

L.T. SUNOCO - January 9, 1935 *Wednesday*

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Good Evening, Everybody:-

Now what about Jafsie? In one of the most thunderous court days on record, the eccentric Bronx educator turned out to be a regular tartar, a rampaging tartar twice over, a tartar in two different ways. Everybody's been asking what kind of witness for the prosecution he would make. The answer is -- mighty tough, tough in two separate ways. He was a difficult witness for the prosecution to handle ^{and lead along} in the friendly direct examination ^{when he first took the stand. And,} He was an even more difficult witness for the defense attorney to handle in the hostile cross-examination ^{this afternoon.} And that cross-examination was plenty hostile, an uproar, a verbal riot. The very qualities that made Jafsie a perplexing problem for Attorney General Wilentz, gave defense attorney Reilly as rambunctious a time, as furious a free-for-all as he has had in his long and successful career before the criminal courts.

But first, let's see what there was in Jafsie that gave the Attorney General quite a few puzzled, bedeviled moments,

when he must have experienced that faint sick feeling.

They've been calling Doctor John F. Condon the eccentric Bronx educator, and he has earned the ^{title}~~epithet~~. He acted as if the court were a class room and he a school master with the job of educating somebody. And was he eccentric!

Just picture ~~that~~ little ^{nondescript}~~nondescript~~ courtroom at Flemington, New Jersey, crammed to the doors. And there's the renowned Jafsie. His clothes are rather nondescript save for a stiff white collar, in this era of soft collars, bristling grey hair, a bristling white mustache, seventy-eight, stalwart, an old athlete. Also, an old school teacher, who knows he ^{is to}~~has~~ having the biggest moment of his life.

And as Jafsie steps to the witness stand he bows to the jury, formal, courtly. The Flemington jury is astonished by the flare of fine manners. Then Jafsie bows to the attorneys. He turns and bows to the judge -- who isn't looking. Then Jafsie ~~sounded~~ the key-note for the whole procedure. The first question was that exceedingly dull

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 nondescript name and address affair. But even from that dull theme Jafsie was able to extract poetry and excitement. In answer to the question "Where do you live?" he replied: "In the most beautiful borough in the world, the Bronx." He spoke that line like a slightly ecstatic geography teacher telling the class about exotic places -- something of the spiritual exaltation of a Burton Holmes travelogue.

From the table of the defense attorneys came a slight attempt at competition. Lloyd Fisher, one of ~~ix~~ Hauptmann's lawyers, cried: "I object." Then with a burst of local patriotism he gave his reason for objecting: "I think," he declared lyrically, "that Flemington is the most beautiful borough in the world." ^{But his burst} ~~is~~ _A wasn't up to Jafsie's standard of ~~xxx~~ poetic effusion.

So far as rhetoric and elocution are concerned you can deduce much of Jafsie's subsequent testimony from that first Shakespearean declamation about the Bronx. At times his testimony was so full of words that his own ~~xxxxxxxx~~ champion, Attorney General Wilentz, tried to cut him short. To this the

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defense
prosecution objected on one occasion, proclaiming that the counsel for the defense wanted to hear everything that Dr. Condon had to say.

Later on the Doctor's flow of eloquence was so ample that the defense counsel interrupted him, objecting that he was talking too much, whereupon Attorney General Wilentz addressed the judge, saying: "I've tried to stop the witness once and the defense objected to my stopping him; so I let him go on and talk and now the defense objects to that. What are we to do?"

Justice Trenchard, who has not only judicial dignity but a judicial sense of humor, replied in a dry tone: "Well, we'll get along as best we can."

But Jafsie had something more than mere emotional rhetoric. He had a precision, a school master's precision. He had a pedagogue's accuracy of detail. He told things point by point, with a minute exactness. And this developed with a telling impact when he related his contacts with the man who received the ransom money, the man who called himself John.

Dr. Condon ~~talk~~ told his story at length, his copiousness now was ~~xx~~ that of describing every circumstance, of putting in every small fact. He wa^s the pedantic school teacher all over, in his meticulous precision. And those were the qualities that marked his declaration^s when he identified Hauptmann -- identified him three times. ~~He~~ He was telling of the mysterious John with whom he made contact, and with the utmost clearness and emphasis he declared that John was -- Bruno Richard Hauptmann.

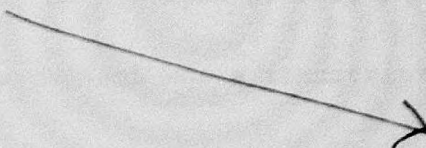
He related how John had told him of being the kidnapper in the baby's room and how John had described the baby's crib.

