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POLICE SCIENCE



Editor: FRED E. INBAU

THE HANDWRITING EVIDENCE AGAINST HAUPTMANN

CLARK SELLERS*

"Dot handwriting is the worstest thing against me."

Those were the words of Bruno Richard Hauptmann after his conviction of the kidnaping and murder of Charles A. Lindbergh, Jr.

Hauptmann, like other writers, had developed handwriting peculiarities by which he could be identified. He incorporated those identifying characteristics in the notes written to Colonel Lindbergh demanding the ransom money.

Handwriting evidence may be presented so graphically that it is overwhelmingly convincing. The handwriting evidence against Hauptmann amounted practically to a demonstration—it was that conclusive.¹

* Examiner of Questioned Documents, Los Angeles, California. (Editor's note: The author was one of the eight handwriting experts who testified for the prosecution in the Hauptmann case. The others were: Albert S. Osborn, E. W. Stein, and A. D. Osborn, all of New York City; J. F. Tyrrell of Milwaukee, Wis.; Herbert J. Walter of Chicago, Ill.; H. E. Cassidy of Richmond, Va.; and W. T. Souder of Washington, D. C.)

¹ Expert testimony in the Hauptmann trial approached its zenith, according to the opinion of many observers who listened to the testimony. One of the jurors, after the trial, stated: "The most brilliant performances in the witness chair should be credited to the handwriting experts and the wood specialist. Their testimony was a treat to the jury. The question as to which side of the case they were on disappeared. The perfection of their work submerged both prosecution and defense. Eight handwriting experts of national reputation were introduced

It is extremely difficult, if not absolutely impossible, to commit any crime without leaving some trace of the perpetrator and of the manner in which it was accomplished. The more complicated the act, the more varied will be the clues and the more certain will be the ultimate identification when the perpetrator is discovered.

Modern investigations and trials are replete with evidence that scientific investigation and scientific identification can clear the innocent and just as surely, even if sometimes slowly, point out the guilty. But seldom if ever has there been a criminal case in American history where science in so many forms has been called upon to contribute its learnings and its practical benefits as in the investigation of the kidnaping of Charles A. Lindbergh, Jr., culminating in the apprehension and conviction of Bruno Richard Hauptmann for the child's murder.

Hauptmann was an experienced criminal. He committed many crimes in his own country—*alone*; in fact, he was known as a lone wolf. He was convicted, sentenced to jail, made his escape, and tried three times to smuggle himself into this country before he finally succeeded. A super-egotist, self-satisfied, he thought he could commit the perfect crime. He tried. He failed.

One of the ransom letters said, "This kidnaping whas plannet for a year already"—a year's planning on his part only to end in disaster.

It seems that nature is in league with truth against the criminal. He may go undetected for a long time—in fact, he may never be apprehended—but once the case begins to unravel on the correct basis, then the relationship of one bit of evidence to another begins to assume true proportions; the circumstances and events fit in with one another to such an obvious degree that "he who runs may read."

Scaling walls, entering a second-story window, kidnaping a child, writing letters demanding money, the collection of ransom, and the subsequent expenditures of the money are all fraught with the greatest danger to the perpetrator. These are complicated acts which no person can execute without leaving significant clues as to how it was done and who did it. The Lindbergh case was actually honeycombed with clues, many of them physical facts which pointed irresistibly and inescapably to Bruno Richard Hauptmann.

Much of this evidence was circumstantial. Circumstantial evidence and all were interesting. The way they testified showed they were masters of their craft."

dence is scoffed at by some, but the writer is one of those who believe that circumstantial evidence may, and frequently does, outweigh any amount of so-called ear or eye witness testimony. Physical facts do not depend upon the deficiencies of the human eye, the imperfect ear, or the faulty memory. Evidence regarding certain types of physical facts can be taken into the court room. The jury and judge can see it, they can handle it, and they can inspect it. Handwriting belongs to this class of evidence. Fingerprints, ballistics, typewriting, handwriting, all constitute physical fact evidence—circumstantial evidence, if you please—that frequently speak much louder and more accurately than any words.

