

THE BENDERS.

An Old Woman and Her Daughter Taken to Kansas From Michigan Charged With Being Two of the Notorious Bender Family.

SEDAIA, Mo., Nov. 1.—Deputy Sheriff L. F. Dick, of Oswego, Labette County, Kan., arrived in the city yesterday afternoon from Niles, Mich., having in charge Mrs. Almira Monroe and her daughter, Mrs. Eliza Davis, of Lansing, alleged members of the famous Bender gang of murderers and outlaws. The party remained in the city upward of three hours and departed for Oswego over the Missouri, Kansas & Texas at night.

Mrs. Frances E. McCann, of Topeka, Kan., accompanied the party. According to her story her father was murdered in the home of the Benders, and she has never believed the story that old man Bender, his wife and Kate, the daughter, had been killed in the Indian Territory by vigilantes, but for the past six or eight years she had been on the trail of the female members of the gang, and six months ago had run them down at Niles, Mich. She is positive that the right parties are under arrest, and declares that Mrs. Davis has confessed to her that the old woman is none other than Mrs. Bender. She is also positive that Mrs. Davis is Kate Bender, the most cruel and bloodthirsty of the infamous gang.

Deputy Dick is confident that the prisoners are the Benders, mother and daughter, and says that plenty of witnesses await their arrival at Labette County to identify them.

Dick says that the mother and daughter quarrel bitterly at intervals when left to themselves and each accuses the other of being responsible for the position in which they are placed at present. If these parties are convicted Mrs. McCann will get \$10,000, but it was not money she was after. She worked for revenge. Her father, John W. Sanford, was murdered by the Benders at Windsor, Can., twenty-four years ago. They fled the country and located on a farm in Labette County, Kan., where they kept their "tavern" and did their deadly work. When the Benders murdered Mr. Sanford, Mrs. McCann, his daughter, was but four years old. When she grew up and was married she settled in McPherson, Kan. Some years ago a dissolute woman came there with her husband and was taken sick at her house. She believed she was dying, and learning who Mrs. McCann was, on her supposed death bed confessed to Mrs. McCann that she helped to kill her father when Mrs. McCann was a child. While Mrs. McCann was looking up the particulars of her father's death the sick woman recovered and suddenly disappeared one night with her husband. It was several years before Mrs. McCann got a clue to her whereabouts, but she finally located her at Niles, Mich., and went there last April. When she had her plans perfected she notified the Kansas officers and presented proofs satisfactory to them that the women were the long lost Benders and a requisition was made for them. Such is the story of Mrs. McCann, who caused the arrest of these supposed Benders.

THE CRONIN TRIAL.

Strong Circumstantial Evidence Against Detective Coughlin—Sensational Scene in Court.

CHICAGO, Nov. 1.—At yesterday afternoon's session of the Cronin case the court struck out on motion of defendants that portion of McGarry's testimony in which he told O'Sullivan that the former had made an attack on Cronin's life.

John W. Sampson testified that one night in October, 1887, he met Dan Coughlin at the corner of Erie street and LaSalle avenues by appointment on suggestion of a friend of his named John C. Garrity. Coughlin there stated to him: "John, I'd like to have you meet Dr. Cronin some night and give him a d—n good slugging."

I said: "It's a serious business." Then he said: "Get another man to help you." He said Dr. Cronin was out late nights when attending political meetings, and that I could lay for him near his home. He said: "If you can get another man I'd like to meet you tomorrow night." I then crossed the street and informed a friend named Lynn, who was awaiting me there, of Coughlin's proposition. I did not meet Coughlin next night. Defendants' motion to exclude this testimony, on the ground that it was too remote, was overruled. Witness stated on cross-examination that he had been arrested two or three times by Coughlin, once on a charge of burglary and twice for vagrancy. Witness also said he was a sporting man and worked the "shell game" had served a year in the house of correction for passing counterfeit money. "How many indictments are there pending against you throughout the country?" asked Attorney Forrest. "An indictment is only an accusation," interposed the court. "The defense," said Mr. Ingham for the State, "assumes that an indictment is not even a presumption of guilt." "Yes," retorted Forrest, "but playing the 'shell game' is a felony."

