

Making Crime a Business

By George T. Pardy

True Record of the Achievement of Famous John W. Murray in Uncovering the Guilty Parties in the Blenheim Swamp Slaughter—How the Slayer Was Unearthed by the Master Sleuth.



FOUR miles from the little town of Eastwood, Ontario, Canada, there lies a dark, gloomy marsh known as Blenheim swamp. It is a desolate, lonely spot, which fallen logs and tangled thickets combine to render well-nigh impassable to the feet of the curious explorer, and at one edge there lies a pool of black, sullen water called Pine pond.

Far in the depths of this foul morass on the morning of February 21, 1890, two brothers, Joseph and George, Eldridge, while out chopping wood, stumbled over the lifeless body of a young man, half buried in the weeds and brush. In the back of the head was a round, black hole indicating where a bullet had ploughed its fatal way, and near the nape of the neck was a similar wound. Even to an unexperienced eye it was evident that the victim had been shot down from behind, perhaps without obtaining a glimpse of his cowardly assassin. The body was that of a smoothly shaven youth of refined appearance. The clothing was of excellent quality, English in style and cut, with a check caped mackintosh, and underwear also of British make. There was no clue to his identity. The name of his tailor and the label on his clothes had been cut away and the label on his brown derby had removed.

Detective John Wilson Murray of Toronto was ordered to take the case in hand and he went to view the big Blenheim swamp where the body had been found. He gazed upon the tell-tale crimson splotch where the head of the murdered man had lain, then surveyed the surrounding ground and came across a grim trail of accusing red. He followed it back a few paces and found that it ended in one great blot of gore, beyond which there was no further trace of blood. It was evident that there the shot had been fired that felled the victim. His murderer had borne the lifeless body to the denser place to hide it. On his hands and knees Murray crawled around the scene of the crime, going over the ground inch by inch. Three times he crossed and recrossed the fatal trail hoping that he might discover a bit of a label, a button, a scrap of paper—anything that might lend a clue to the history of the murdered man. At last his exertions were rewarded by the finding of a cigar holder with an amber mouthpiece, marked F. W. B., and that was all of the grim secret yielded by the dismal swamp.

Five days had elapsed since the finding of the body, but though pictures of the victim were published in all the leading Canadian papers and copies sent to England, no identification was made. The body was buried at Princeton, a few miles from Blenheim. On the sixth day a man and woman arrived at Princeton and asked to see the body, saying that they had seen the picture printed in the papers and fancied they recognized the features. They had crossed from England recently, and on the same ship was a young man who resembled strongly the picture of the deceased. The body was dug up on March 1, the lady and gentleman viewed it, and identified it as the remains of their fellow passenger.

"We think his name was Benwell," they said. "He was merely a casual acquaintance aboard ship and we knew nothing of him."

They returned to Paris, a town about ten miles from Princeton, and Murray, returning from a visit to the swamp, went directly to the hotel where they were staying.

"I am John Wilson Murray of the department of criminal investigation," said the detective, introducing himself. "You are the gentleman who has been viewing the body found in the swamp?"

"Yes," said he, "my wife and I were out at the grave and saw the body."

"You were acquainted with the young man?" queried the detective.

"Very slightly," was the response. "I just met him aboard ship."

"What was his name?" inquired Murray.

"I think it was Fred Benwell or Benswell or Benswell," replied the gentleman. "We were fellow passengers on the Britannic of the White Star line. He was on his way to London, Ontario. I last saw him at Niagara Falls. He had a good deal of luggage and left some of it."

"Will you be able to point out his baggage?" asked Murray.

"Why, yes," responded the gentleman. "I am going to the Falls to-day. We only came here because we saw the picture in the paper."

"Let me have your name, please, so that I can find you at the Falls," requested Murray.

"Reginald Birchall of London, England. I shall be pleased to help you in any way that is in my power," replied the gentleman.

"How was the young man dressed when you last saw him?" inquired the detective.

Murray was wearing a navy blue overcoat at the time, and Birchall touched the sleeve of it lightly.

"Like that," he said, "a whole suit of blue."

"Did he drink?" asked Murray.

"Yes, he used to get pretty jolly at times," asserted Birchall.

The detective shook his head gravely.

"That London, Ontario, is a bad place for a convivial chap," he said. "They'd kill a fellow there for \$5. Were you ever in this country before?"

"I have been in New York and Niagara Falls, but never in Canada," replied Birchall, and having thanked him for the information given, Murray withdrew.

On his way to the telegraph office he reviewed the conversation that had just taken place. He had already reached the conclusion that Birchall had lied to him.

"Shadow this man," the message read, "but do not arrest him unless he tries to cross the river to the United States. I will be there Sunday night."

Further investigation revealed that Mr. and Mrs. Birchall and a young man named Douglas Raymond Pelly were guests of Baldwin's boarding house at Niagara Falls, and had arrived there the day after the murder. Murray called on Pelly, who was a handsome young fellow, five feet nine inches tall, of slight build, with a small, light moustache and decided English accent. Pelly declared that he was the son of the Rev. R. P. Pelly of Walden Place, vicar of Saffron Walden, Essex, England. He was 25 years old, a graduate of Oxford, and a cousin of the beautiful Lady Pelly, who was one of the suite of Lord Lansdowne, formerly governor general of Canada. He informed Murray that he knew both the dead man, whose picture was in the papers, and Birchall.

