

EDMUND PEARSON

Among connoisseurs of American true-crime writing, Edmund Pearson (1880–1937) is esteemed as the dean of the genre, our national counterpart to the great Scottish crime historian William Roughead, with whom Pearson conducted extensive correspondence on “matters criminous.” A librarian by training and profession, the Harvard-educated Pearson published a number of bibliographic volumes before turning his scholarly attentions to crime. His first and best-known book, *Studies in Murder* (1924), contained his now-classic essay on the Lizzie Borden affair, a case that would command his interest for the rest of his life. The book’s commercial and critical success earned Pearson widespread praise as a “master storyteller of true stories of murder” (*The New York Times Book Review*) and an “artful social historian” (*Time*).

Four more crime books followed, collecting essays originally published in *The New Yorker*, *Vanity Fair*, and other national magazines: *Murder at Smutty Nose* (1926), *Five Murders* (1928), *Instigation of the Devil* (1930), and *More Studies in Murder* (1936). Though long out-of-print and little known to the general public, they are highly prized by true-crime devotees for their urbane style, dry wit, and wide-ranging erudition.

Hell Benders

or

The Story of a Wayside Tavern

The wholesale murderer is often the grimmest and most disagreeable character in all the list. He has, however, the power to provoke myth and legend; to fire the imagination; and to set the human mind at work constructing tales of giants and goblins. Rather prosaic persons become ecstatic in thinking about him; soon they have him

enlarged to the proportions of a monster of heroic size; a werewolf; something with which to scare generations of children.

This was perfectly illustrated in Mr. C. K. Munro's play, "At Mrs. Beam's." Two or three elderly gossips sit in a London boarding house, chilling their blood with talk about Landru, the French "Bluebeard," then supposed to be at large in Paris. It pleases them to fancy that he may have escaped and have come into their very midst, in the person of a mysterious boarder—who happens to have a Paris label on his luggage. Their conversation is something like this:

"They say that he has killed *dozens* and *dozens* of women!"

"And *eaten* them!"

"No, no; I hardly believe that; I doubt that."

"I understand that he *always* eats them."

"Well, at all events, he has killed *hundreds* of women!"

"No, my dear. Let us be just. We *must* agree to be just. Not hundreds. *Thirty-nine*. That is a better figure. Yes; we can agree, I think, on thirty-nine."

By what reasoning this lady has arrived at the figure thirty-nine, she does not say. She has, as a matter of fact, no more basis for her opinion than has the lady who prefers to deal in hundreds; but she makes her assertion with as much quiet assurance as if she had been in direct communication with the Ministry of Justice.

The wholesale murderer is of two kinds: the wandering and the stationary. Of the wanderers, Landru is the famous example of our own time; so, in a lesser degree, is the Englishman, G. J. Smith, of the "brides in the bath" case. He is far more interesting than the Frenchman, to my mind, since he invented a new way to commit murder. There is also H. H. Holmes, the American. Still living (until recently, at all events), in San Quentin prison, California, is one of the strangest and least-known of them all: J. P. Watson,* a mild-looking little man, who was believed by some persons to have married twenty-one women

*His great predecessor, Mr. Holmes, perished, at the hands of the law, in 1896. The Californian came too late to remark: "Really, my dear Holmes!"

within a space of three years, and to have slain nine of them. These figures, especially the marriages, are open to question; but the facts seem to have been bizarre enough.

Of the wholesale murderers who remain stationary and carry on their trade at home, the Edinburgh firm of Burke and Hare will suggest itself. In the neighbourhood of Laporte, Indiana, the memory will not soon perish of Mrs. Gunness and her establishment, which the newspapers invariably called the “murder farm.” The lonely farm, or better still the wayside tavern, where the solitary traveller comes but never departs—this has been a favourite subject for stories, true or fictitious, ever since stories have been told. In how many secluded places in Europe must there have existed these inns of evil repute; some of them furnished with beds which slowly sank into the cellar, where the inn keeper and his assistants, armed with “stout” cudgels, awaited the sleeping traveller. Others relied upon the bottle of drugged wine, and still others upon the midnight visit to the bedside of the hapless stranger, with the gleaming dagger, or other familiar properties. It is really a part of the folklore of every nation.