Quick as a flash the witness leaned forward in his chair and hurled these words at Forrest: "But it is not murder."

It was the sensation of the day. Ladies patted their kid gloves and a suppressed cheer passed through the house. William Lynn, who was with Sampson on the night he met Coughlin, corroborated Sampson's testimony.

Matt Quay Blackballed.

PITTSBURGH, Pa., Nov. 1.—United States Senator M. S. Quay, who is also chairman of the Republican National Committee, has been blackballed by the Young Men's Republican Club of this city. Senator Quay was proposed for honorary membership, and naturally his rejection has caused no end of talk.

Mrs. Maybrick Advised.

LONDON, Oct. 31.—Treve Edgcombe, the barrister, holds that Mrs. Maybrick, serving a life sentence in prison, is entitled to an unconditional release, and advises her to apply for a writ of habeas corpus.

LECTURER ASSAULTED.

Religious Resentment Follows a Lecture at Axtell, Kan.—The Methodist Church Damaged—Arrests Made—The Military Called For.

TOPEKA, Kan., Nov. 1.—Startling and sensational news was received yesterday morning from the little town of Axtell, in Marshall County, which was to the effect that a real war had broken out there between Protestants and Catholics, and that a riot was expected to occur.

It appears that a Protestant minister and lecturer whose name and denomination are not reported, desired to give a lecture at Axtell on last Saturday night "on religious topics," and that, after considerable trouble, he secured the First Methodist Church for his purpose. He afterwards gave it out that his lecture would be devoted to exposing certain things connected with Catholicism, and by this means aroused public curiosity and resentment on the part of the Catholics.

At the appointed time he made his appearance in the edifice and began his lecture. Before he had proceeded far he was interrupted by the arrival of a crowd determined to stop him. The Catholics had organized and went to the church in a body to see that their religion was not insulted. They assaulted the lecturer, it is claimed, threw him and four of his auditors out of the windows, not stopping to open the windows, and broke up the meeting. There were several fights inside and outside the church and considerable blood was spilled, but nobody was dangerously hurt.

The next day four of the ringleaders in the riot were arrested and taken to the county jail at Marysville, where, it is understood, they still are.

The town was all excitement, business was suspended and the mayor called for the assistance of the militia.

WRECK OF A VESTIBULE.

The Santa Fe Has a Second Misfortune to Its Chicago Train.

KANSAS CITY, Mo., Nov. 1.—The bulletin board of the train dispatchers at the Union depot bore the sign yesterday morning, "Chicago, Santa Fe & California No. 3 annulled."

Soon afterward a dispatch came announcing that the vestibuled limited was derailed at a point near Carrollton and that all the passengers would be transferred to the Wabash's Chicago train and brought to this city.

A little after daybreak at a little station near Paleman, two miles east of Carrollton, a rail gave way under the Santa Fe passenger train, derailling all of the coaches except the dining and sleeping cars at the rear. The engine passed over the rail in safety. The tender was thrown half way off the track, the baggage car was thrown completely on its side across the track, the smoking car lay on its side and the chair car was almost stood on end.

Nearly every one in the smoking car was injured. An expressman in the baggage car was fatally hurt. Thomas Beck, a stock shipper living at 1499 1/2 Wyoming street, this city, was probably fatally hurt, having three of his ribs broken.

George Kirubmeyer, of 918 State Line street, was also in the smoking car. His left foot was in the iron work of a chair, and the sudden turning of the coach threw him forward over the seat, breaking his leg just above the ankle.

Mrs. C. H. Goodwin, on her way from Wisconsin to rejoin her children in Independence, Kan., was slightly bruised about the head and shoulders. Charles Newhouse, of Peoria, Ill., was cut about the neck in a bad manner by a piece of glass and his right hand was also cut badly.