A crime may be very puzzling at the beginning, but when once it begins to unravel, the relationship of the parts to each other becomes evident. Things which first appear unrelated become strong corroborative evidence. In many cases one wonders how the perpetrator could have managed to leave so many clues. That was exactly the situation in the Lindbergh kidnaping. In fact, the defense attorneys argued to the jury that the evidence against Hauptmann was *too* perfect.

Among those accustomed to analyzing evidence, it was generally agreed that the most crucial evidence in the case was the handwriting. Whoever wrote the ransom letters must have been implicated.

The reader will recall that on the evening of March 1st, 1932, the twenty-month-old son of Colonel Charles A. Lindbergh and Anne Morrow Lindbergh was kidnaped. In the place of the child a ransom note was left demanding \$50,000 for his return. Ordinarily in a kidnaping, the person is kidnaped and then a few days later through the mail comes a communication demanding the ransom money. In such cases it is always a question in the minds of the investigators whether or not the communication came from the real kidnaper. There was no such problem in the Lindbergh kidnaping. The fact that the first ransom letter was left in the nursery definitely tied that letter with the kidnaping act. During the ensuing correspondence with the kidnaper about the return of the child, fourteen other letters were received, terminating in the payment of \$50,000 ransom on April 2, 1932. The child was not returned. On May 12, 1932, its lifeless body with a crushed skull was found buried in a shallow grave not far from Colonel Lindbergh's home at Hopewell, New Jersey.

An exhaustive investigation was carried on, but except for the

ransom letters, a ladder left near the scene of the kidnaping, a chisel found under the window, and ransom bills cashed at intervals, there were practically no developments. During this time hundreds of rumors were run down. Handwriting specimens of suspect after suspect were compared with the ransom letter by handwriting experts. One by one these experts reported, "This is not the handwriting of the person who wrote the ransom letters." In fact, a world wide search was carried on for the kidnap--murderer without results. The solving of the mystery seemed a hopeless task. However, on September 17, 1934, a man bought a few gallons of gasoline at a service station in the Bronx, New York, and paid for it with a ten-dollar *gold note*.

The station attendant did not want to be charged with hoarding gold, and as a precautionary measure he wrote the license number of the man's car, 4U-13-41, on the gold note tendered in



FIGURE 1

The gas station attendant wrote on the margin of the "gold note" the auto license number of the purchaser of gasoline. This license proved to belong to Bruno Richard Hauptmann. The gold note was found to be one of the Lindbergh ransom bills, the beginning clue to the exposure of Hauptmann.

payment for the gasoline. The money was deposited in the bank in the usual course of business. A teller observed that it was a gold note. A prompt investigation disclosed that the gold note was in fact one of the Lindbergh ransom bills. The wheels of justice began to whirl. Detectives of New York, of New Jersey, and of the Federal Government were notified.

The license number, 4U-13-41, written on the gold note by the station attendant was found to be the license number of the automobile owned by Bruno Richard Hauptmann of the Bronx, New York. Hauptmann was arrested and was asked to give some specimens of his handwriting and handlettering, to be compared with the writing in the ransom letters, which he did. He denied that he wrote the ransom letters, or that he kidnaped the Lindbergh child, or that he knew anything at all about the kidnaping.

Hauptmann's handwriting was submitted to handwriting experts for comparison with the Lindbergh ransom letters. For the first time those experts reported, "This is the writer." Bruno Richard Hauptmann was the first and only person identified by those experts as being the writer of the ransom letters.

As the first letter was left in the nursery in place of the child and was therefore directly connected with the kidnaping act, the question naturally arose: Were the fourteen subsequent letters written by the same person who wrote the letter found in the nursery? These fifteen ransom letters were tied together in five main ways: (1) The contents of subsequent letters referred to matters mentioned in the first letter. (2) The second letter was written on paper that had been torn from the paper on which the first ransom letters was written; the torn edges could be fitted back together by the zig-zag indentions. (3) There were repeated similarities in expressions used and in misspelling. (4) The handwriting in the ransom letters contained a combination of peculiar characteristics that stamped all of them as being the product of one writer. (5) The first letter and subsequent letters were branded with a peculiar symbol. The writer was an ingenious fellow and foresaw that others might attempt to collect the ransom. In order that Colonel Lindberg could recognize letters from the real kidnaper he devised a symbol that could not be accidentally duplicated. This symbol was composed of overlapping circles and three holes punched through the paper. The writer referred to this symbol as being his "singnature."