Except America. Attempts have been made to domesticate it here, but we have usually preferred brisker and less gloomy methods of assassination. Frequently they have been emigrants from the older countries who have tried to inaugurate this business on our soil; Mrs. Gunness originated, I think, in Norway, while the remarkable family whose history is the subject of this chapter, seem to have brought the idea with them from one of the other countries of northern Europe. This is a pleasant subject for patriotic reflection, and in this field rather a rare one, for when we discuss the virtuous superiority of Americans over the other nations of the earth, we are wise if we slide discreetly over those branches of sin which include murder and all forms of the taking of human life.

Late in the year 1870, there appeared in Labette County, Kansas, a family of four persons: John Bender and his wife; their son, or reputed son, John, and his sister, Kate. Almost everything about them is in

dispute, and it is often said that the younger man was really John Gebhardt, the son of Mrs. Bender by a former husband. It is also asserted that Kate Bender was not the sister, but the mistress of the younger man. Many imaginary but no authentic portraits of the quartette are in existence, and these differ as widely as do the written descriptions of them. One portrait of old Bender shows him as a stolid peasant, not remarkable in any way; another makes him a shaggy-looking monster from a nightmare. The young John is depicted as a commonplace-looking man, under thirty; but, elsewhere, it is said that his face "had the fierce malice of the hyena." Concerning the appearance of Kate Bender, the writers have done their best, with the result that you may read that she was "a large, masculine, red-faced woman"; that she was a rather good-looking red-haired girl; or that she was a siren of such extraordinary charms that one has to call on every famous beauty, from Cleopatra to Mrs. Langtry, for suitable comparisons. She was the most interesting of the family; her father was a poor second; while the elder Mrs. Bender and young John were tied for third place.

From some official descriptions of them, issued by Governor Osborn of Kansas at a time when he was dealing in facts, rather than impressionism, these details are selected: John Bender was about sixty years old, and of medium height. He was a German, and spoke little English. He was dark, spare, and wore no beard. His wife was ten years younger; heavy in frame; had blue eyes and brown hair. There was nothing distinctive about John Bender, Jr.; he was twenty-seven, of slight build, wore a light brown moustache, and spoke English with German pronunciation. Kate was "about twenty-four years of age, dark hair and eyes, good-looking, well formed, rather bold in appearance, fluent talker, speaks English with very little German accent."

Everybody agrees on two matters: old Bender was a disagreeable, surly fellow; and Kate was notably attractive to the men of that region, who found her pleasant, vivacious, and a desirable partner at the occasional country dance. She danced well, was a good horsewoman, and went to Sunday school and to "meetin's" in the schoolhouse. For a few weeks, in 1871, she condescended to act as waitress in the hotel at

Cherryvale. There was about her, however, a more marked peculiarity: she believed in spiritualism, lectured on the subject, and claimed to be a medium, with the power to call up spirits of the dead. Her lectures, in the various towns of the county, caused a mild sensation. This was the decade when lecturing women aroused great curiosity and antagonism; often they were accused, not only of the offence of seeking to vote, but also, like the Claflins, of advocating various degrees of laxity of morals. How much these lecturers actually risked by putting themselves too far in advance of their time, and how far the reports about them were the exaggerations of horrified men, determined to put down the pestiferous creatures, by foul means or fair, it is always hard to discover. The stories about Kate Bender's lectures soon pass over, I think, into legend as fantastic as the accompanying picture. The alleged fragment of one of her manuscripts, found in the house, in which she gravely advocates one or two crimes, including murder, may safely be attributed to some imaginative journalist.

