

# GIVAN REVEALED \$100,000 JACKPOT, WEISS ASSERTS IN TESTIMONY BEFORE PROBERS

President of State Senate Is First Witness of Assembly Quiz.

(Continued From Page One)

ent, the committee mentioned that there had been much discussion over rumors that the commissioners were pledged to grant the franchise to the Users Co. All members of the legislative committee voted for the bill (against the Users Co.).

Senator Weiss told the committee he believed his services were asked in behalf of the Users Co. because of such political influence as he might have, not because of his legal talents.

## Telegram Placed in Record

Entered into the record, for further consideration of members, was a telegram received by the Times last Friday from Luke Scheer, secretary to John Smith, president of the Detroit City Council, and a prime mover in the investigation of Middle Western mayors into the natural gas situation in the entire region.

Mr. Scheer's telegram asserted that several states, including Ohio and Michigan, were suffering from "monopolistic natural gas conspiracies" in Indiana which violates both Indiana and Federal laws and seriously endangers the Indianapolis plan for a municipal plant.

The telegram said further that the \$100,000 mentioned by Senator Weiss was "mere chicken feed."

It intimated that secret "gold" agreements would be made to affect the Columbia Gas & Electric Co., United Light & Power Co., the Panhandle Eastern Pipeline Co., and the Indiana Gas Transmission Co., natural gas companies and certain bankers including Cyrus Eaton, Cleveland capitalist, and J. H. Hillman Jr., Pittsburgh.

## Owens Citizens Stock

The Columbia Gas and Electric Co. has been reported to control a considerable portion of the stock of the Citizens Gas Co. of Indianapolis. The Panhandle & Eastern Pipeline Co. owns title to the lines from the Texas Panhandle to the Indiana-Illinois state line; the J. H. Hillman Jr. interests own stock of the Kentucky-Terre Haute pipeline and the Kentucky Natural Gas Corp., which is the Kentucky-Terre Haute pipeline.

The Hillman interests came into title of the Kentucky-Terre Haute line and the Kentucky company when they became indebted to them to the extent of about \$50,000 for pipe used in construction. The Kentucky Natural Gas Co. gave Hillman interest bonds secured by its stock which the Missouri-Kansas Pipeline Co. has owned. The Kentucky Natural Gas Co. then went into receivership and all its property was sold by receivers to satisfy its debts.

The Missouri-Kansas Pipeline Co. went into receivership which still is pending in Wilmington, Del. Frank Parish, former president, charges this receivership was brought about by the Columbia Gas and Electric Co.

Memoranda from The Times files entered into the record quotes W. C. Macure, an Eastern promoter who has been active in gas negotiations in Indianapolis, in a type-written memorandum to Mr. Parish on an interview with Mr. Eaton on the gas situation in Indianapolis and Indiana. The memorandum is dated May 28, 1931, and Mr. Parish was president of the Missouri-Kansas Co.

## Eaton Opinion Cited

Mr. Macure quoted Mr. Eaton as saying he (Mr. Eaton) then owned 40,000 shares of the outstanding 80,000 shares of the Citizens Gas Co. stock. He said in his report:

"The Citizens Gas Co. was," Mr. Eaton said, "a controlling factor in the Indianapolis gas situation, and that while the city, due to a recent court decision, would take it over, the to-be-agreed price was not at all definite."

"I replied that my understanding was \$25 a share, plus accrued dividend—roughly \$27.50 a share. His report was that that was what the city thought, but the controlling stockholders felt differently. . . . He then went on to tell me that the Marion County Gas Co. was in control of the situation in Indianapolis and that Missouri-Kansas did not have a chance. He assured me that their affairs were being handled politically, very adroitly, and that, to the best of his information, I could not lose. I asked: 'Where did you get your information from?' Kirk?"

## Kirk Manager of Citizens

The reference apparently was to Clarence L. Kirk, vice president and general manager of the Citizens. The legislative committee will meet again at 2 tomorrow. It has invited Mr. Smith to appear, but had not reached him early this afternoon. Mr. Smith had previously said he would be glad to appear.