And once more he pointed out the prisoner and said that John was Bruno Richard Hauptmann.

Then the ~~xxx~~ third time he spoke out, saying that John, to whom he had paid the ransom money -- was Bruno Richard Hauptmann.

How did Hauptmann respond to these blows from the

witness stand? His composure and impertability had^{ve} been
greatly publicized, and he has those qualities. But one thing
was noticeable. When heavy damaging testimony^{comes out he} ~~XXXXXXXXXX~~
blushes behind his ears, ~~the~~ the back of his neck becomes
a bright red and a muscle twitches in his^{jaw.} ~~jaw~~ And when Jafsie
identified him those three times his ears blushed, his neck
grew red, and his ~~xx~~ jaw twitched.



If Jafsie was copious with the Attorney General, ~~what~~ shall we describe him when he faced chief defense attorney Reilly? It turned into not a duel of words, but a wild shindig, a verbal knock-down, drag-out brawl. The cross-examination began with ~~the~~ correct formality, when Attorney General Wilentz, using the old-fashioned legal term in turning the witness over ~~for~~, said to Mr. Reilly: "You may inquire." Reilly rose from his seat at the defense table, with closely pressed lips. In his hand he held a typewritten document which at first ~~xx~~ we thought was a transcript of the evidence, but which seemed later to be a report from a detective agency. It became evident that the defense has for the last few weeks been following every move made by Dr. Condon.

Reilly soon started his tactics of attempting to besmirch Condon, as the phrase goes, to discredit him in every possible way. He first tackled Jafsie, the veteran athlete, on the subject of boxing. The seventy-four year old doctor promptly displayed such an encyclopedic¹ knowledge of the game, of its records, rules and tactics, that Reilly soon dropped that issue. The defense then hit at Dr. Condon on the subject of theosophy.

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The doctor emphatically denied that he had either looked into the subject or studied it. Mr. Reilly then asked him about symbols. Dr. Condon just as emphatically denied ever having made any study of that matter. Reilly then intimated that ten days before the kidnapping took place, Dr. Condon had withdrawn a work of reference on that subject from the New York Public Library. Condon denied that, denied in fact that he had ever taken any book out of the New York Public Library. ~~There~~ There was quite a row about this.

The veteran school master frequently objected to Reilly's choice of words, complaining that they were inexact and misleading. He gave Reilly more than one lecture on the use of the English language, ~~xx~~ lectures which, ~~to be frank,~~ might be taken to heart in nearly any court room.

One point that Reilly tried to make was that Condon had told certain things to a druggist in Taunton, Massachusetts; a waiter at the ~~xx~~ Oyster Bay Restaurant in New York, and several other people in various places. To these people Jafsie is ~~supposed~~ ^{supposed} suggested to have said recently that ~~John~~ John, to whom he had

delivered the ransom money, had not yet been found. Dr. Condon denied this vehemently. In the heat of the argument, he leaned forward in his chair and shouted: "For weeks certain people have been trying to tap me, and ridicule me and make me look absurd." Then he added in as loud a voice as he could summon: "And they haven't succeeded."

"Didn't you talk when you were ~~at~~ the Oyster Bay?" Reilly demanded.

"I always talk" replied the Doctor. And there was a giggle in the ~~xxxxx~~ crowd. [¶] Reilly snarled and growled at the witness, but each time Jafsie came right back at him. Time after time, the lawyer tried to trap the educator. And every time Jafsie's meticulous definition of English words and English usage blocked the thrust. Reilly was plainly annoyed, furious. His efforts to make Jafsie lose his temper succeeded only in making him lose his own. Once he shouted so loudly that the Attorney General, in his suave manner, interfered, remarking: "We object to this ~~lecturing and~~ badgering of the witness." [¶] At which Justice Trenchard observed in a kindly but firm and deliberate drawl: "I think we'd better proceed in a more even way."

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During one round of this sparring match, Reilly observed to Dr. Condon: "You have been here in court all day, talking down to folks who are just plain people." This seemed rather ironic, in view of one of Reilly's previous questions. He had ~~been~~ asked Dr. Condon how he became first interested in the Lindbergh case, and Condon replied that his interest was first aroused because of the foolish accusation to which the Sailor Mr. Arthur Johnson had been subjected. To this Reilly sneered and said: "Since when do you call an obscure Danish deck hand Mister?" To which ~~Dr.~~



Jafsie replied vigorously: "anybody over the age of twenty-one in the United States is entitled to the courtesy. This is not a land where there are lords and dukes. I call him Mr. Johnson and will continue to do so."