A curious light is thrown upon Kate Bender's character by an advertisement which she seems to have had published in some of the newspapers in neighbouring towns, about a year before she became nationally famous. This was it:

Professor Miss Kate Bender can heal disease, cure blindness, fits and deafness. Residence, 14 miles east of Independence, on the road to Osage Mission. June 18, 1872.

Nothing at all is really known about the antecedents of the Benders. The older man described himself to a neighbour, one of the township trustees, as "a Hollander, who had lived in Germany, near the French line, where he had been a baker." The younger man said that he had been born in the United States. A neighbour, by the way, at this date, and in this part of Kansas, might mean a man whose house was not more than ten miles distant.

As in the contemporary accounts of the murder of Captain White in Salem, the aspect of Essex County, Massachusetts, becomes wildly romantic, with caves, fastnesses, and gloomy forest glades, so the

section of Kansas over which the Benders cast their spell has been described as one of dismal swamps, rugged cliffs, and other awe-inspiring bits of scenery. It was, in fact, cheerful and pleasant country: high, rolling prairie. For a short time, the Benders lived on the claim of a German named Rudolph Brockmann—a disastrous acquaintance-ship for this harmless citizen. At last, however, after one move, they built a frame house on the main road from Parsons to Cherryvale, about seven miles northeast of the latter town. This road was used by travellers from Fort Scott and the Osage Mission to the town of Independence, and southwest to the Indian Territory, now Oklahoma.

Travellers were mounted as a rule, or driving a team—a pair of horses with a wagon or carriage. Men often went armed; the traditions of frontier days were not past, although there was seldom any use for weapons. The inhabitants were, ordinarily, peaceable, kindly folk; the horror which was aroused by subsequent events shows how shocking to them were lawlessness and bloodshed. Nevertheless, there were, still living, men of the pioneer times, and men who had been through both the wars—the lesser war and the great Civil War—which had racked Kansas. These men knew how to handle a horse and a rifle, and in the face of certain crimes did not always care to wait for the slow procedure of courts, nor for the aid of the public executioner.

The Bender family moved into their new house in the spring of 1871. It was built in a small hollow at the end of a long vale in the prairie. Near by was a stream, Drum Creek, bordered with thickets of wild plum and of cottonwood trees. The house seems to have had but two rooms, divided by a heavy curtain. The Benders professed to offer entertainment for man and beast: there was a small stock of tinned food and other supplies for sale in the front room; somewhere or other in the house sleeping space was found for travellers who cared to stay all night; while their horses could be sheltered in a stable in the rear. Back of the stable and house were a garden and orchard.

For a year and a half, the Benders seem to have lived the usual life of a family in that region, and to have attracted no especial notice, favourable or otherwise. Many of their neighbours, men and women who

were living recently, remember meeting and talking with them. The two younger members of the family were often absent from their way-side tavern for days at a time; John Bender, Jr., on business unexplained, and Professor Miss Kate on her lecturing tours in Parsons, Oswego, Labette, or Chetopa, holding séances for the purpose of calling spirits from the grave; or perhaps exercising her remarkable curative powers upon persons afflicted with blindness, fits, or deafness. It is believed, however, that her most remarkable and permanent cures were effected, not during these visits, but upon patients who came for office consultation and treatment at her residence on the road to the Osage Mission.

It is impossible to determine exactly when it began to be rumoured in the country round about that there was something queer in the Bender ménage. Nearly everything about them and their performances depends upon statements never tested in a court of law; never sifted by cross-examination. Reputable persons can be found making assertions of an exactly opposite nature, and with perfect sincerity. With many people, no form of belief is held so tenaciously as that founded upon nothing more certain than local tradition and impressions acquired in childhood. They simply *know* that certain things are true because they have always been told that they were true. A number of the early adventures of travellers at the Bender house, and a number of fortunate escapes therefrom, sound much like things remembered—with additions—after the event. It is said, probably with truth, that the Benders did not begin their peculiar operations until the autumn of 1872, and that their entire career in the business which made them famous was during a period of about six months. Whatever they did during the autumn and winter of 1872 to 1873 caused no public outcry or investigation. It was not until the disappearance of Doctor York that any general suspicions were aroused.