Mayors Act Upon Nye's Assurance He Will Sponsor Probe.

(Continued From Page One)

in announcing to them the North Dakota Senator's decision.

A proposed amendment, which would have made the artificial gas industry also a subject for the senatorial probe, was rejected when it was pointed out that few, if any, artificial gas manufacturers engaged in interstate commerce and thus are not subject to Federal regulation.

## Prosecution to Be Asked

Another resolution tentatively discussed by conference leaders which would have asked the Department of Justice to investigate and prosecute all gas officials suspected of violation of the anti-trust laws and other Federal statutes was not presented at last night's meeting.

Mr. Smith explained that the municipal leaders feel that the senatorial investigation would be more effective in bringing the alleged evils of the alleged gas monopoly to the public eye. He said, however, that the mayors and others who requested the Nye inquiry would demand the immediate prosecution of any gas company officials shown guilty of unlawful acts by the Senate committee.

The conference also voted to organize on a permanent basis a cities alliance composed of officials of the 18 cities represented at yesterday's meeting and of other cities interested in obtaining natural gas at a low rate. Member cities will co-operate in compiling and disseminating information concerning gas problems. They also hope to establish a "yardstick" rate for natural gas similar to that used by the Federal government in the Tennessee Valley Authority.

## Alliance Names Officers

Mr. Smith was elected chairman of the alliance and Mayor Daniel W. Hoan, Milwaukee, was chosen vice chairman. Mayor John W. Kern will serve on the executive committee with Mayor Neville Miller, Louisville; Mayor Henry W. Worley, Columbus; Mayor Russell Wilson, Cincinnati; Charles N. Hay, corporation counsel, St. Louis, and Mayor George W. Freymuth, South Bend. An executive secretary will be appointed later.

Mayor Kern, who was obliged to leave before the night meeting, said that he was gratified with the results of the conference, and promised the full support of the Indianapolis city administration to the Senate Investigating Committee and the cities alliance.

"I was deeply impressed," Mayor Kern declared, "by the sensational charges made at the meeting concerning the monopolistic activities of the great gas companies. The information revealed by speakers today will be very valuable to us in our effort to acquire the Citizens Gas Co. property."

## Kern Views Supported

Mayor Kern's statement was echoed by the other members of the Indianapolis delegation. Those who accompanied him to Columbus were City Attorney Floyd J. Mattice, Henry L. Dittmer and Fred Jungclauss, president and vice president, respectively, of the city utilities district.

At the meeting yesterday afternoon Mayor Kern and the Indianapolis representatives heard bitter denunciations of the utility companies which were said to control almost the entire natural gas production and distribution in the United States.

Particularly bitter attacks were made on the Columbia Gas and Electric Co. by Mr. Smith who said that the company had repeatedly refused to furnish natural gas to Detroit and other cities, claiming that there was an insufficient supply at the company's pipe line sources when other information indicates that billions of cubic feet of gas are allowed to go to waste in Texas and other fields with the explanation that there is no market.

## Refers to Users Concern

Frank P. Parish, Chicago, president of Missouri-Kansas Pipe Line Co., now in receivership, declared that his company had been forced to the wall by the Columbia group, which had attempted to dictate to it where it might and might not sell gas. He said that Columbia refused to permit him to sell natural gas to certain municipal plants in Kansas because "it was against the company's policy to sell to municipally owned distributors."

Mr. Parish said that a Columbia-owned pipe line, which crosses Indiana and might supply gas at a low rate to many Indiana cities, now is carrying less than one-tenth of its capacity.

He mentioned the Users Gas Co., whose appeal for a franchise in Marion County was blocked last week by an act of the Indiana General Assembly, is merely a blind for one of the great gas companies. He said, however, that he could not furnish definite proof for this statement.

# BRUNO SQUIRMS UNDER GRILLING

(Continued From Page One)

was paid, that was the day you left your job? A—That's right.

Q—You said you resigned because you were only going to earn \$80 a month instead of \$100? A—Yes.

