

Mrs Roosevelt

Marion W. Tuttle

Steve Early

Undeserved Criticism.

THE published comments of Mrs. Roosevelt upon the Hauptmann verdict have provoked criticism that is entirely undeserved. Frank Day Smith, president of the Wayne County Bar Association of Detroit, thinks they will hurt the administration, hurt her and have a "powerful but undesirable effect upon the public"; and the New York Herald-Tribune in an editorial says if Mrs. Roosevelt's views were followed there would be "almost no criminals convicted of anything."

There was nothing in Mrs. Roosevelt's original comment to justify any such conclusion and to say that the expression of her opinion will adversely affect the administration is, of course, little short of ridiculous. Mrs. Roosevelt did not say that Hauptmann was not guilty; the verdict too severe or the trial unfair. On the contrary, she said she had no sympathy whatever for him and in a latter statement added that he probably knew all about it (the Lindbergh kidnaping) and he deserved all he got. But she did say in both statements that she wondered what would have happened to an innocent man under similar circumstances, and in so saying, which was her right, she was but expressing the thought that has occurred to many thousands and has been expressed by others.

Her reference, clearly enough, was not intended to impute unfairness to the trial or too great severity to the verdict, but to question the manner in which the trial was conducted and the circumstances that preceded it. Hauptmann is unquestionably guilty of participation in the Lindbergh kidnaping. His possession of the ransom bills is positive proof of that, and much of the circumstantial evidence, though no direct proof, points to him as the actual kidnaper. But Hauptmann was convicted in the public mind before the trial ever started—by the finding of the ransom money in his house and by statements of the prosecution concerning each new shred of circumstantial evidence as it was collected. The nature of the crime—the kidnaping and killing of an innocent baby; the public adoration of the baby's father and the public respect and regard for its mother, all added to the public feeling. Then the trial itself, with the attorneys on both sides issuing almost daily statements, discussing the evidence outside the record, making sound movies and radio appeals, smacked more of a vaudeville performance than of a murder trial with a human life at stake, and altogether presented a spectacle repugnant to citizens who still entertain respect for the courts and expect at least a certain amount of decorum to attend their proceedings.

It was these things—not the fairness of the trial or the severity of the verdict—that Mrs. Roosevelt undoubtedly had in mind, when she made her comments, and regardless of how just the sentence imposed upon Hauptmann or the final outcome of the case, the thoughts Mrs. Roosevelt expressed will linger in many minds and be discussed for many months.