

Murder of an Immigrant Sister

The Van Wyk Case

BY FRANK GIBBARD

Some of the saddest and most disturbing criminal cases involve the exploitation of a vulnerable victim. When the perpetrator is related to the victim, the crime is doubly tragic. Such was the case in 1905, when Gerritje Haast was murdered in Yuma County, Colorado.

Discovery of a Frozen Corpse

On the morning of December 31, 1905, a Dutch immigrant named Woutherje Van Wyk led her neighbors to a crude, one-room sod shack on an isolated homestead in Yuma County. The shack belonged to Mrs. Van Wyk's sister, Gerritje Haast, who lived there alone. Mrs. Van Wyk explained that she had tried to enter her sister's shack but could not get the door open. She asked the neighbors, Edwin B. Ball and his wife, to help her.

When Mrs. Ball tried the door, she had no problem opening it. Inside, she found a grim scene. Gerritje Haast lay dead on her bed, frozen. She was lying on her left side, with her arms crossed over her chest and the covers pulled over her. In the right side of her head was a bullet hole. Ms. Haast was eight months pregnant.

Mr. Ball entered the shack. From outside, Mrs. Van Wyk began calling out questions. Was there a revolver? Mr. Ball replied there was not. Was there a note? Mrs. Van Wyk accompanied this question with a gesture toward an empty can on the bedside table. When Mr. Ball searched the can, he found a manuscript inside. It read:

Have met a fellow at Parkers dam and he has left me there, and now he has been

here again and has raped me and abused me. Follow him as soon as you can and bring him to the prison. Gerritje Haast.

I do not know his name.¹

A bottle of ink, a pen, and a pen holder were lying on the bedside table. Although several other containers of liquid in the shack were frozen solid, the ink in the bottle was not frozen. A revolver was later found between the bed covers.

Ms. Haast and the Van Wyks

The Van Wyks were quick to suggest that the scene seemed to indicate a suicide. But when the authorities began investigating the death, they uncovered some disturbing facts about the Van Wyks that suggested foul play.

Ms. Haast, whom the Colorado Supreme Court later described as "an untutored, weak-minded, and immoral young woman, about 25 years of age," had arrived at the Van Wyk home near Wray in December 1903.² She'd had no money and could not speak English, so she had been entirely dependent on the Van Wyks. Soon they had her performing most of the hard labor on their ranch, dressed in a ranch hand's clothing.

In Holland, Ms. Haast had borne a child fathered by her sister's husband, Gerrit J. Van Wyk, who was decades older than his sister-in-law. On the Yuma County ranch, their intimacy continued. Witnesses described seeing Mr. Van Wyk with his arms around her waist, or her sitting in his lap. About nine months after she arrived at the ranch, Ms. Haast gave birth to her second child, presumably also fathered by Mr.

Van Wyk. Disgusted by these events, Mrs. Van Wyk told a neighbor that she "intended to get rid of" her sister.³

And there were other disturbing reports. On one occasion Mr. Van Wyk knocked Ms. Haast down with a tamping post, complaining that she had spoiled a post hole. And Mrs. Van Wyk once assaulted her sister so severely that she had to seek her neighbors' protection.

Ms. Haast's Homestead

Like many immigrants, Ms. Haast was a homesteader. She received her parcel in 1904, but she made no immediate improvements. Then, in November 1905, shortly before her death, Mr. Van Wyk and another man erected a single-room sod shack in an isolated location on the site, on the far side of a canyon where it could not be seen by her neighbors. This was the "cheerless home," as the Colorado Supreme Court called it, where she was expected to give birth to her third child.⁴

Mrs. Van Wyk escorted her sister to the newly constructed shack in December 1905 and left her there. Ms. Haast stayed just one week and then walked back to the Van Wyks' house. Mrs. Van Wyk led her back to the shack. She did not tell any of Ms. Haast's neighbors that her very pregnant, mentally challenged sister was living there.

Life Insurance and a Will

The summer before Ms. Haast sat shivering in her shack, the Van Wyks occupied themselves with other matters. They obtained \$8,000 worth of life insurance on Ms. Haast's life, with Mrs. Van Wyk as the beneficiary. Another insurance company initially declined their application, reasoning that Ms. Haast was an unwed mother of two children and that her mother had died of consumption. The Van Wyks went to the agent's office in Wray and told him they had made a mistake in using the word "consumption." This appears to have prompted the company to issue a second policy, for an additional \$10,000.⁵

In December 1905, Ms. Haast also signed a last will and testament. The will was in English, a language she could not speak or understand. It disinherited her children and left all her worldly goods to her sister, Mrs. Van Wyk.

The First Trial

Given these facts and others described at trial, the state eventually charged the Van Wyks with murdering Ms. Haast. Their alleged motive was to obtain the insurance money on her life.