Under Mr. Wilentz's questioning the witness told of his pay as a carpenter.

Q—Well at the rate of \$100 a month how much would it be a day? A—I don't know, there are Sundays and holidays.

Q—Well, if you worked two days in April, how much would it be? A—I don't know.

Q—Well, you say you worked two days in April? How much do you figure you got? A—\$4 a day.

Q—So it depends on the month, rather than the days, for the pay. A—I don't remember how it was paid.

Mr. Wilentz and Hauptmann engaged in a long colloquy regarding the wages the defendant received.

Q—When you got your pay in the middle of the week, why didn't you quit right then? A—I always quit on a Saturday.

Q—Another of your habits? A—A carpenter always quits on a Saturday.

## CHECK IN EVIDENCE

Mr. Wilentz showed Hauptmann a check.

Q—Is this your signature? A—Yes.

Q—You got this money for your work? A—Yes, I got this for my work.

Q—Either your wages were \$100 or \$80 a month, is that right? A—Yes.

Q—Well, in that case your check should be for \$40, but they deducted \$3.30 didn't they? A—Yes.

The check was offered in evidence without objections.

A second check subsequently was placed in evidence.

Q—You cashed this check for \$36.67 at the National Millwork where you used to work? A—Yes.

Q—You cashed this check when? A—Fifth of April, 1932.

Q—You did not know Violet Sharpe? A—No.

Q—You didn't know anybody who knew her, did you? A—No.

Q—You didn't know anybody connected with the Lindbergh household prior to March 1, did you? A—No.

Q—In May 1932, you bought a radio? A—Yes.

Q—How much did you pay for it? A—\$400.

Q—In cash? A—Yes.

Q—What day in May? A—I can't remember.

Q—Then you bought some field glasses? A—That was in July.

Q—How much did they cost? A—About \$16.

Q—Before you bought this radio you also had a victrola? A—Yes.

## DOESN'T RECALL VISIT

Q—Did you ever put any money in that victrola for safekeeping? A—No.

Q—Now, did you ever keep packages of money in that victrola? A—I never had packages. Maybe I put the rent in there.

Q—During any month in 1932, you didn't have any packages of money in that victrola? A—No.

Q—Is it not a fact that you opened the victrola in front of Fritz Hahn and showed him two envelopes of money? A—Absolutely not.

Q—Didn't Mr. Hahn ask you about the money? A—I don't remember that Mr. Hahn ever was in our house.

Q—You are still friends with the Hahns? A—Oh, yes.

Q—You say you did not open the victrola in his presence and show him two bundles of money? A—You said envelopes?

Q—That's right. A—(Laughing) Absolutely not.

Q—You won't say that Mr. Hahn never was in your house? A—I don't think he was.

Q—Don't you remember Mrs. Hahn asking you how much money you were giving your wife for the trip to Germany, and you saying about \$1000 would be all right? A—No, I don't.

Q—Did you invite Mr. and Mrs. Hahn to your home early in 1932? A—I can't remember.

## YOU'RE MAKING UP STORY

Q—Don't you remember a trip to Rye Beach with the Hahns? A—I have the impression you are making up a big story.

Q—Who told you to say that? A—Nobody.

Q—Didn't one of your advisers tell you last night to say that? A—Absolutely not.

Q—Didn't one of your advisers tell

you to signal to your wife the other day that she was to call a witness a liar? A—No.

Q—Who told you to change your story about the board? A—Nobody told me.

Mr. Wilentz then turned to Hauptmann's story told in the Bronx courtroom.

Q—Did you remember in the Bronx to say you were out with a dog on March 1, 1932? A—No, I didn't remember it at that time.

Q—But, it was important to you whether you were in the Bronx or in New Jersey on that night? A—Yes.

Q—Who told you to remember about that dog? A—Nobody. I thought of it afterward myself.

Q—Most of your time was spent in the stock market? A—Yes.

Q—You were buying thousands of shares? A—At the start very little.

Q—You bought long and sold short? A—Yes.