Early in March, 1873, Dr. William H. York, who lived at Independence, was visiting his brother, Colonel A. M. York, at Fort Scott. On the ninth of the month, he left his brother, intending to ride to his own home. He was well mounted; had a good saddle; and carried a large

sum of money and a fine watch. He spent the first night at Osage Mission, and left there on the morning of March 10th. Some of his friends met him, riding alone, on the road near the Bender house. He told them that he intended to stop for his midday dinner at the Benders'. And that was the last seen of Doctor York.

A considerable time, perhaps as much as two or three weeks, elapsed, and Colonel York was making a determined search for his brother. He traced him to a point on the road a few miles east of the Benders', but could get no farther in his investigations. At Independence he heard rumours of a strange adventure which two other travellers had experienced while dining with the Benders. These men had become convinced that they were about to be attacked; they left the house hurriedly; one of them went to the stable and brought out their carriage, while the other stood with a drawn revolver to cover the retreat. They believed that they were fired at, as they drove away toward the town of Parsons.

Colonel York prevailed upon twelve men from Cherryvale and elsewhere to visit the Bender house with him. They made the call on April 24th and had interviews with all that engaging group. Old Mrs. Bender, it was true, muttered something about a crowd of men disturbing a peaceable family, but the others were affable enough. Young John, who had been sitting by the side of the road with a Bible in his hand, searching the Scriptures, said that he had often been shot at by outlaws near Drum Creek. Doctor York had had dinner with them, Miss Kate had served it; on his departure, he had been foully slain, so the young Mr. Bender believed, by these same audacious bandits. One of the party, believing in spectral aid, asked Professor Miss Kate to consult the spirits, but she replied that there were too many unbelievers present; the spirits would be reluctant to assist. She made an appointment with him for a séance, alone, five days later. The men of the family helped Colonel York and his friends drag Drum Creek and search elsewhere. Altogether, they convinced Colonel York of their desire to aid him and of their ignorance of the fate of his brother. So the Colonel and his followers departed, and came not there again for eleven days.

On May 5th, with a larger number of men, who were still of the opinion that the Benders were somewhat maculate, he returned, to find the neighbours already on the premises. On the day before, May 4th, two brothers named Toles, who lived near by, were passing the Benders' house at eight in the morning. The agonized lowing of a calf attracted them; they found the animal nearly starved in its pen, while its mother was standing outside in as great distress to nourish her child as the calf was to be fed. They turned the two together, and then knocked on the door to see if the folk inside were ill and in need of help. There was no response; they looked in at the windows—the house was empty and in confusion, as if after a hurried departure of the family. This, in fact, had taken place. The Benders left, it is believed, on the night of April 29th, five days after Colonel York's first visit. The house had therefore been abandoned for four or five days.

On Monday, May 5th, when Colonel York and his men arrived, the door had already been broken open and the place was under examination. Aside from the clothing on the floor, household utensils, and "manuscripts" of the lecturer, there was, at first, nothing remarkable to be seen. A trapdoor in the floor of the rear room was opened, and some of the men entered the cellar. This led by a tunnel toward the garden and orchard. On the floor of the cellar were damp spots which seemed to be human blood.

The search had been in progress for some length of time when Colonel York, standing in the rear of the house, and looking toward the orchard, suddenly remarked:

"Boys, I see graves yonder in the orchard!"

They laughed at him, and suggested that he had graves on the brain. Presently others were convinced that there were a number of long, narrow depressions, like graves, in the ground which old Bender had always kept freshly ploughed and harrowed. Soundings were made, with disquieting results, and presently spades were procured and one of the hollows was opened. At a depth of five feet, they discovered the naked body of a man, lying face downward. It was lifted out, and Colonel York's search for his brother was at an end.