The accuracy of handwriting identification depends on the qualities, features, and individuality of the handwriting characteristics present in the writings. In fact, handwriting is identified as being the writing of a certain writer on exactly the same principle of identification as that in which a fingerprint is identified as being that of a certain individual, or a bullet as being fired from a certain gun, or a typewritten document as being written on a certain typewriter. A sufficient combination of similarities must exist, with no fundamental differences.

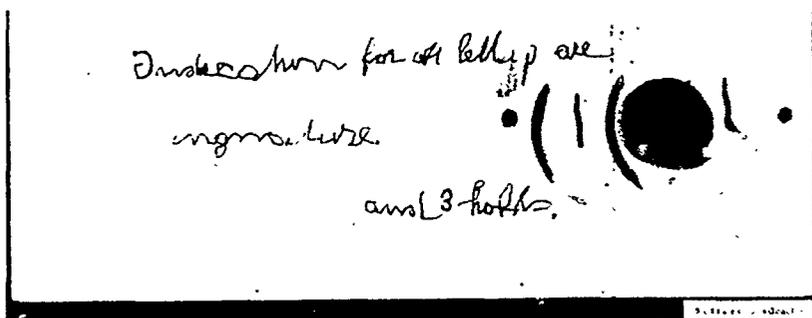


FIGURE 2

The symbol on the letter left in the nursery by the kidnaper. This same symbol was used on subsequent ransom notes to prove they were coming from the real kidnaper. He referred to the symbol and three holes as being his "Signature."

The ransom letters in the Lindbergh kidnaping case, fifteen in number, contained hundreds of words. Exemplars of Hauptmann's genuine handwriting were available for comparison. Some were written before commission of the crime, some afterward, and some written by request after his arrest. Thus there was ample handwriting on which to base a definite conclusion.

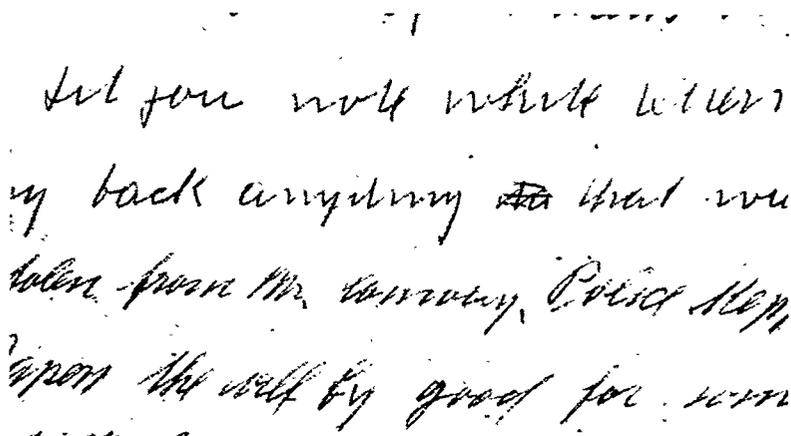
Specimens of Hauptmann's handwriting which were written by request immediately after his arrest constituted some very damaging evidence against him. He attempted to disguise his handwriting, instead of giving a fair sample. The disguise he used was the same as that used by the kidnaper two and one-half years before.

Another incriminating bit of evidence was the fact that Hauptmann had written on a board in a clothes closet in his home the name and telephone number of the intermediary who delivered the ransom money to the kidnaper. When this writing was discovered

and shown to Hauptmann he attempted haltingly to explain why he should write this name and telephone number in a dark closet. He finally admitted he could not explain it.

The word "signature" referring to the symbol on the letters was misspelled "singnature." This incorrect use of the letter "n" proved to be another one of Hauptmann's identifying peculiarities. On the witness stand the Attorney General asked Hauptman how he spelled "Lindbergh." Hauptmann replied by spelling it "L-i-n-d-e-n-b-e-r-g-h." In addition some of Hauptmann's admitted writings contained words in which he used an "n" incorrectly where no "n" sound existed.