The Van Wyk case generated much publicity in Colorado. Some of the coverage reflected cultural stereotypes. One pretrial article opined that Mr. Van Wyk should have been “clumping in his wooden shoes somewhere along the Holland canals [sic]” and called his wife “ox-eyed.”⁶ Though the couple were “of common quality, apparently,” the author suggested “it may be shown that behind their ignorance and stolidity, there is a cunning in the criminal craft of the type extraordinary—that they have the minds of fiends and a lust for gold that stopped short of nothing.”⁷ But the article also emphasized that the couple had seemed oddly innocent and guileless when its author spoke with them.

After the jury retired at the November 1906 trial, it deliberated for nearly 24 hours. It convicted both Mr. and Mrs. Van Wyk of murder and recommended life sentences for each of them.⁸ The Van Wyks’ demeanor at trial had been described as stolid. But they did not react stoically to this verdict. Mrs. Van Wyk collapsed, crying out repeatedly that she was innocent.⁹ Mr. Van Wyk went pale, then addressed one of the jurors as he filed out of the courtroom, saying “Shame, and you pretend to be an honest man.”¹⁰

Within a month, Mrs. Van Wyk’s attorney filed a motion for a new trial. He claimed he had new evidence that established an alibi for Mrs. Van Wyk at the time of the murder.¹¹ The trial court granted the motion.

The Second Trial

Mr. and Mrs. Van Wyk were retried in January 1907. In a feature reminiscent of the “unmelted ice cream defense” in the O. J. Simpson murder trial,¹² the parties devoted a great deal of time at trial to the significance of the unfrozen ink well found in the shack. Had it been placed there by the Van Wyks after the murder to support their theory that Ms. Haast had written the note (which, incidentally, with its rape accusation, might also deflect suspicion that Mr. Van Wyk was the father of Ms. Haast’s unborn child, and that Mrs. Van Wyk had therefore harbored a

jealous hatred for her sister)? Or had the ink simply frozen at a different rate than other liquids found in the shack? The prosecution even called an expert from the government weather bureau to testify about the maximum and minimum temperatures in Wray during the time periods in question, to show when the bottle must have been planted at the scene. The Colorado Supreme Court later dismissed this testimony as “not, perhaps, of great value.”¹³

One gruesome fact, though, may have taken some of the heat off Mrs. Van Wyk. A few days before Ms. Haast was taken to the shack where she died, Mr. Van Wyk purchased several planed boards. After her death, he asked a carpenter to make a coffin for his sister-in-law. To construct the coffin, he offered the planed boards he had bought before she died.

This time, the jury acquitted Mrs. Van Wyk. But it again convicted Mr. Van Wyk of first degree murder.¹⁴ His sentence was fixed at

life imprisonment. Mr. Van Wyk purportedly muttered, “The jury are liars” and told one of the exiting jurors, “You don’t dare to look me in the eye and say that.”¹⁵ But Mrs. Van Wyk “received the verdict with absolutely no show of emotion” suggesting that “the verdict was of little concern to her.”¹⁶ Her disengagement or even dissociation from the verdict may have been a sign of the tragic events to come.

The Appeal

Mr. Van Wyk appealed to the Colorado Supreme Court. He raised four issues: “insufficiency of the evidence,” “error in the admission and rejection of testimony,” “error in the giving and in the refusing of instructions,” and “misconduct of counsel for the people.”¹⁷

The Court had no trouble finding sufficient evidence to support Mr. Van Wyk’s conviction. After reciting the facts shown at trial, it concluded that the trial testimony, although

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circumstantial, “points with unerring certainty to the murder of the young woman by the Van Wyks.”¹⁸ The Court opined,

There was preparation for this terrible deed by insuring her life for the benefit of Mrs. Van Wyk, to the exclusion of her children; by the making of her will naming Mrs. Van Wyk as the sole legatee, to the exclusion of her children; by the gruesome act of buying lumber suitable for making a coffin; and by taking this poor creature to a place remote from theirs and leaving her in the dead of winter in a lonely cabin hidden from the view of her only neighbor, and in an unfrequented canyon where foul murder might be done unseen by human eyes. Motive was shown—a sordid motive, the basest of all motives—the lust of gold.¹⁹

The Court also rejected numerous claims of evidentiary and instructional error.²⁰ Finally, it rejected Mr. Van Wyk’s claim that the prosecution had committed misconduct with statements during his closing argument about the insurance policies. The Court noted that the prosecutor had been responding to an argument by the defense counsel, which was not included in the record on appeal.²¹ Concluding that sufficient evidence supported Mr. Van Wyk’s murder conviction and no reversible error was committed at trial, the Court affirmed his conviction.

Insanity Strikes the Family

Though Mrs. Van Wyk had been acquitted of Ms. Haast’s murder, her troubles were far from over. With her husband in prison and having no source of income, she became a ward of the state. The pressures she faced reportedly drove her insane.