Amid great excitement, everybody set to work, and other graves were opened, until the orchard was thoroughly excavated. They found eleven bodies: nine men, a young woman, and a little girl. The skulls of all, except that of the child, had been crushed in one or more places from a blow with some blunt instrument like a sledge hammer. The girl was found lying under the body of her father, and from the absence of any wounds and from other indications, it appeared that she had died by suffocation; had, in fact, been buried alive.

Except for the young woman and one of the men, all the victims were identified, then or later. Three of the men, at least, had been known to be carrying large sums of money. These were a man named McKigzie, and two others, William F. McCrotty and Benjamin M. Brown. The two latter had three thousand dollars between them, so the Benders carried an unknown but considerable amount of loot when they fled. The number of bodies varies in different accounts: to the eleven buried in the orchard are added, by one writer, two or three skeletons afterward discovered in or near Drum Creek and attributed to the work of the Benders. Other authorities set the figure at from seven to ten. The histories of Kansas set the number, conservatively, at seven. The names of the nine in the orchard who were identified are given, however, in more than one published account, so I think that, bearing in mind the counsel of the lady in the play to "be just," we can credit the Bender family with the murders of from ten to twelve persons.

The exact figures did not matter to the men who had carried on the search. When the body was exhumed of Doctor York—a man well liked and respected—and when the pitiful spectacle was revealed of the little girl, evidently put still living into the ground, and buried beneath the dead body of her father, there was an immediate desire for vengeance upon somebody, and the spirit of a lynching mob swept over the group.

Rudolph Brockmann, fellow countryman and neighbour of the Benders, had been helping in the search. He had worked as hard as any of the others; there was no reason to suppose that he did not share

their horror at the murders. Nothing has been alleged against his character, but the mere fact told against him that he had talked with old Bender in a foreign language. He was questioned closely as to his knowledge of the crimes, and while the group of excited men stood around him, some one—the usual fool—shouted:

“Get a rope!”

This was done: a noose was put around Brockmann’s neck, and he was pulled aloft from a tree branch or whatever was the nearest support. After a moment or two he was let down and given a chance to confess. He protested his innocence—and he probably spoke the truth. He was again hauled up and let down, until he was nearly choked to death. At last the mob were satisfied; the cooler and more reasonable men prevailed upon the others to cease; Brockmann was liberated and allowed to go home.

The process of the murders became apparent from an examination of the arrangement of the house, together with what could be learned from some of the surviving travellers who had taken a meal there. The diner sat on a bench or chair, with his back to the curtain which separated the two apartments. Sometimes he was entertained with pleasant conversation by whichever of the ladies was serving the meal. This was generally the younger one. One or two of the men of the family, attending behind the curtain with a sledge hammer, could await the moment when the guest, taking his ease, leaned back and showed the outline of his head. Or the curtain was perhaps moved cautiously forward to meet him. The first blow, sufficient to stun him, if not to kill, was then delivered through the curtain. After that, the Benders worked rapidly. The body was dragged to the rear room, robbed and stripped. The trapdoor being opened, one of the family cut the victim’s throat and tumbled him into the cellar. If this happened by day, all was then secure, until night, when the dead man could be carried to the orchard and buried. Great precautions had been taken to keep the graves from becoming noticeable; these were successful at the time of Colonel York’s first visit and nearly successful the second time.

Many stories are told of the part which Professor Miss Kate took, as

the meal was served to a traveller. Sometimes she merely charmed him with her good looks, agreeable manners, and light table-talk. If he were docile, and took his chair as she set it, closely snuggled up against the curtain, she became an especially gracious hostess. But if he disliked the arrangement of things, became captious—as we all of us do at times—about the method of seating the guests, she would begin to sulk. Her conversation lost its sparkling qualities, and the dinner was practically a failure, from the point of view of both guest and hostess. One or two suspicious persons had moved to the other side of the table, so as to face the curtain; and two especially nervous gentlemen, who perhaps heard the sound of shuffling feet, and of heavy breathing behind the arras, insisted upon eating their meal standing up—which annoyed the Benders almost to the verge of incivility.