The number of the injured will probably be not less than fifteen.

NOTHING IN THE WAY.

An Opinion by the Assistant Attorney-General as to the Power of the Cherokee to Relinquish Their Claim to the Outlet.

WASHINGTON, Nov. 1.—At the request of Secretary Noble an opinion has been given by Assistant Attorney-General Shields upon the question whether the Cherokee Nation can relinquish its claim to the title of lands known as the "Cherokee Outlet" without violating the Constitution of the United States of September 6, 1839, and amendment thereto adopted November 28, 1886. The opinion holds that the Nation, under authority given in the Indian Appropriation act, March 3, 1845, can relinquish to the United States all its right, claim or title in the Cherokee Outlet in accordance with the provisions of said act, that such relinquishment would not be a violation of the Constitution as amended of the Cherokee Nation, because the Constitution does not prohibit such cession to the United States, and the sale of the Outlet would only be a change in the character of the property; that if the Constitution did prohibit such action it would not have any effect, because by expressed terms of the treaties made with said Nation the Cherokees acknowledge the sovereign power of the United States, decree themselves to be under its protection, and in article 5 of the treaty of 1886, which gave the Nation the right to establish local government, it has been expressly declared that Cherokee laws shall not be inconsistent with the Constitution of the United States, and such acts of Congress as have been or may be passed for the regulation of trade and intercourse with the Indians. The Cherokee Commission will be able, under this opinion, to complete the negotiations on consent of the Cherokee Council.

PROFITS OF SMUGGLING.

An Unknown Gang Makes \$400,000 Out of Opium.

SAN FRANCISCO, Nov. 1.—It is apparent that a gang of smugglers here have for six months been making a very handsome profit out of the opium trade, and an investigation has been brought to light figures which place the loss to the Government through fraud at nearly \$400,000. It has been an open secret that smugglers are constantly working this port to avoid duty on the drug, which amounts to \$410 a box, but the extent of the loss to the Government has never before been ascertained.

THE CHEROKEE OUTLET.

Important Action by Secretary Noble—Cattlemen Must Get Out—What Chief Mayes Says.

WASHINGTON, Oct. 30.—Secretary Noble, under date of October 23, has written a long letter to General Fairchild, chairman of the Cherokee Commission, in which he virtually serves notice upon the cattlemen who have leased land from the Indians in what is known as the Cherokee Outlet, that they must vacate the lands with their property on or before the 1st of June next, this date being fixed in order that they may escape without injury or suffering to their cattle.

Speaking of the Cherokee Strip Live-Stock Association, the letter says: "This corporation is one of the ordinary kind, and like similar others which have disappeared with the loss of their assets. The assets consist in cattle in the field, chiefly. No responsibility attaches to the individuals composing the corporation, and if it did, the persons whose futures, however great they may be to-day, are liable to fluctuations attending all such ventures. Grazing on such lands does not tend, according to the common judgment, to increase in value from year to year nor benefit the land."

Comparing the amount to be paid by the Government for the lands with the rental received from the cattlemen, Secretary Noble says: "If the amount already paid in excess of appraised value for lands occupied and used be deducted the amount to be paid to the Cherokee Nation will be \$7,153,846. By this exhibit, it will be perceived, the Cherokees will derive from the United States the sum of at least \$7,000,000 after deducting payments already made, which, upon interest at 5 per cent per annum, would net them yearly quite \$350,000 to be paid by the United States Government. On the other hand, the large amount to be paid for the fifteen years commencing after the present lease by this cattle syndicate will, if completely effected, little exceed the amount to be paid by the Government, will be entirely dependent upon the prosperity of the syndicate with all the possibilities of disease and drought and cold that have so often devastated whole herds over vast sections of the country, to say nothing of the indisposition of the corporation to pay the Indians their dues if it would be at a great sacrifice, or the ability of the Indians to enforce their claims either within or without the boundaries of their outlet."

