

A Fatal Triangle That Spanned 10,000 Miles

From Manila to New York Raced Avenging Husband

By FRANK CIPRIANI

"ANNIS" was a hated name to Peter Conover Hains Jr., captain, United States army. Mention of it in a letter written in the spring of 1908 by Hains' brother, Thornton Jenkins Hains, author and adventurer, spurred the captain to quit his post in Manila and speed to New York as swiftly as Pacific steamers and transcontinental trains could carry him.

On the afternoon of Aug. 15, 1908, Captain Hains, a cold but unsettled gleam in his eyes, strolled with his brother Thornton along the grounds and dock of the Bayside Yacht club, on the western shore of Little Neck bay. Thornton made casual inquiries here and there for a Mr. Jespersen whom he wished to see about a real estate matter.

By their carriage, one could easily identify the military man of the two, although both came from illustrious military stock. Their father, a white haired, proud old man, was Gen. Peter Conover Hains Sr., retired, veteran of the Civil and Spanish wars, who won fame as a topographical engineer with the Army of the Potomac in the '60s, and who lost out only to Goethals as the Panama canal builder. Their mother was the former Virginia Jenkins, daughter of Rear Admiral Thornton A. Jenkins, Farragut's civil war chief of

"I did not irritate him," he said before dying, "and there was absolutely no reason for the shooting."

There was a reason, however—that is, in Captain Hains' mind. It was the subject of those hateful letters—an alleged clandestine love affair between the handsome Annis and Captain Hains' young wife, Claudia Hains, mother of four children.

The story provided a choice sensation for New York, hardly over the Thaw case. Newspaper writers, especially the sob sisters, did their duty most vividly. And the Hainses, including the captain's wife, were not averse to presenting their sides in the press. The captain's lawyers gave out a packet of letters written by Mrs. Hains, saying these branded her for what she was. She countered by ac-



(Tribune photo.)
Mrs. William Annis—widowed by Captain Hains' jealous rage.

cusing her husband of misconduct with officers, and revealing the fast life in army sets.

The entire story can best be told by starting at about the turn of the century. Captain Hains, educated at Annapolis but dropped from the navy because of poor sight, received an army commission during the war with Spain. Afterwards, at Winthrop Heights, Mass., he met and wooed Claudia Libby, then a high school girl 16 years of age. They were married at Fort Hamilton in April, 1900. Not long afterward they met Mr. and Mrs. Annis, and the four became friends.

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Captain Hains' duties took him to various army posts, and Mrs. Hains naturally accompanied him. The young wife was soon thrown into the activities of the army social set. In 1907 Captain Hains went to Manila, but left his wife and children home.

She wrote to him regularly, but suddenly her letters stopped. This was the time—March, 1908—that Captain Hains received another letter, this one from Thornton. It broke Captain Hains completely. It charged that Claudia was untrue, intimated the other man was Annis, and urged Captain Hains to return home immediately.

A half crazed man, the captain hurried back. He landed in San Francisco, and there received a batch of letters from his wife, which had been written regularly but for some reason had not been forwarded to him in Manila.

These missives aggravated rather than eased his troubled state. Their cumulative digest, according to later interpretations by the captain's lawyers, was that Mrs. Hains had, during her husband's absence, indulged in a fast, reckless life. Here are a few excerpts:

March 3—"I have been up town . . . bumming. Met Billy Annis. Mrs. — is crazy about him. I am afraid she has cut me out."

March 20—"Good night, dear. See what you are missing by not being with your sporty wife?"

March 22—"I had such a headache this morning . . . not a hangover either, because there was no booze last night."

March 23—"The duke of Abuzzi is to marry Miss Elkins . . . poor me, and I thought I was it." (The Hainses had once entertained the duke.)



Capt. Peter C. Hains Jr.—hated the name Annis after reading brother's letter.

April 4—"I went to the Fifth Avenue hotel to take our last drink, as it is to be torn down. I telephoned Billy, and he came over with a kid about 20. We had a bully time."

April 17—"I am about to retire after turning a few somersaults in the kitchen for Minnie." (The story of these somersaults figured in the later trials.)

In an earlier missive, Mrs. Hains told of being at the home of a "Mrs. M.", who, attired only in her robe de nuit, received a captain in her room, and "sat on the floor and drank."

These letters were strange, indeed, not only for what they might imply, but for the fact that they were addressed and concluded in most endearing terms such as "My darling husband," and "Your most loving wife." The double question could well be asked: Would a cheating wife even faintly intimate to her husband that she was cheating? Would she address him so affectionately?