Ms. Van Wyk’s starving children were soon removed from her care after she threatened them. Then, in 1910, within a year after the Supreme Court affirmed her husband’s conviction, she was confined to the state asylum in Pueblo.

A 1915 newspaper article reported that Mrs. Van Wyk remained “hopelessly insane” and her children (who may have included Ms. Haast’s children from Mr. Van Wyk) had been placed first in a state facility, then in private homes.²² The Dutch consul interviewed her and found her mind “a total blank,” except

that she remembered her children and called them by name.²³

Tragedy continued to haunt the family when in 1912 Ms. Haast’s 7-year-old daughter Gertrude, who had been sent to a facility known as the House of the Good Shepherd after her mother’s death, was herself declared “mentally imbalanced.”²⁴ She was ordered to be placed in the newly constructed “State Home for Mental Defectives,” where it was hoped she would recover.²⁵ She became the very first patient at this new facility, which later achieved notoriety as Arvada’s “Ridge Home.”²⁶

Mr. Van Wyk Seeks a Pardon

Both Mr. Van Wyk’s attorneys and the Dutch consul in St. Louis, Gerrit H. Ten Broeck, remained convinced of his innocence.²⁷ Mr. Van Wyk benefited greatly from their efforts over the years. In January 1916 his sentence was commuted from life imprisonment to 24 years and six months.²⁸ With good time credits, he would complete the sentence and be released on December 19, 1917.²⁹ But even as that date

approached, he sought what he viewed as the vindication of a full pardon. A newspaper article reported that his attorney Ten Broeck had located a new witness: Jan Scholten, who reportedly came to America with Ms. Haast and could allegedly give testimony that would clear Mr. Van Wyk.³⁰

Aftermath

It is unclear whether Mr. Van Wyk was released due to a pardon or by expiration of his sentence. But shortly after his release in 1917, both he and Mrs. Van Wyk (who apparently had also been released from the state asylum) moved to St. Louis, where he worked as a laborer in a hat factory. Mrs. Van Wyk died in St. Louis in 1948.³¹ Mr. Van Wyk survived until 1957, more than 50 years after the murder, when he died at the age of 97 or 98 in St. Louis.³² **CL**



Frank Gibbard is a staff attorney with the Tenth Circuit Court of Appeals—(303) 844-5306, frank_gibbard@ca10.uscourts.gov.

NOTES

1. *Van Wyk v. People*, 99 P. 1009 (Colo. 1909) (internal quotation marks omitted). A source indicates the “suicide note” was in Dutch, which would be consistent with reports that it was in Ms. Haast’s handwriting and that she did not speak or write English. See <http://www.cogenweb.com/yuma/photos/pioneer/Lansing/VanWyk.htm>.
2. *Id.* at 1015.
3. *Id.* at 1016.
4. *Id.*
5. See *id.*
6. “Van Wyks to Depend on Alibi,” *Wray Gazette* 1, col. 3 (Nov. 16, 1906).
7. *Id.*
8. “Van Wyks Convicted,” *Yuma Pioneer* 4, col. 5 (Nov. 30, 1906).
9. See *id.*
10. *Id.*
11. “New Trial Asked,” *Park County Bulletin* 2, col. 5 (Dec. 14, 1906).
12. See, e.g., Dawson, “Trial Run Melts O.J.’s Ice Cream Defense,” *Orlando Sentinel* (Feb. 19, 1995), <https://www.orlandosentinel.com/news/os-xpm-1995-02-19-9502180796-story.html>.
13. *Van Wyk*, 99 P. at 1012.
14. “Van Wyk Guilty,” *Erie News* (Feb. 1, 1907).
15. *Id.*
16. *Id.*

17. *Van Wyk*, 99 P. at 1011.
18. *Id.* at 1017.
19. *Id.*
20. See *id.* at 1011-14.
21. See *id.* at 1015.
22. “Efforts Being Made to Free Gerret Van Wyck,” *Wray Gazette* 1, col. 1 (Feb. 25, 1915).
23. *Id.*
24. See <http://www.cogenweb.com/yuma/photos/pioneer/Lansing/VanWyk.htm>.
25. *Id.*
26. See Larson, “Memories remain of abandoned state hospital that spawned eerie stories,” *Denver7* (Oct. 31, 2017), <https://www.thedenverchannel.com/news/local-news/memories-remain-of-abandoned-state-hospital-that-spawned-eerie-stories>.
27. “Van Wyk Seeks Full Pardon: Convicted of Killing Girl,” *Morgan Cnty. Republican* 1, col. 1 (June 15, 1917).
28. See *id.*
29. See *id.*
30. See *id.*
31. See https://www.findagrave.com/memorial/61309073/woutertje-van_wijk.
32. See https://www.findagrave.com/memorial/61308838/gerrit-jan-van_wijk.