Hauptmann had learned to write in Germany, and after coming to the United States had picked up writing in English. In doing so he invented some handwriting characters of his own. These, in combination with other highly individual handwriting habits, enabled an identification of Hauptmann as being the writer of the ransom letters. Among the peculiar characteristics of Hauptmann's writing were the manner and variety of ways in which he wrote the word "the." Sometimes he wrote it as though it were "Ue"; sometimes as though it were "hle." The writer of the ransom letters had the same rare variations in writing the word



Let you not write letters
 my back anything ~~to~~ that you
 taken from Mr. Conway, Police Dept,
 upon the self by good for some

FIGURE 3

Upper: Two lines of Hauptmann's disguised writing.

Lower: His normal handwriting—narrow letters, forward slant.

When Hauptmann was asked to write he attempted to disguise part of his handwriting, and in doing so used the same disguise as that in writing the ransom letters two and one-half years previously.

"the." That one word alone would almost identify him, so peculiar was his manner of writing it.

Hauptmann had an odd manner of writing the letter "x." He wrote it as though it were an "ee" combination, and whoever wrote the ransom letters wrote "x" in the same way.

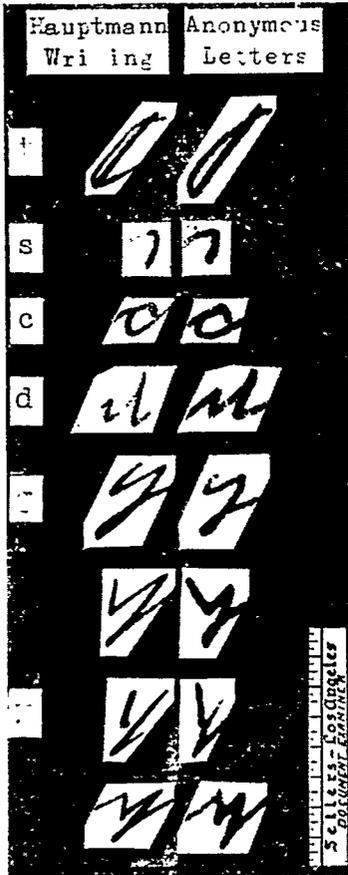


FIGURE 4

FIGURE 4. Hauptmann wrote many characters illegibly, and the writer of the ransom letters wrote illegibly to the same extent. The above illustration shows some of the peculiar ways Hauptmann's writing deviated from any accepted standard of handwriting, and the same peculiar letter formations in the ransom letters.

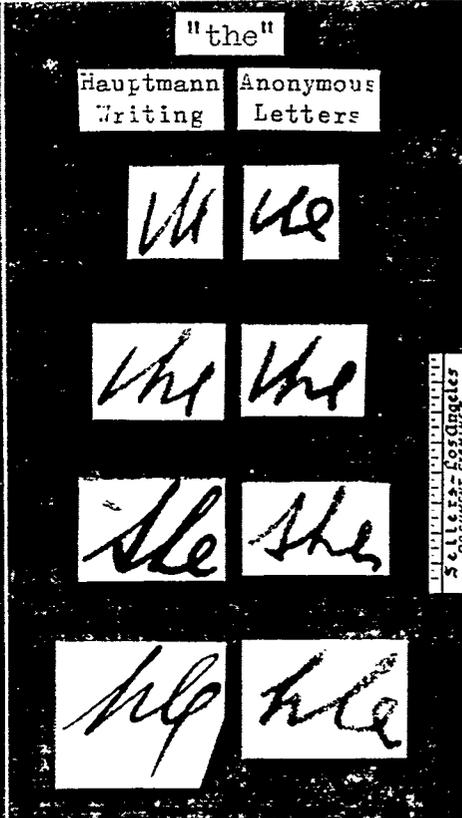


FIGURE 5

FIGURE 5. Left: Hauptmann's variety of writing "the."

Right: The words "the" in the ransom letters.

Hauptmann had a peculiar variety of writing certain words. He rarely crossed a "t." The "t's" were rarely crossed in the ransom letters. Observe the top "the" is written so it looks like "Ue." At the bottom it appears to be "hle." Such writing oddities of Hauptmann were likewise found in the ransom letters.