The romantic school, among the Benders' historians, have it that Kate dealt in mesmerism and other psychic methods of allaying suspicion and putting the traveller at his ease. There seems to be little doubt that she conversed with many of them upon spiritualism, and found willing listeners. The eagerness with which these hardy pioneers listened to her revelations upon the subject, suggests the facility with which all kinds of mediums, clairvoyants, crystal gazers, and soothsayers find their clients to-day, not among poets, artists, and the so-called impractical classes, but among "hardheaded" business men.

The Benders had four or five days' start; they vanished into darkness. Vigilance committees, mounted posses of men, soon started in pursuit, but the result of their efforts is a disputed theme in Kansas. Here are some of the beliefs—all of which are stated with much assurance:

First—they got away and were never seen again.

Second—they went by wagon to Chanute, and bought tickets to some point in Texas. Leaving the train, however, at Chetopa, they started on foot through the Indian Nation (Oklahoma). They were overtaken, as they were about to cross the Grand (?) River, and all hanged. This is related by Colonel Triplett; he was present at the search of the Bender house. He discredits it, however, as probably "a mere sensational story."

Various persons, as he points out, were being arrested for months afterward, and taken to Oswego, Kansas, for identification. This would not have happened if the Benders were really dead. At Chanute (then called New Chicago) a pair of horses with a wagon were left hitched to a post, and without food or water for two days, before any one realized that they had been abandoned. This wagon was thought either to have been left by the Benders, or else by confederates, as a false clue to mislead pursuers.

Third—Captain Duke, in compiling his “Celebrated Cases,” wrote to the chiefs of police of Cherryvale and Independence, Kansas. The replies are dated 1910. Chief Kramer of Cherryvale wrote that his father-in-law lived on a farm adjoining the Bender place and helped find the bodies. When he was asked what became of the family, he would give a knowing look, and reply that they would never bother any one else. After the Vigilance Committee had gone in pursuit, old man Bender’s wagon was found by the roadside riddled with bullets. Chief Kramer adds: “You will have to guess the rest.” Chief Van Cleve of Cherryvale wrote that he had lived in that town for forty years, and it was his opinion that the Benders never escaped. Some of the Vigilance Committee were still living, in 1910; they would not talk, but would look wise when the subject was mentioned. They smiled at reports of recent discoveries of the Benders.

Fourth—the Benders were members of a large and well-organized gang of desperadoes and horse thieves, operating on the southern border of Kansas, in the Indian Territory, and in Texas. This accounts for the disappearance of all the horses and wagons which were stolen from their victims. Some of the gang helped the Benders to escape.

Fifth—still another theory is that they went by railway from Thayer to Humboldt, Kansas, a small town on a railroad which ran to Vinita, Indian Territory, and thence to Denison, Texas. They travelled on that train to the south and disappeared for ever. This theory is arrived at by the process of eliminating other possible routes. It is given, apparently as the opinion of the author, in the book by Mr. J. T. James—the most complete and rational work on this subject which I have seen.

There are undoubtedly many other theories. The chief problem is not the route by which they escaped, but the question whether they escaped at all. The posse which started in pursuit divided into four parties; many of these men were veterans of the Civil War; they were skilful, brave, and determined. One party went south toward the Indian Territory: they were seven in number, under command of a former captain in the Union Army. Another party went toward Thayer, Kansas; a third toward Cherryvale and Independence; and a fourth toward Parsons and thence to Oswego. Three of these groups returned in a few days, in the belief that the Benders had escaped. The Captain and his seven men came back from the Indian Territory saying that they had given up the chase. They instantly dropped the subject and would never talk about the Benders again. To some persons, this fact was indication that they had caught and lynched the whole family.