The Secretary says that the United States must be sovereign within its own territory. Its purpose is to wrong nobody and yet allow its own people to expand over the land that is theirs, and to give to the Cherokee Nation a magnificent and permanent income for lands which it already has acquired for certain purposes.

The Secretary quotes from opinions of the Supreme Court and from sections of the Revised Statutes which show that the Secretary of the Interior is authorized to summarily remove from the reservation any persons thereon without authority of law, or whose presence in the judgment of the Commissioner of Indian Affairs may be detrimental to the welfare of the Indians.

The story of the various treaties and laws with relation to the Cherokee Outlet are detailed at length up to the time of the Cherokees leasing the lands in 1883 to the Cherokee Strip Live-Stock Association. While the department did not interfere with any arrangement, the lease was never formally approved by the Commissioner of Indian Affairs, the Secretary of the Interior or the President, and the department had uniformly refused to approve any lease of these lands. After stating the action of the last Administration, declaring all leases of these lands to cattlemen null and void and ordering the latter out of the country, the Secretary says that a careful consideration of the whole subject by Assistant Attorney-General Shields led to the following conclusions:

First—That the lease of the Cherokee Outlet is unlawful. Second—That the President has authority to declare invalid any agreement or lease of the Outlet for grazing purposes made contrary to the provisions of section 2116. Third—That he may cause the removal of unauthorized persons or property from this reservation whenever their presence is, in the judgment of the Commissioner of Indian Affairs and the Secretary of the Interior, "detrimental to the race and welfare of the Indians, whether they claim to be on the reservation under a formal lease or by license or permit from the Cherokee Nation."

CHIEF MAYES WILLING.

TALIEQUAH, I. T., Oct. 30.—Chief Mayes states that, after due consideration, he has come to the conclusion that it would be best for the Cherokees to favor an immediate sale of the Strip to the Government and that he would recommend such a course in his message to the Council next Tuesday. He also stated that if the land was allowed to remain as it was now the Cherokees would lose it in the end and he would do his utmost to push the bill for its sale immediately on the opening of the Council. He thinks that the present Council will vote for the sale and its members will not need much persuasion. Ex-Chief Bushyhead, who had until recently opposed the sale, stated that he could plainly see that the time had come when they had to sell or lose the land, and, as a matter of course, they would pursue the former course.

Electric Dangers.

CINCINNATI, Oct. 30.—The guard wire of the Mount Auburn electric street railroad, which hangs above the conducting wire to prevent other wires from coming in contact with the electric current, broke, and, as it formed a circuit when resting on the charged wire with one end on the street, the current passed through it. The wire became white with heat and sparkled and flamed with the blue and white flashes of an overcharged conductor. Confusion reigned on the streets as the burning wire fell in pieces. Fortunately no one was hurt.

ABOUT TALKING SHOP.

One of the Worst and Yet Most General Habits We Have.

If there is any thing more completely at variance with good taste than to talk about one's business, to boast of his skill, to eulogize his wares, and to put his prices on dress parade in a social party or with a disinterested friend or acquaintance, we don't know what it is. In ordinary conversation outside the shop, to break in with: "You oughter have seen a coat I turned out to-day!" is not overpoweringly interesting.

To suddenly remark when discussing the theater, or politics, or the news of the day: "I've got the finest stock of imported woollens in the city," is inclined to be depressing.

When enjoying a bottle of wine with a few sartorial friends to abruptly inform them that: "I booked an order yesterday for a suit and overcoat for Major-General Blunderbuss," is not calculated to promote hilarity.

This thing of talking shop out of season and in social conversation is a nuisance, and those who do it make themselves disagreeable. They do so, as a rule, however, thoughtlessly. Better swear off and talk socially about any thing else. Mosquitoes, yellow fever, rain, bigamy, highway robbery or ballet dancers are better and more interesting subjects to discuss.—Sartorial Journal.

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