Hauptmann not only had peculiar characteristics in his handwriting, but he also had peculiar ways of spelling. He wrote many words phonetically. One of these was the word "did," which he spelled "t-i-t." It was misspelled in the same manner in the ransom letters. He spelled the word "our" as "o-u-e-r," and that is the way it was spelled in the ransom letters. He spelled the word "not" as "n-o-t-e," and whoever wrote the ransom letters spelled it in the same way. "Was" appeared frequently as "Whas" by Hauptmann and likewise in the ransom letters.

Hauptmann stated on the witness stand that he always spelled correctly the word "boat" as "b-o-a-t." However, the Attorney

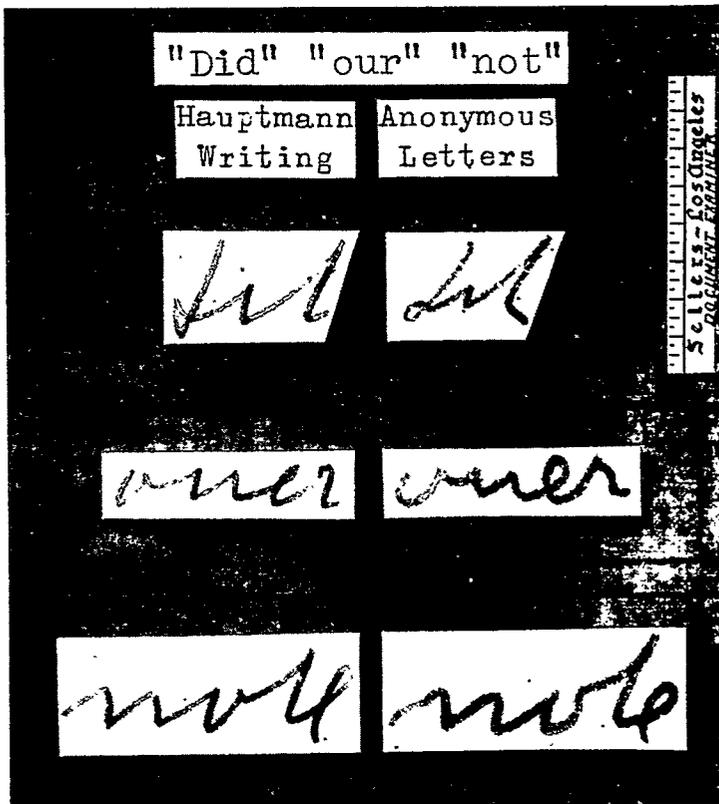


FIGURE 6

Misspelling plus writing peculiarities may be forceful evidence in identifying the writer. Hauptmann not only wrote in a peculiar way, but he also misspelled ordinary words such as "did," "our," "not," and the writer of the ransom letters wrote these same words in the odd manner in which Hauptmann wrote them.

General showed him in his own diary, admittedly written by Hauptmann, that he had written a memorandum of a boat trip and in it the word "boat" was misspelled "b-o-a-d." In the ransom letters the word "boat" was misspelled "b-o-a-d."

In these ransom letters there were not only the peculiarities of writing such words as these—"tit," "ouer," "note," "boad,"—but also peculiarities in the writing of numerals. Many writers of anonymous letters fail entirely to disguise the numerals. Hauptmann had an individual manner, just as every other writer has, of writing numerals. The size, the proportions, the pen pressures, and the design of the numerals as written habitually by Hauptmann were written in the same manner in the ransom letters.