In favour of the theory that they were caught are the character and skill of the men who went in pursuit, the fact that no satisfactory trace of the Benders was ever found again, and the statements of the police chiefs of Cherryvale and Independence. To account for the singular and unnecessary silence about their success, it has been said that when the Benders were captured they were carrying seven thousand dollars. Their captors decided that this was prize money, and after the Benders were "laid under the ground," divided it amongst themselves. To avoid any further discussion about the ownership of this money, they agreed upon complete silence and kept their agreement.

Against the theory of the capture and in favour of the belief that the Benders got away, it may be urged, first, that they had a long start. Second, there was no reason for reticence if anybody did catch the fugitives—lynching the Benders would not have imperilled anybody's popularity. Next, in 1880, the Commissioners of Labette County offered a reward of \$500 for proof that they were taken and put to death. The reward was not claimed. Finally, there were found, as late as 1889, a number of reputable citizens, willing to take oath that they recognized two living women as Mrs. Bender and Kate. It is true that they were quite mistaken in this identification, but the fact shows that

these persons, who had known the Benders, did not believe that the whole family had been exterminated.

The Benders are, in a sense, deathless. Certainly they are immortals in Kansas, and even elsewhere. Two years ago it was surprising to note that a South African, Mr. William Bolitho*, writing in London, included in his book of essays, "Leviathan," a few pages entitled "Old Man Bender's Orchard." The account is founded on Captain Duke's narrative of the case. But the Benders made their first and only appearance in Court, by proxy, in the years 1889–90. This was at Oswego, Kansas, when, for a while, Kate and old Mrs. Bender were resurrected to the satisfaction of a certain number of people.

About 1886, there was living in McPherson, Kansas, a washerwoman named Sarah Eliza Davis, who had come thither from Michigan. One of her employers was a lady named Mrs. Frances McCann, a dreamer of dreams and a seer of visions. Mrs. McCann, in the dead vast and middle of the night, dreamed of the murder of an old man by an old woman and her daughter. Much perturbed, she laid the matter before the nearest expert, her washerwoman, Mrs. Davis. This lady expounded the dream as follows: the murder was at Windsor, Canada. The murdered man was John W. Sanford, while the murderesses were the mother and elder sister of Mrs. Davis, the gifted washerwoman. It happened when she—Mrs. Davis—was a little girl. Mrs. McCann was the daughter of the murdered man. And, to make it trebly interesting, the wife of the murdered Mr. Sanford afterward married Edward Stokes of New York, the man who shot Jim Fisk.

Mrs. McCann had long been curious about her parentage, which was mysterious. An enthusiastic traveller, she set out for Kentucky, and for the orphan asylum in which she had spent her childhood. There she learned as she had expected—that her name was Sanford. Next to Windsor, Canada, where she verified the murder of old Mr. Sanford. Then back to her home in McPherson, to dog the footsteps and

*Author, recently, of "Murder for Profit," an interesting study of wholesale murderers.

penetrate the most secret recesses of the mind of the sinister washer-woman. Mrs. McCann, not less gifted than Professor Miss Kate Bender, practised mesmeric and hypnotic rites upon Mrs. Davis; visited her while sick; played tricks on her with a magnet, and generally bedevilled her for months. One day, it came over Mrs. McCann, "like a flash," that Mrs. Davis and her mother were really the Bender women.

Now there is only one infallible way to get information, and that is to have it come over you like a flash. Once that happens, you need fear neither powers nor principalities; your knowledge is founded on a rock. She set traps, and one day, when Mrs. Davis's hands were deep in the suds, asked her suddenly how many there were in the Bender family. Said Mrs. Davis:

"Well, let me see. There was Mother——"

Then she stopped, and throwing up her hands, cried out:

"Now you have my secret! I have told you all."