Jafsie frequently punctuated his testimony with gestures of his left hand. At times he moved his whole body to accentuate his replies. Once or twice he became so emphatic that he started to pound on the judge's desk, then hastily covered his mouth with his hand and looked apologetically at the judge like a bad school boy caught in the act.

While all this was going on, Dr. Condon's daughter, Mrs. Hacker, a comely and well-dressed young woman, was sitting among the witnesses, smiling and nodding from time to time and obviously delighted each time her father got the better of the man who was after him so mercilessly.

It was also noticeable, that at another point of the proceedings, when Dr. Condon quoted what had happened at the Lindbergh house, the Colonel nodded his head in approval.

And tonight's report is Jafsie is very tired and very hoarse. A most effective witness against Hauptmann.

FOG

Outside ~~of~~ the windows here at Rockefeller Center a dim, damp fog turns New York's panorama of lights into a luminous haze. Yes, the fog closed down again here on the eastern coast. It lifted a bit early today, ^{and} looked like the end of the three-day American pea-souper. I understand a few ships took advantage of the temporary brightness to sneak into harbor. But now, again, ~~it is fog-bound for~~ the fleet of ~~xxx~~ ships, ~~that had been~~ gathering for three days at the outside of the misty, fog-blocked port of New York *is helpless to move.*

Ten major passenger liners have been waiting, imprisoned in the white blanket - such ~~big~~ ships as the MAJESTIC, the AMERICAN BANKER, the EMPRESS OF BRITAIN, and scores of freight boats, too. In shipping circles they say the fog has already ~~xx~~ caused a loss running into the hundreds of thousands of dollars - delayed cargoes, steam to be kept up on the ships for several useless days, passengers to be fed those extra three squares a day, passengers eating their heads off - and not even sea-sickness to ease the food consumption, as the liners lie motionless on the placid, foggy sea.

RUM SHIP

Here's an echo of prohibition, a Twenty-five thousand Dollar echo. Remember that sensation back in the dry era, six years ago, when a coast guard prohibition patrol spotted the Canadian schooner "I'M ALONE", thinking she was a rum runner, and opened fire when the boat did not stop? "I'M ALONE" was hit by a one-pound shell and sank. There were several casualties. Canada protested, claiming it was just a fishing boat, and furthermore was outside of the ^{twelve}~~three~~ mile limit.

And it seems that Canada was in the right, because today the joint American and Canadian Commission that has been studying and deciding the matter, announced its ruling. The Canadian-American Commission recommends that Uncle Sam should apologize to Canada and should pay Twenty-five thousand Dollars to the Dominion.

RACKETEERS

From Chicago come echoes of that astounding crime several years back, the St. Valentine's Day massacre, when one gang of racketeers lined seven men of an opposition gang against a garage wall and executed them with machine gun fire. The Chicago police had marked down in their books that Byron Bolten, the crook with the literary name, was one of the St. Valentine's Day killers. The Federal Agents had Byron Bolten, ~~him~~ together with another public enemy, named Russell Gibson, on the record as members of the notorious Baker-Karpis gang - the mid-western mob that got away with the Bremer Two hundred thousand dollar ransom kidnapping in St. Paul.

That adds importance to the gun battle in Chicago, where the government men, commanded by Chief Agent Melvin Purvis, marked two more important notches on their guns. There was a machine gun battle in a tenement house, where they trapped Byron Bolten and Russell Gibson. It was a fight to death - the death of ~~both~~^{one} public enemies, cut down by government bullets, and the capture of the other.

ANTHEM

In the Persian Gulf, the British were paying honors to a local potentate, Hamad, Sheik of Bahrein. He was traveling on a British warship. The bandmaster wanted to increase the honors by playing the national anthem of the Shiek's principality.

"How does your national anthem goes?", asked the bandmaster.

"I haven't got one," said the Sheik.

"I'll write one for you," beamed the bandmaster.

He did. He wrote a resonant royal anthem for Hamad, Sheik of Bahrein. It was all composed, ready to be played, when the warship arrived in the Sheik's domain.

Then the difficulties arose. The anthem was scored for a full military band. The bandmaster found that the Sheik's royal orchestra consisted of four buglers, four fifes and a lot of drums. And the Sheik's band couldn't read music anyway. So what did they do about it? Why, they said "Salaam - salaam Aleikum" and

SO LONG UNTIL TOMORROW.