There is yet another form of handwriting identification—the handlettering. Writers of anonymous letters sometimes handwrite the body of the letters in script and then handletter the address on the envelopes. They apparently think that this will further confuse the issue, but of course all they are doing is giving the examiner of questioned documents new clues—the handlettering. That is exactly what occurred in the handwriting of the ransom letters in the Lindbergh kidnaping. The letters were written in script, but the envelopes were addressed by handlettering. One of the most crucial pieces of evidence in the entire case was the child's sleeping suit. It was returned by the kidnaper to prove that he was the one to whom the ransom money should be paid. The identity of the person who wrote the address on the paper wrapper in which the sleeping suit was mailed constituted vital evidence. That address was handlettered. Handlettering, like handwriting, is a record in lines of habit, and may be identified as being written by a certain writer. Hauptmann had an odd method of handlettering, and he had a peculiar variety or variation in the manner in which he handlettered certain letters. Among these were the highly identifying capital letter "N" and the small letter "r." In both Hauptmann's handlettering and in the ransom envelopes the last part of the capital letter "N" was frequently written similar to a capital letter "V." Occasionally he printed the small letter "r" so that it looked like a Greek letter "e," and whoever wrote the ransom letters wrote the small letter "r" so it sometimes looked like a Greek letter "e."

In many cases it is possible to take from the writings of a person the letters that spell his name, and reconstruct a replica of that writer's signature. In the Hauptmann case it was possible to recon-

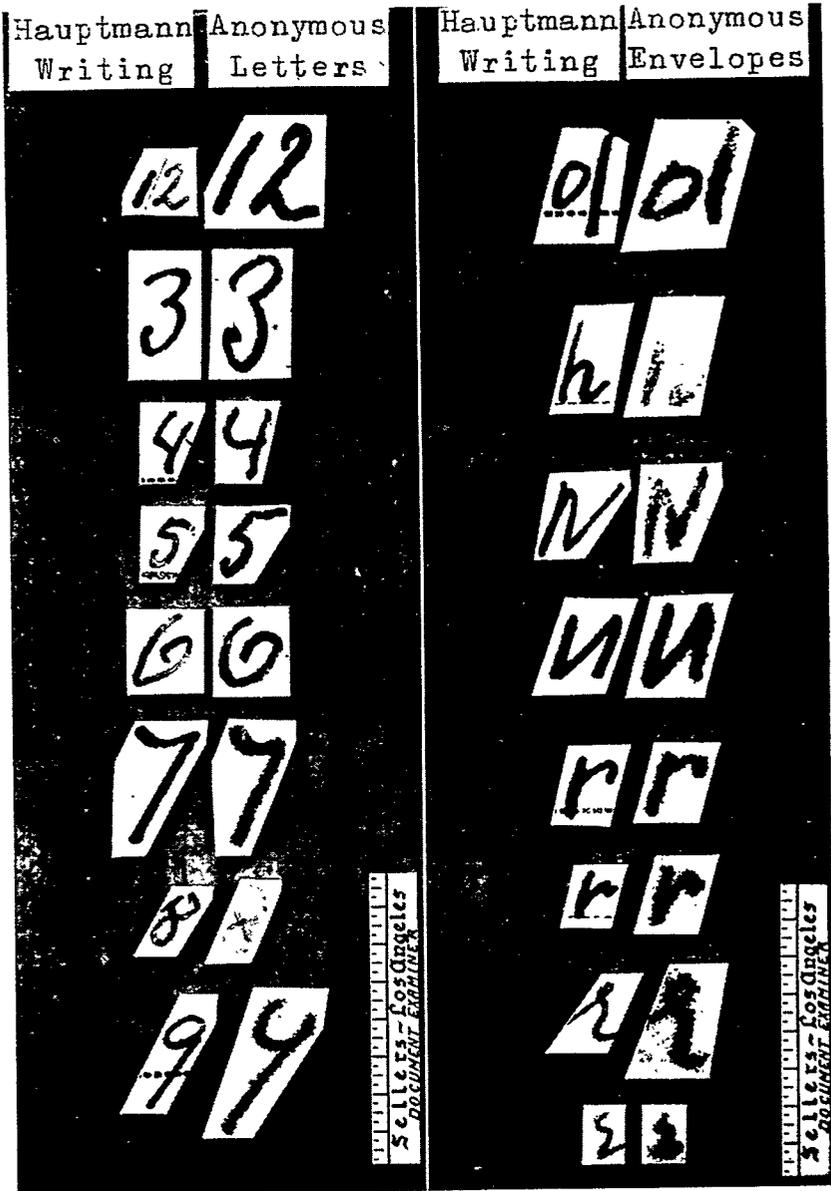


FIGURE 7

FIGURE 8

FIGURE 7: Frequently numerals are not disguised, the writer of anonymous letters apparently thinking there is no individuality to numeral writing. Observe the pen pressure at the beginning of the "7."

