It should have closed right there for good and for all. But today comes the anti-climax. Yes, as a dramatist, the news is an artist of ironic realism. A dispatch from Paris tells us that Charles Benjamin Ullmo is on his way back to Devil's Island, to pass the remainder of his life there. That's what the court martial <sup>of long ago had</sup> decreed in the first place, and that court martial twenty-six years ago is having its way in spite of the President of the French Republic and his pardon.

It seems that Ullmo had some premonition when he was released. He told how much he <sup>longed</sup> ~~wanted~~ to see Paris once more, but he added: "I doubt if I can ever live in Paris <sup>or</sup> again, after spending half of my <sup>life</sup> ~~fifty-two years~~ in the tropics. If I find I can't, I will return to Devil's Island.

And that's what has happened. In Paris today, as Ullmo packed his bags, he said: "After six months of freedom, I find the world spiritually weak. There is a lowering of <sup>world</sup> standard<sup>s</sup> of conscience and of intelligence." "And above all," he added: "there is the profound and illimitable stupidity of the human race, which believes itself to be so superior."



And what of the woman, the nurse, who rescued him from the tropical hell and brought him back to freedom and civilization? She was at the dock at LeHarve to meet him when he came back. He saw her a few times after that. And then they did not see each other any more. There is a bit of a novel in that alone. But Ullmo doesn't tell the story. They struggled against desperate odds to come together. They met, and parted.

Anyway, Charles Benjamin Ullmo, the tragical prisoner of ~~Devils Island~~ <sup>a tropical Hell,</sup> is on his way back - to live the philosophical free man on Devils Island.

The fourth day of fog, in the East, with New York outdoing London, the <sup>native habitat</sup> ~~home~~ of the pea-souper, -- is just one instance of freak weather.

Over in <sup>Southern</sup> (on the sunny, balmy Riviera) Europe, Monte Carlo has had its first snow in nearly ten years. Snow and piercing cold winds <sup>along</sup> the French <sup>Mediterranean</sup> ~~Riviera~~.

<sup>While we, are too warm.</sup>  
Paris, is freezing, and, so is Rome. In the Balkans blizzard weather has disrupted transportation and communication. In Russia, where it's cold anyway, the frost is so intense they have to keep children indoors instead of sending them to school.

With our own fog in its fourth day, the losses to shipping are mounting, all air traffic tied up, motor transportation running hours late in up-state New York, and in New England the fog has caused such a rapid melting of snows that flood warnings have been issued. The Mohawk River has already overflowed its banks, swamping one section of the Buffalo-Albany highway. The Chenango River is threatening to pour over its banks near Binghamton, <sup>N.Y.</sup> and the weather man gives no hope of relief from the fog for at least another day.



## TALL STORY

There are two places I'd like to be tonight. One is at a talk concerning so fascinating a subject as "An Architectural Adventure in Persia and Afghanistan," scenes of some of my own travels. Yes, I'd like to be at the Waldorf to hear that tonight, at the annual dinner of the American Institute of Persian Art and Archaeology.

And, I'd like to be at the City Club in Boston. Governor Brann and many falsifying Poo bahs are there. A New England Tall Story Contest is on.

They've sent me a bunch of whoppers from which to pick the prize winner.

It comes from a mighty fisherman of the north woods, who tells me that the fishing hasn't been so good up his way. The biggest trout he got was just medium. He doesn't know the measurements. He only remembers that when he pulled the fish out, it took him ten minutes to fill up the whole in the river. Ten minutes, shoveling water.

That story is tall enough, and this broadcast is long enough, and SOLONG UNTIL TOMORROW.