Q—You knew all the tricks of the trade in this stock business? A—I know some of them.

## PRISONER, JUDGE SMILE

Q—Did you have any business besides the stock market and the fur business with Fisch? A—No.

Q—You lost that money you put into "puts and calls"? A—No, I made a few dollars.

The prisoner smiled. There was the trace of a smile on Justice Trenchard's face.

The state's contention that Hauptmann had deposited hundreds of dollars in silver in his bank accounts, he explained by saying the deposit slips were carelessly written.

"When checks were listed on the deposit slip, the writing looks like it was opposite the silver place, but it was checks or bills," he said.

Mr. Wilentz showed him a deposit slip for January, 1934. It listed large silver deposits. Hauptmann maintained the \$200 in silver deposited actually was in checks.

Mr. Wilentz showed Hauptmann more deposit slips. Hauptmann admitted he had made mistakes in filling out the slips, sometimes putting silver items in the space reserved for currency.

Q—Now here's a deposit slip that shows \$84 in coins for August, 1934. Is that another mistake? A—That's right. I never paid much attention to the slip as long as I got credit.

## BOGUS QUARTER FOUND

One slip noted a counterfeit quarter dollar as being rejected. Mr. Wilentz called Hauptmann's attention to the counterfeit item.

Q—What about that? A—Let me explain.

Q—Answer my question. A—Don't mix me up.

Justice Trenchard stood behind the defendant and Mr. Wilentz, looking at Hauptmann's deposit slips.

Hauptmann said he took back the counterfeit quarter, which somebody else gave to him.

Q—Now here are two items, one for checks and one for coins? A—Yes.

Q—It says \$132 in coins. Is that a mistake? A—Yes, it was.

Hauptmann gave a little lecture to the jury while Mr. Wilentz had his back turned and was conferring with other prosecution lawyers.

"You make out these deposit slips and give them to the teller," Hauptmann said. "Then you get credit in the bank."

## TAKES CHARGE OF CASE

Hauptmann seemed eager to take charge of his own cross-examination and frequently interrupted Mr. Wilentz's questioning.

Q—Let me show you this deposit slip. There is \$30 in bills; \$12 in silver? A—Yes.

Q—Now in all the year prior to 1932 you never deposited \$12 in silver? A—I wouldn't say that.

Q—Well you heard the government testify to that didn't you? A—Yes.

This line of questioning was manifestly to establish in the minds of the jury the theory that Hauptmann, cashing the Lindbergh ransom bills, obtained much silver coin by making small phrases and taking the change in currency.

Q—Now the \$750 in gold you testified you took to the Central Savings Bank, do you remember that? A—Yes.

## FISCH ANGLES PROBED

Q—Now did you exchange that for gold bills or did you deposit it? A—Let me explain. First I exchanged the gold for bills and then I went upstairs and deposited it.

The witness appeared confused. He contradicted himself on this

phase of the story, insisting first he had deposited the \$750 and then that he had not.

The Hauptmann deposit slips were passed around the jury. Mr. Wilentz handed Hauptmann a black ledger found in the defendant's home.

Q—This is your book isn't it? A—Yes.

Q—You kept account of your dealings with Fisch in this book? A—Partly.

Hauptmann rubbed his hands vigorously on a handkerchief.

Q—You didn't keep the book to fool anybody did you? A—No.

Q—It is a true and accurate record? A—Yes, except some things are left out.

Q—But what is in there is accurate and correct? A—Yes.

Q—If the book says \$12,000 of your stocks, it is incorrect? A—Yes.

Q—It should read \$9500 of your stocks? A—Yes.

Q—When you wrote to Fisch's family after his death, did you tell them you had sold his stocks for him? A—No.

Q—He had only a 20 per cent interest in stocks, didn't he? A—Oh, no.

Q—When did you and Fisch start your partnership in which each of you was to put up \$17,500? A—October, 1933.

## BOUGHT IN OWN NAME

Q—Everything you bought was in the name of you or Anna Schoeffler? A—Yes.

Q—He never bought anything by himself? A—No.

