



Love Letters as Evidence in Court: The Case of Rhinelander Versus Rhinelander

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The case of Rhinelander Versus Rhinelander was widely publicized in the early twentieth century. The defendant Alice Rhinelander hardly suspected that her letters would be read by anyone but their addressee, let alone get examined in court. The plaintiff side tried to prove that Alice had purposefully made steps to get Leonard Kip Rhinelander to marry her, including quoting many of her hundreds of letters to him. Under the plaintiff’s interpretation, her words seemed to reveal her as scheming, lustful, threatening, cajoling, and ambitious. With the case making headlines and attracting national attention, Alice’s love letters were subject to scrutiny and interpretation. The plaintiff’s lawyer carefully constructed the case around the prevalent stereotypes of the time, playing upon certain deeply-ingrained notions related to race and gender roles. The attempt was to track Alice’s plot to ensnare her husband through her letters and create an image of her that would easily be accepted by the public (and an all-white, all-male jury), based on their expectations with respect to a woman of color. Even though her exposed letters provided ample evidence for Leonard’s lawyer to use against her, her own counselor gave just as good a retaliation, exposing Leonard as a coward for permitting the letters to get into his lawyer’s hands.

Keywords: love letters, Rhinelander, interracial marriage, miscegenation, passing, mulatto, racial identity.

Introduction

At the beginning of the twentieth century Leonard Kip Rhinelander, an upper-class white gentleman, and Alice Beatrice Jones, a working-class mulatto woman, got married under New York jurisdiction. “Scandal arose about the marriage of Alice and Leonard when a story with the title „Rhinelanders‘ Son Marries Daughter of a Colored Man“ ran in the *Standard Star* of New Rochelle on November 13, 1924” (Onwuachi-Willig, “A Beautiful Lie” 2395). Only two weeks later Leonard filed a suit for annulment based on *racial fraud*. He claimed that he had not been aware of his wife’s race when he married her and requested for the marriage to be annulled by the court: “[at] trial, [Alice’s attorney] repeatedly referred to a generally accepted belief within the white community: if Leonard knew prior to marriage that Alice was of colored blood, his marrying her despite such knowledge was an unspeakable offense” (Onwuachi-Willig, “A Beautiful Lie” 2393). Thus, two major conflicting points were to be cleared out during the trial: whether Alice was indeed of colored blood, and whether Leonard was aware of the fact before the marriage. They were both crucial to the decision of the jury, and the attorneys constructed their cases around them.

In the years prior to the marriage “[Leonard and Alice] wrote letters to each other frequently. Alice wrote a total of 426 letters to Leonard during this period. Many of the letters between Alice and Leonard eventually became evidence in the trial and revealed all of the couple’s secrets of lust, love,

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and marriage” (Onwuachi-Willig, *Our Hearts* 28). The letters would also be used to expose, explain and hopefully understand the two lovers’ personalities and motives with regard to each other. For example, *The New York Times* would publish a poem by Alice, which was quoted as “poetry with a truly negro rhythm”: “Kisses, dear, from you, can cheer me when I’m blue. Your gentle lips have always thrilled me through; I need caressing, too; There’s happiness I can’t express. In each kiss from you” (“Loved Rhinelander” 1). In another crucial letter, Leonard would make a straightforward promise to marry Alice, expressing just as much eagerness as she herself did: “But, sweetheart, it won’t remain that way always. No, *when I become of age and can do what I like*, I will never leave you and you and I can be together just as long as you want me” (Court Record 535). As *The New York Times* was later to write, the jury “declared by their verdict that the fervid love for the dark-skinned Alice Jones which characterized all of Rhinelander’s letters would have been declared even though he had known at the time that she was not white, and that whatever his doubts were before his marriage his affection was greater than the bar of race” (“Rhinelander Loses” 27).

Faced with such a conflicting setting, both the plaintiff’s and the defendant’s attorneys relied on the letters to build their narratives and create specific and opposing images of the lovers so as to convince the jury in their favor.