FIGURE 8: Handprinting, like handwriting, may be highly individualized. This was certainly true of Hauptmann's handprinting. The letter at the top is not "O1," but a small letter "d." Observe at the bottom the four varieties of the small letter "r." Handprinting, like handwriting, is not identified by one characteristic but by a combination of characteristics.

struct from the body of the ransom letters a replica of his own signature. In fact, as can be seen from the illustrations, there were so many habitual characteristics of Hauptmann's handwriting in those ransom letters, that he might just as well have signed his name to every one of them, so convincing is the evidence that he did write them.

Like other physical fact evidence, handwriting evidence in some cases may be overwhelming in its convincingness. In other cases the evidence may be doubtful. There are some borderline cases over which, as in every other field, there may be justifiably some difference of opinion; but these cases are in the minority and the expert should readily qualify or modify his opinion according to the merits of the evidence. A careful expert will refuse to testify in doubtful cases. In the accompanying illustrations the reader may judge for himself as to the significance to be attached to the handwriting evidence against Hauptmann.

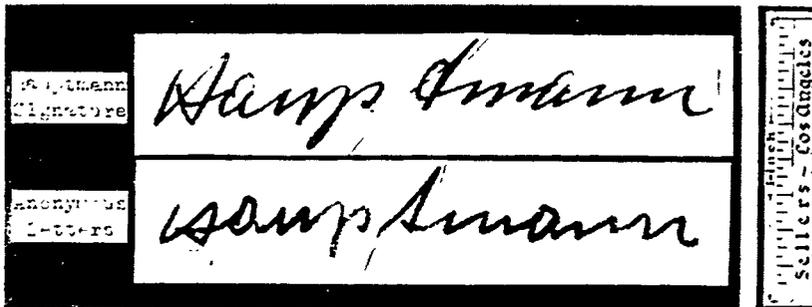


FIGURE 9

Upper: Hauptmann's normal signature.

Lower: Letters which spell the name Hauptmann cut from the body of the ransom letters.

Attorney General David T. Wilentz and Colonel H. Norman Schwarzkopf, Superintendent of New Jersey State Police, recognized the importance of the handwriting evidence in the Hauptmann case—the fact that the ransom letters virtually contained a confession to the crime. They selected handwriting experts from different parts of the United States to examine the handwriting evidence. These experts, independently of each other, compared writing in the ransom letters with Hauptmann's handwriting. All of them arrived at the same conclusion—that Hauptmann wrote all fifteen of the ransom letters. This evidence was presented in

court by each expert stating his conclusion, and then relating in detail, with the aid of enlarged photographs, the reasons for that conclusion. By this clear method of presenting the evidence the jury could see for themselves the characteristics that existed in Hauptmann's writings and in the ransom letters.

To offset this damaging evidence the defense attempted to make it a battle of experts. They had nine persons examine the handwriting for the defense. It is significant that only one of the nine testified for the defense. Some of them refused to testify and withdrew from the case. If a man has built a reputation for honesty and integrity, he will not jeopardize that reputation for any case; and if he is a "quack" with reasonable intelligence he is constantly on guard against unnecessary exposure, and particularly so against widely publicized exposure.

After careful deliberation all twelve of the jurors voted guilty on the first ballot. Justice Thomas W. Trenchard, the able and experienced judge before whom the case was tried, refused to grant Hauptmann a new trial. The members of the Court of Errors and Appeals of the State of New Jersey, after a careful review of the evidence sustained, in a unanimous opinion, the jury's verdict of guilty. The opinion states:

"Our conclusion is that the verdict is not only not contrary to the weight of the evidence, but one to which the evidence inescapably led. From three different and, in the main, unrelated sources the proofs point unerringly to guilt, viz.: (a) Possession and use of the ransom money; (b) Handwriting of the ransom notes; and the (c) Wood used in the construction of the ladder."

The New Jersey Board of Pardons refused to commute Hauptmann's sentence. The case was appealed to the Supreme Court of the United States. It too refused to interfere with the verdict of the jury.