Q—You were Fisch's broker; you handled his money? A—Yes.

Q—After April, 1932, did you buy a canoe? A—Yes.

Q—Your wife went to Germany? A—Yes.

Q—You took a trip to Florida? A—Yes.

Q—You took a hunting trip? A—Yes.

Q—So from April, 1932, to the time when you were arrested you earned only \$200 as a carpenter? A—That's right.

Q—And your wife didn't work? A—No.

Q—Your wife was disgusted with you when you quit your job? A—No, she didn't hold it against me when I quit the job.

Q—Did she hold it against you on other times? A—I really can't remember.

Q—Why did you pass ransom bills, because you needed the money? A—I didn't need the money.

Q—You took the ransom bills when you needed gas, and you didn't want to take it out of your brokerage account? A—Yes.

Q—And whenever you needed money, you'd take a bill down and cash them? A—Yes.

Q—Before you got the ransom bills you took money you needed from the brokerage account? A—Yes.

## ORDERED TO TALK LOUDER

Q—You took the money out because you needed it? A—Yes.

Q—In other words, you didn't take the bills out just to cash them? A—No, I took them out for living.

Q—Why did you make deposits in August and September at this time when you needed money? A—It was money coming in from the Mt. Vernon bank, which was closed.

Q—Do you want to make a different answer to that question? A—No, it's the same answer.

Q—Why didn't you use the money from Mt. Vernon for living instead of using the gold? A—My wife didn't know I had money in Mt. Vernon.

"Talk a little louder," Mr. Wilentz said. "You're not getting weak, are you? Not a strong man like you?"

"Oh, no," Hauptmann replied.

Q—You wanted to start this account for your trip to Germany? A—That's right.

Q—Well, you didn't need that account to finance your trip to Germany, did you? A—Well, when we save the money little by little, you don't feel it.

Q—You had thousands of dollars in September, 1934, and you knew you had it? A—Yes.

## HE EXPECTED TROUBLE

Q—How much of this ransom money were you going to spend? A—I was going to stop after spending 12 or 15 bills.

Q—You were going to stop when you were arrested or not? A—Yes.

Q—What were you going to do with the rest of the money? A—I was going to return it to Fisch's brother.

Q—You said you were going to pass 12 or 15 bills and give the rest to Mr. Fisch's brother? A—I was going to give him \$12,000.

Hauptmann said he had expected to take out \$2000 owed him by Fisch and give the rest to avoid trouble.

"What trouble were you expecting," the attorney general kept hammering at the witness.

Q—You were afraid of trouble, so you separated your \$2000 from the rest? A—Yes.

Q—So if they found the rest, they would not find your \$2000? A—No.

Q—Did you hide the money in the garage so Fisch's brother couldn't find it? A—I was going to tell Fisch's brother about it anyway.

Q—Why did you have to hide the money? A—Because if somebody comes in they will take it.

Q—Why did you hide the money in the garage? A—I had to hide it some place.

Q—Fisch's family wrote to you and asked what he left in this country. Why did you tell them "nothing but a couple of empty trunks"? A—I wrote but no answer came.

## "YOU ARE MIXED UP"

Q—Do you know what you said here yesterday why you didn't write to Fisch? A—I said he was coming to the United States.

Q—Today you said you didn't write because he didn't answer your letter? A—Yes.

Q—When did you plan this trip to Germany? A—That was planned for a year already.

Q—A year from September 1934? A—No, a year from today.

Q—You mean you planned the trip in January, 1934? A year ago? A—Yes, that's right.

Q—You wanted to go over because your mother was 70 years old? A—Yes.

Q—You sent your mother \$50 a year? A—Yes.

Q—Now, you had \$4300 in a trunk? A—Yes.

Q—You always took some money to hide away? A—Yes.

Q—Do you remember any time from 1929 to 1933 that you didn't have cash hidden away? A—In 1933, I had none.

Q—What was that? A—It was all spent; all tied up in investments.

Q—What part of 1933 was it that you didn't have cash in the trunk? A—March or April.