Historical Context

The issue of interracial marriage has troubled the American public since colonial times, as A. C. Carlson and other scholars have shown. In the past, “[w]hite America’s concern with inter-racial marriage was evidenced by the numerous ‘anti-miscegenation’ laws passed to forbid marriage between whites and people of different races. At one time or another until the 1960’s, 41 states or colonies had them” (Carlson 114). It was not until 1967 and the outcome of the case of *Loving versus Virginia*, that these laws were invalidated by the Supreme Court (see Carlson 114). Moreover, even though the state of New York did not prohibit interracial marriages, at the time 29 other states still did (see Carlson 114) and interracial marriages were far from widely accepted. Many whites were afraid that interracial marriages would destroy or, in the very least, highly damage the purity, integrity, and implicit superiority of the white race (see Wacks 170–171). *The Amsterdam News*, New York’s leading black newspaper, wrote, “Negroes, generally, look with as much disfavor upon interracial marriage as white people—possibly more” (“Rising Above Prejudice”). What is more, it was a popular belief that such marriages occurred due to the carelessness and licentious behavior of lower-class citizens of either race (see Carlson 114). Understandably so, the marriage of Alice and Leonard was highly controversial and touched upon a very sensitive issue. The very fact that the (allegedly hidden) racial identity of one of the spouses was enough ground for requesting the annulment of the marriage (which would render it legally void, effectively as if it never had happened)¹ indicates just how stringent it was upon people to define strict, or at least clearly visible, racial boundaries.

In the state of New York, the law did not identify interracial marriages as so odious to public policy that they were legally impossible; however, fraud as to a spouse’s race before marriage signaled that there had been no meeting of the minds between husband and wife. Given the importance of racial classifications and their corresponding status in society, New York courts readily accepted knowledge about a spouse’s race to be a factor so crucial to the understanding of the marital contract that fraud about it rendered the marriage voidable and thus eligible to be annulled from its start. (Onwuachi-Willig, “A Beautiful Lie” 2392–2393)

“No one questioned whether race, or rather knowledge of race, was material to the decision of marriage” (Onwuachi-Willig, *Our Hearts* 12). Racial identity was a crucial and indispensable feature of one’s personality. And yet, the very fact that Alice had the option to litigate her whiteness, and try to

¹ “Conceptually, a void marriage simply does not exist and thus is incapable of possessing marital consequences” (*Void and Voidable Marriage* 529–530).

prove in court that she was white (which she, or, rather, her attorney, chose not to)² shows just how fluid the concept of racial identity was. Essentially, it was defined not only by (more or less fluctuating) physiological markers and ancestry (if possible to prove), but also by social standing, occupation, financial status, education, circle of acquaintances, and the community's perception of the individual. According to Onwuachi-Willig, American society worked with "contradictory concepts of race as purely biological and yet also performative" (*Our Hearts* 16). As a result, even though "New York had not followed many southern states in adopting the 'one drop rule,'³ many Whites in New York agreed that any taint of colored blood removed a person from the class of white citizens" (Onwuachi-Willig, "A Beautiful Lie" 2396). Hence, there was a growing fear and indignation on the white population's part towards what came to be known as "*passing*": "blacks who passed as white" (Saks 73). That is why it is not hard to understand even from the present vantage point of a relatively more prejudice-free society why the legal union between Alice and Leonard attracted so much attention, outrage, and questioning by the public. The very fact that Alice managed to gain entrance into a wealthy white family, and legitimize her position through the institution of marriage, challenged some very deeply rooted notions of the time: what she did problematized "the boundaries between white and black, rich and poor, and the master male and the submissive female, and suggested the vulnerability of alleged white dominance" (Wacks 166).

With the case unfolding against this background, there was no easily identifiable answer to the question of Alice's racial identity and her alleged fraud with regard to it. Carlson maintains that "[a]lthough no one ever stated it directly, both sides used stereotypic notions of race"; as a result, "Alice and Leonard were not distinct individuals so much as representatives of their class" (116). Significantly, "[t]he narrative created by the plaintiffs had a great deal of currency in the culture of the 1920s" (Carlson 116), demonstrating the depth of racial prejudice among whites at the time. Alice and Leonard's pre-marriage correspondence was a crucial piece of evidence that both parties had to rely upon. Both attorneys quoted and interpreted a number of letters in the courtroom, specifically chosen and carefully presented to advance their respective claims.

Analysis of the Case

A) The Plaintiff's and Defendant's Opening Statements

Former judge Isaac N. Mills, representing Leonard, and assistant district attorney Lee Parsons Davis, representing Alice, constructed two clashing images of the lovers, largely based on evidence from their letters.