At home Captain Hains quickly confronted Claudia and told her that he had heard gossip linking her name improperly with that of Annis. He had heard, for one thing, that she had been away from home a week. Mrs. Hains denied indignantly all suggestions of impropriety. True, she had been away from home a week, but she mentioned something about mountains and boats. Captain Hains wholeheartedly accepted her story, and that night even had dinner with Annis—such was his relief from doubt.

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But soon afterward, following a talk with Thornton, who had urged him, "For God's sake wake up!" he burst into his wife's room and directly charged her with infidelity. This time he wanted to know more about her week's absence from home. Where had she been? The mountains, she replied. How did she get there? By boat, she said.

The answer froze Captain Hains' blood. To the mountains, the Adirondacks, by boat? Impossible! He accused Claudia of lying. Seemingly entrapped, she pleaded she had meant a ferry. But Captain Hains hampered at this weakness in her story, and finally she broke down. She allegedly admitted then that she had spent the week not in the mountains, but in a Manhattan apartment—with Annis.

Captain Hains summoned his father, his brother, his lawyer, and in their presence induced his wife to sign a confession of infidelity, naming Annis as her seducer.

This, at least, was Captain Hains' version. Mrs. Hains had



Thornton Jenkins Hains, author, who wrote the letter that started the trouble, as he appeared on the witness stand.

another story, which she related in detail after the captain had sued for divorce. The confession, she asserted, was false; it was forced from her by threats, drugs, and whisky. She called Thornton Hains the archfiend of a plot to break up her home.

Worse yet, she accused Captain Hains of being a pervert, charged that she had caught him in the quarters of another officer, and presented a sordid picture along the lines of the exposures of the round table in Berlin where Count Eulenburg was charged with misconduct with other officers.

In copious interviews, Mrs. Hains accused her husband of introducing her into the third degree of army life—the fast social set in which women freely indulged in drinking and smoking cigarettes.

"Peter," she said, "told friends he had taken the responsibility of finishing my education, and his first start in that direction was my introduction to the seductive charm of various cocktails and the soothing effects of a ladylike cigaret. . . . It was a distinct shock to me. My husband laughed and said I would never be a sport unless I did those things."

Concerning Thornton, Mrs. Hains later said: "I can offer no explanation of the strange conduct of my husband (the divorce action and shooting) except that his mind was poisoned by his brother. For two years this man has been pursuing me. On one or two occasions he entered my room at night. I indignantly repulsed him, and he threatened to have revenge."

The captain and his brother



Mrs. Peter C. Hains—central figure of the Annis-Hains scandal.

the evidence of the defense, and to some extent even of the prosecution, was more for and against Captain Hains than Thornton, the actual defendant. Claudia's alleged confession was introduced. Her letters were introduced. And the letter telling of her somersaults for Minnie Robner, a colored maid, was amplified by the testimony of Minnie herself.

Minnie was allowed to relate what she told Captain Hains about the somersaults.

"I told him," she said, "that when he was away a week Mr. Annis came to see his wife. I told him I saw her drunk. I told him I saw Mrs. Hains and Mr. Annis come to my room. They had whisky. She knocked on my door and I was embarrassed. She said: 'O, my, you needn't get embarrassed. Mr. Annis is taking the captain's place.' Minnie paused, then added:

"It looked so, too."

Justice Crane ordered her to omit such opinionated remarks. "I told him that Mrs. Hains and Mr. Annis had been in very close quarters together," Minnie went on. Sometimes in the parlor until 2 or 3 a. m., and then they'd go to her room. Her bed—"

Justice Crane warned her again. Minnie continued:

"I told the captain I saw Mrs. Hains turn a somersault and I saw Mr. Annis smack her."

A host of other witnesses testified nominally for Thornton but actually for Captain Hains. Dozens of witnesses testified to the captain's—not Thornton's—sanity, most of them agreeing

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The grand jury promptly indicted Captain Hains and Thornton on the charge of murder. Popular feeling was pretty well split for and against them. Some sentiment existed that Thornton was the villain in the case, the man who led his brother on, and who was in the murder scheme at every step. Thornton certainly was no saint. In his youth he had killed a man, his chum, Ned Hannegan. This was on June 21, 1891, at Fortress Monroe. There seemed to be no reason for the slaying except, as the prosecuting attorney at Thornton's trial put it, Thornton's bad temper. Thornton had pleaded self-defense, however, and was acquitted.

For the Annis murder, Thornton and Captain Hains were given separate trials. The former went to trial first before Justice Frederick Crane at Flushing, in December, 1908. The prosecution's case against Thornton rested on the premise that he instigated the slaying and actually held a crowd off while his brother was shooting Annis. Thornton's story was that he held the crowd off after the slaying in an effort to protect his brother.