Not long afterward, Mrs. Davis, with her two little children, moved back to Michigan. Here she was speedily followed by the sleuth hound, Mrs. McCann, bent on bringing the whole detestable gang to justice. She found Mrs. Davis's mother, Mrs. Almira Griffith, living at Niles, Michigan. Mrs. McCann shadowed them by day, and often spent the whole night in outbuildings upon the premises to keep watch upon them, and prevent their escape. Consultations with the local police, who said these women had a bad reputation; correspondence with the authorities in Labette County, Kansas; communications between the Kansas and the Michigan officials; an investigation by an agent; legal formalities and delays; and, in November, 1889, sixteen years after the flight of the Benders, Mrs. Davis and Mrs. Griffith were brought into Court at Oswego, charged with the murder of Doctor York. The only question upon which the Court had to pass was the identification of these women with the Benders. Mrs. Davis was charged with being Kate Bender. A number of the county officials were really convinced that they had the two female Benders in custody.

The State called eleven and the defence called six witnesses. Some of the State witnesses positively asserted that these were Mrs. Bender

and Kate; others showed great hesitation about it. One of the witnesses for the State was Mr. Rudolph Brockmann, who must have had unpleasant recollections of the family. His career, since the day he had been half hanged, had been respectable, and his testimony sounds like that of a truthful man. He made a bad witness for the State, as he was fairly certain that these were not his former neighbours. Mrs. Davis and Mrs. Griffith both testified, and disclosed some incidents in careers which were checkered with matrimonial and extramatrimonial adventures and not free from collisions with the law. There must, however, have been some resemblance between these wretched women and the Benders, for after hearing arguments on both sides, the three justices decided that there was sufficient cause to hold them for trial before the higher Court.

They had been defended by Mr. J. T. James, and by a Judge Webb, who would appear to be one of the travelers who left their dinners uneaten and departed in haste from the Bender house at about the time of the murder of Doctor York. These attorneys had great difficulty in getting any help from their clients, as the past which they could disclose was sufficiently dubious to make the ladies very reticent. During the interval after the first hearing, Mr. James secured, in Michigan, such convincing affidavits as to the identity of Mrs. Griffith that the County Attorney abandoned the prosecution against both women and obtained their discharge. The reason set forth in these affidavits why Mrs. Griffith could not have engaged, as Mrs. Bender, in the slaughter of travelers in Labette County, in 1873, was that she was occupied at that time, to the exclusion of everything else, in serving a term in a prison in Detroit, on a charge of manslaughter.

Her daughter, Mrs. Davis, was described as a “colossal liar,” a notoriety seeker, with a strange taste for involving her family and herself in false accusations of crime—as if they did not have a sufficient number of real ones to answer. Probably she was determined to amuse her employer, Mrs. McCann, at all costs.

That lady, the dreamer and resolute detective, is easily the most important personage in this epilogue to the Bender story. I wish that I

could reproduce her picture here, as well as the fanciful one of Miss Bender; it deserves a place no less. While the hearing went on, and the two women from Michigan sat in the shadow of the rope, Mrs. McCann occupied a seat inside the bar, near the prosecuting attorney. She took careful notes. She was of slight figure, weighing only about ninety-five pounds. She had large, penetrating gray eyes, and a prominent chin. Her features were passive, no matter what turn the evidence was taking.

No doubt that her chin was prominent; she had more determination than a whole community of other women. She said that she was guided by intuitions, by impressions made on her mind by some mysterious influence. She had not seen her family for six months, so busy had she been in tracking down the imaginary murderesses of her imaginary father. She was sure that she was right, and would have stuck by her guns, even if every old resident and neighbour of the Benders had sworn that these women were other than what she accused them of being.

A heroic figure in a good cause, but a dreadful enemy. I am not sure that any man in Kansas would not have been safer in the clutches of Professor Miss Kate Bender. If he could not fight, or run, that person might have taken his money and his life, but he could have kept, in the grave, his good name. If, however, Mrs. McCann should have it come over her, like a flash, that he was guilty of anything whatever—of piracy on the high seas, committed within the borders of Kansas—the destruction she would visit upon him might be dreadful. She would blast his reputation and set him on the gallows—and do it all in the name of righteousness.