From the very outset, Mills stated that his strategy would be to expose Alice and her family, thus undermining her reputation. In order to do that, he used the hundreds of letters Alice and Leonard had exchanged, which Leonard had given to him. He specifically focused on their illicit affair before the marriage and their private feelings, openly revealed in their letters (see Onwuachi-Willig, *Our Hearts* 36). Mills also repeatedly emphasized Alice's "plot" to lure Leonard into marriage, which he saw in her letters. He demonstrated that her letters were more aggressive and sexually explicit, which positioned Alice as the seductress and corresponded to the prevalent public expectations of a woman of color (see Onwuachi-Willig, *Our Hearts* 71). Mills even quoted a letter during his opening, in order to prepare the jurors and set the stage for his subsequent deliberate presentation of Alice as "the older and more experienced, colored woman" (Onwuachi-Willig, *Our Hearts* 42) and Leonard as a "tongue-tied, diffident ... boy, upon whom no woman ever smiled before" (Trial Transcript 1096). Alice wrote:

Listen, Leonard, I have had some sweethearts but I have not loved them like I have taken to you so. I have never let a fellow love and kiss me the way you do, Leonard, because you make me feel so happy, and lovable towards you dear. But, would it be awful if you had me, myself alone[?] What you would not do to me I can imagine. (Trial Transcript 1096)

² See Onwuachi-Willig, *Our Hearts* 45.

³ The "one-drop" rule "marks a person as racially 'other' no matter how small the fraction of 'blood' he or she has inherited from a nonwhite group" (Elliott 611).

It was clear from the outset that “Mills intended to invoke an image of *reversed racial and societal roles between Alice and Leonard* [my emphasis]” (Onwuachi-Willig, “A Beautiful Lie” 2393). He was well aware that the odds were in his favor when implementing such a tactic.

In his opening statement, Davis vowed to fight back against Mills’ strategy and protect his client (Onwuachi-Willig, *Our Hearts* 37). Then, to the utter surprise of everyone, he conceded to Alice’s having colored blood, and with that as an underpinning, retaliated against Mills’ rhetoric. He did so not only to mock Leonard for not having recognized Alice’s racial identity, but also to portray the Rhinelanders as “ruthless, hypocritical, and heartless” (see Onwuachi-Willig, *Our Hearts* 45). Most important of all, Davis intimated that Leonard knew quite well what he was doing when he was pursuing Alice, even within her own home and, more so, when he was writing her letters requesting that she remain true to him (Onwuachi-Willig, *Our Hearts* 48). The Trial Transcript states:

From [the time Leonard met Alice] Leonard Rhinelander began to make love to his now wife Alice, and there was hardly a night passed, gentlemen, we will show you, that this brain-stormed Rhinelander was not accepting the hospitality of the humble home of Mr. and Mrs. Jones and there carrying on his courtship. . . . He was just as sane, and I will show it to you by his letters, just as sane and knew what he was doing as any man who is in love. (1121–22)

Davis showed that he understood the position that Alice was in, and that even if there was plenty of evidence against her, he could still turn the tables by using the letters that Leonard had so disrespectfully provided for reading.

B) The Plaintiff’s Presentation and Analysis of Alice’s Letters

Mills aimed to prove that Alice made a conscious effort to take advantage of and win over Leonard, and ultimately, he was tricked into marriage by a more experienced woman. He put special focus on Alice’s language, which was full of grammatical and spelling mistakes, her lies to Leonard in which he saw a deliberate ploy, even though they appeared to be innocent, white lies, her numerous attempts to make Leonard jealous, her repetitive mentioning of their rendezvous, her sharing with him intimate details of her past, and, most importantly, her pushing for marriage and commitment.

To begin with, Mills pointed out the fact that Alice’s letters abounded in spelling and grammatical mistakes. According to him, it only served to reinforce the perception of difference between her and Leonard, and the understanding that ultimately she did not belong with him and his class. If Leonard was granted the annulment, he would be freed and relieved from a marriage party that was unsuitable for him (see Onwuachi-Willig, *Our Hearts* 52).

Mills also claimed to have deduced Alice’s plan from her correspondence. He began by citing several letters in which he perceived Alice’s endeavor to make Leonard jealous. He started with a letter, dated January 2, 1922:

Now Lenard, on the level, I will say dear, you have been lovely to me, But when it comes to give Edward back his ring, I think dear, that I should not. Because he is very fond of me, which I no, and I also no that you hold the same of me. You want me, as you say, and you do not want me to go about with others. But Lenard, if you want me to keep steady company with you, I love you enough to be true to you dear, But you will after give me a ring, a right one like, what Ed gave me, And if you do, you will never hear any more about any man. (Trial Transcript 231)

In many letters she mentioned other men, such as the following examples: “You will after to try and come home or I will after fall back on Ed, which I do not want to do, but darling its terrible for me” (Trial Transcript 260). “And all of the boys seems to like me. I could have a date every night of the week. But I do not wait, because I have dear Leonard. I love him best” (Trial Transcript 313).