It is curious legal history that

the captain was insane. Thornton's best witnesses were those who swore he talked about a real estate deal with Mr. Jespersen at the Bayside Yacht club just before the shooting, upholding his contention that real estate and not murder brought him to the club that August day when Annis died. Thornton thoroughly enjoyed the proceedings, testified in his own behalf, and being a writer, experienced the unique pleasure of writing a personal day by day account of his own trial.

The state of New York demanded his death in the electric chair, but the jury on Jan. 16, 1909, acquitted him.

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This left Captain Hains, the actual slayer, to be tried, and he was brought before Justice Garrett Garretson in Flushing in April, 1909. Virtually the same testimony introduced at Thornton's trial was offered in the captain's behalf, and was not news. It differed only in the amount of expert testimony, most of it to the effect that he was suffering from impulsive insanity when he shot Annis. One of Captain Hains' best witnesses was his father, General Hains.

The general told of Claudia's confession, her pleas that she wanted to die, and then followed with a reading of the rather sensational "Dear Billy" letter, allegedly written by her but which she denounced as a forgery. This letter, written after her purported confession, warned Annis to stay away because the captain knew all. Neither in this trial nor in Thornton's did Claudia testify. Nor did Captain Hains testify.

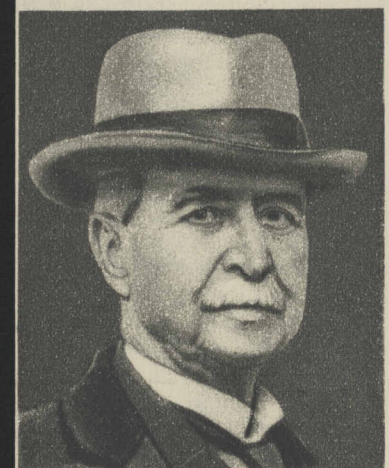
On May 11, 1909, the jury convicted Captain Hains of manslaughter. He received the verdict calmly, his shoulders squared like a soldier's, but his face terribly white. Most of the jurors felt, one said, that Annis deserved his fate, but refused to consider the unwritten law. They also refused to consider the insanity defense. Captain Hains faced a possible sentence of one year to twenty, but Justice Garretson made it eight to sixteen. Within a week the captain was on his way to Sing Sing.

Gen. Hains made superhuman efforts to win a pardon for his son, and finally obtained the signatures of ten of the eleven living jurors to appeal for one to Governor Dix. These jurors stated that after the trial they had urged the court to bestow mercy, but that the court had not done so. They stated that "the provocation which led him (Captain Hains) to commit this act (the killing) was . . . great, and the charges against him instigated by Annis were horrible and debasing to his sense of honor." Captain Hains had now been punished sufficiently, the jurors said.

Governor Dix thought so, too, granted Captain Hains a pardon, and on Oct. 3, 1911, Hains walked out of Sing Sing prison a free man.



"On Oct. 3, 1911, Hains (left) walked out of Sing Sing prison a free man." His father is at his side. (International News photo.)



(International News photo.)
Gen. Peter Conover Hains Sr.—he fought hard and successfully for his son's pardon.

staf. Their brother was Maj. John P. Hains, U. S. A.

As the brothers moved about the yacht club grounds, a catboat with a gleaming white sail came in from the bay, and some one on shore, pointing to a man in a bathing suit aboard the boat, called out the name "Annis." Captain Hains overheard. He stopped rigidly in his tracks. He glued his eyes on the approaching boat and figure of William E. Annis, handsome man about town, head of Recreation and various Burr McIntosh magazines, who was known years before because of his fine soprano voice as "Little Billy Annis, the choir boy" of Buffalo, N. Y.

As the boat rubbed against the floating dock Captain Hains sprang alongside like a panther. He slipped a pistol from his pocket, half leaned over the boat and called out shrilly, "Annis! Annis!"

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Annis stepped out from behind the white sail. Instantly Captain Hains fired. Four, five, six shots rattled from his gun with vengeful rapidity. The surprised target, Annis, toppled into the water, shot several times in the body. His friends fished him out, then with wild cries of "Lynch him!" "Get a rope!" and "Throw him into the water!" they went after Captain Hains.

But the avengers—fifteen or twenty of them—pulled up quickly. There stood Thornton Jenkins Hains, a large gun in his hand. "Stand back," he ordered. "This man is my brother and you can't hurt him. Stand back." He stood there, determined. Few of those present agreed exactly as to what took place in those several terrific seconds. In any event no one touched Captain Hains until police arrived. He and Thornton were arrested.

Annis was hurried to the nearest hospital where he identified Captain Hains as his assailant.