Mills delivered a well-calculated blow by quoting a letter in which Alice admitted to having been with another man before Leonard. The plaintiff’s interpretation of the letter as Alice neatly fitting inside

the racial stereotype of a colored woman incapable of fidelity entirely concealed Alice's frankness (see Carlson 117). As Carlson remarks, "[e]ven the newspaper reports that admitted Alice sounded sincerely in love did not defend her from charges against her morals" (117). Apart from that, Mills also tried to discredit Alice by proving that she purposefully misled Leonard by claiming to have met a man she actually had not. Mills quoted a letter from August 4, 1922, where she hinted that she had flirted with Al Jolson, a famous blackface performer of the 1920s, at the club resort Paul Smith's that day, even though she had never interacted with the actor (see Onwuachi-Willig, *Our Hearts* 52).

"On top of introducing evidence that exposed Alice's 'jealousy games' with Leonard" (Onwuachi-Willig, *Our Hearts* 54), Mills also quoted a number of letters in which Alice made use of seduction tactics in order to gain Leonard's commitment. These included a letter from May 19, 1922, in which, among many others, she refers to their having stayed at the Hotel "Marie Antoinette," and wishes to repeat the experience (see Trial Transcript 216).

As the last part of his planned use of correspondence, Mills displayed letters from Alice that demonstrated her persistent efforts to make Leonard marry her. For example, using a letter that was written on May 31, 1922, "Mills worked to show how Alice allegedly worked her magic to obtain control over Leonard" (Onwuachi-Willig, *Our Hearts* 54). In this letter, Alice wrote the following:

And I do hope you are going to reward me for it in making you happy. . . . I pray and hope every night I wished Len, you was my husband, what things I would tell you, and make you happy, but I do not want to tell you yet because, I do not own you yet. . . . I often wish you and I was down at Antoinette again, but I am afraid, we will never see it any more. I do not want to go to a hotel any more what we should have Len, our own little house and we could go up whenever we wanted. (Trial Transcript 192–193)

Then Mills quoted another letter, dated September 22, 1922, in which Alice openly speaks of what it would be like for them to be married, and stating outright that she did not intend to wait longer but would marry somebody else (see Trial Transcript 317–319). With the letters in Mills' hands, what could easily be interpreted as an expression of love and private passions was presented as carefully calculated steps towards a narrowly materialistic goal. What is more, Mills offered a letter, where Alice speaks of an acquaintance of hers, whom she had misled about her race: "[h]e calls me Spanish kid [and] doesn't believe that my people is English born. I said, I was very glad, I was a little Spainard" (Trial Transcript 250). Once more, Leonard's attorney presented what an unbiased reader might perceive as Alice's innocent attempt to make Leonard jealous as deliberate and flagrant lying.

Ultimately, Mills used more than 100 letters to track down and condense for the jury what he perceived as Alice's three primary threats to Leonard: losing Alice because of someone else, losing the opportunity to be intimate with Alice (again linking her frankness about intimacy to her racial identity as a woman of color), and totally losing Alice if Leonard obeyed his father's will and didn't grant her wish for marriage. Mills had carefully examined her private letters and through them managed to create an image of Alice as scheming, lustful, threatening, cajoling, and ambitious (see Onwuachi-Willig, *Our Hearts* 54). As Carlson remarks, "[e]very word Alice wrote was framed within the racial stereotype, so that not a word could be construed as innocent" (117).

C) The Defendant's Counterargument

After Mills' presentation, Davis retaliated with his own interpretation of the evidence, representation of Alice, and portrayal of the Rhinelander family. He was truly angered by the plaintiff's exposure of private correspondence, personal information, and feelings. He viewed this as an intrusion into Alice's private feelings, which were not intended to be directed back at their author in a callous manner. As Carlson points out, "Rhinelander was also attacked for giving his wife's personal letters to his lawyers, a horrible betrayal that no red-blooded man would countenance" (119). By the standards of the time, Leonard "violat[ed] all principles of decent manliness" (Carlson 119). Thus, Davis was confident that he

could reverse the situation in Alice's favor, by reading the very same letters that his opponent had made use of. He declared in his Opening Statement:

But I will say that if they want to start throwing slime—they will be the first ones to do it—at this young girl, I will lick this boy on his own letters. If he starts calling her black, I mean in morals, and he makes it necessary, he will find that the kettle is just as black. . . . Judge Mills has taken the lid off and now, if it is to be a real fight, let the fight go on and you be square from now on. (Trial Transcript 1125, 1131)

Davis's line of argument was to prove that there was no way for Leonard not to have known that Alice had at least some colored blood. He also desired to destroy Leonard's image as an innocent, blue-blooded boy seduced by a scheming lower-class woman, which was part of Mills' case against Alice. Davis started by presenting a letter from Leonard, dated October 7, 1921, in which he was trying to suggest illicit activities only two weeks after he had met Alice for the first time:

Well, my car, I hope, will be ready by the middle of next week or perhaps sooner and then, dear, you and I can take some long rides and maybe if you are real nice to me once in a while, I will let you drive. I bet I know you are wondering what I mean by being real nice. Well, I leave that to your imagination. (Trial Transcript 467)

Then Davis went on to demonstrate "that race was as much about nonphysical markers of racial identity, such as performance, language, grammar, tone, and the use of colored doctors, as it was about skin color" (Onwuachi-Willig, *Our Hearts* 61). While this was pointed out by Mills as well, Davis chose a different perspective. He presented numerous pieces of evidence that, in his opinion, must have alerted Leonard to Alice's racial origin, as they strongly suggested so. Among those, he quoted many of her spelling and grammatical mistakes as markers of her lower-class status. For example, Alice's writing of "after" meaning "have to," "here," meaning "at this place," as "hear" and the word "know," meaning "to be acquainted with" as "no," and the misuse of the word "worst" as "waste" (see Onwuachi-Willig, *Our Hearts* 61–63). Seeing those, Leonard must have, and most probably did realize, that Alice was not as well-educated as himself, which would indicate her lower social standing.

Another argument that Davis presented was that Leonard himself was not acting in accordance with the high standards of his class. Leonard was not behaving as a gentleman insofar as his letters contained explicit suggestions for intimacy:

In fact, the letters were so racy that Justice Joseph Morschauer had all young people removed from the room. The Justice also suggested to adult women that they should leave the room, too: "I want to give every woman a chance to leave this courtroom. If I were a woman I would not want to stay in this room and hear these letters" (Ordeal 1925).

Davis quoted two particularly graphic letters, which Leonard admitted having written even before he had any intentions of marrying their addressee (see Court Record 681, 685). By quoting these letters, "Davis highlighted Leonard's consistent failures to meet the expected roles of a wealthy, white male socialite" (Onwuachi-Willig, "A Beautiful Lie" 2007) and created a very different image of the young man as someone who would disrespect a woman with explicit letters, who would try to excite and lure her without the slightest intention of marrying her. Not only was such conduct unbecoming of a gentleman of the Rhinelander name, but it was even more unbecoming given Leonard's claim that he mistook Alice for a white woman at the time. Davis demonstrated that it was Leonard who had made inappropriate suggestions, deceived Alice's family, and taken her to a hotel without intending to marry her. Ultimately, it was Leonard who violated Alice's trust by allowing his attorneys to read her private correspondence in public, much to her disgrace. (see Onwuachi-Willig, *Our Hearts* 67–70).

Conclusion

“The trial of *Rhineland v. Rhineland* was filled with gripping exchanges between counsel and witnesses and the salacious details of Alice’s and Leonard’s relationship as told through their letters” (Onwuachi-Willig, “A Beautiful Lie” 2418). What made the case so controversial and outrageous for its time was the two lovers’ correspondence which entered the public domain and was scrutinized and analyzed in court. Their marital confidentiality was breached, which effectively rendered any future reunion or reconciliation impossible, regardless of the outcome of the trial. What is more, their letters served as a powerful tool, utilized by both sides, for understanding the motives and inner drives of their authors. The letters were used as a basis for figuring out what happened before the marriage, what the spouses *wanted* to happen, and whether and how each of them achieved their goals. By carefully analyzing the letters, the attorneys tried to infer and present, before the jury, the people who stood behind the written words. Predictably enough, the letters lent themselves to quite contradicting interpretations. On one side, they were containers of private facts, but on the other, they were indispensable documents full of specific meaning, deliberate intentions, agendas, and preconceived schemes. The letters were crucial trial evidence that not only served to sway the jury’s verdict, but ultimately led to the dissolution of their authors’ marriage and influenced the subsequent course of their lives. Finally, the interpretations of the letters provided to the court and jury demonstrate the persisting racial and class bias in American culture at the time, some of which may still be prevalent now.

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