"Benwell, Birchall, Mrs. Birchall, and I all came out from England in one party," said Pelly. "Birchall and Benwell left us for a day and Benwell never came back. I saw the picture of the dead man a few days later, and I told Birchall it was Benwell and that he ought to go and identify the body and make sure."

Murray spent several hours conversing with Pelly who was perfectly willing to tell all he knew regarding the suspect and murdered man. Among Birchall's papers, found in searching his effects, were letters corroborative of what Pelly said. The latter, with his Oxford course finished and the world before him, was looking for an opening in life, when, in December, 1889, he read an advertisement in London, England, newspapers as follows:

"Canada.—University man, having farm, wishes to meet gentleman's son to live with him and learn the business, with view to partnership; must invest £500 to extend stock; board, lodging, and five per cent. interest till partnership arranged. Address, J. R. Birchall, Primrose Club, 4 Park Place, St. James, London."

Pelly wrote to the above address, requesting further particulars. In reply he received a telegram from J. R. Birchall, stating that he would visit Walden Place, Saffron Walden, on the following Thursday. Pelly answered with a note, which was found with other letters in Birchall's effects, hoping that he would stay all night as it was a long way to come for such a short interview, and also he desired to have his father meet J. R. Birchall. On the appointed day Birchall arrived at Walden Place, and later met Pelly in London, and won over both son and father.

He pictured to them a large farm one and a half miles from Niagara Falls, Ontario, a farm with large brick houses and barns, the former heated by steam and lighted by gas and the latter by electric light, with lights placed around the farm. He told of the big and profitable business, and mentioned the fine fishing, shooting and other sports to be enjoyed on the estate. He explained that the business carried on was buying horses in the rough and grooming them to sell for profit; that the farm was used to raise horse feed; that during J. R. Birchall's absence his overseer, a Scotchman named McDonald, and several hired men looked after the farm and business; that he had a branch business at Woodstock, Ontario, and had rooms there, where he and his wife lived at times. He said a number of Englishmen lived around Niagara Falls, and that a club had been created in which the members lived in English style and had English servants. Birchall said he had organized the club. The country was an earthly paradise, with wealth to be had for simply sojourning in the land.

Completely captivated by this glowing description, on January 11, 1890, Pelly wrote from Hollington, St. Leonard-on-Sea, to J. R. Birchall, saying: "Please consider all settled. If you will have the agreement drawn up, I will sign it and forward you a

cheque for £170 at the same time. I shall look to meeting you on February first. When you get my steamer tickets would you be so kind as to forward me some steamer labels?"

At half past eight that evening Birchall returned to the Stafford house in Buffalo alone. He was in high good humor, joking and laughing pleasantly. In response to Pelly's inquiry for his companion of the morning he stated that he took Benwell to the farm and introduced him to McDonald, the overseer. Later Benwell told him that he did not like the place or the people but he had stayed at the farm when Birchall left for Buffalo. Birchall also said he had given Benwell several addresses before leaving, so that he could visit folk in the country roundabout, including Attorney Hellmuth of London, Ontario, who had been a passenger on the Britannic. Pelly began to ask too many questions, whereupon Birchall declared he was tired and went to bed. On the following day they went to Niagara Falls, taking their luggage with them. They crossed to the Canada side and stopped at Mrs. Baldwin's, Birchall arranging for rooms and board there.

Soon after their arrival at Baldwin's Birchall invited Pelly to take a walk during which the young man, who was beginning to suspect that his astute host was not playing an altogether straight game, told Birchall that he had not made good his representa-

tion. Birchall gave an evasive reply, and under pretense of showing his companion the beauties of the Niagara river, took him down an old rotten stairway that led over the cliffs to the edge of the water. At the bottom of the shaky steps there stood a stranger, the sight of whom seemed to annoy Birchall, for without lingering to admire the view he turned and retraced his steps. Returning to their rooms they saw a newspaper containing the account of the discovery of the body of a murdered man near Woodstock, and Birchall proposed that Pelly should go there and see if the remains were those of Benwell. This sinister remark aroused fresh suspicions in Pelly's mind and alarmed him to such an extent that he slipped a revolver into his pocket, determining to carry it in the future.

On the next day Birchall persuaded Pelly to go over to the American side of the river with him, under the pretense of looking after some missing baggage. It was raining and blowing hard when they started to walk back to Canada across the Suspension bridge. There were no other pedestrians in sight as they neared the center of the bridge and Birchall, halting, requested Pelly to look over the cables at the roaring torrent below.

"The view is superb," he said, as he leaned over the edge, "come and see it."

Pelly saw that it would be an easy thing to thrust an unsuspecting person over the cable into the river. His

mistrust of Birchall had increased a thousand fold and he curtly refused to move from where he was standing. Birchall turned white, looked around and stepped toward his companion. As he did so Pelly walked on. Birchall called to him sharply: "Come, walk alongside me," he said. "Your heavy overcoat will help keep the rain off me." Pelly shook his head obstinately and was about to take to his heels and run when two men came walking across the bridge. Birchall then ceased to argue with his companion and the two made their way back to Canada, keeping several paces apart. The next day Birchall, accompanied by his wife, went to Paris, Ontario, to view the body of the man whose picture had appeared in the papers and shortly after their return to the Falls the arrest followed.

Murray cabled and wrote at once to Scotland Yard, London, England, for information about Birchall, Pelly and Benwell. He was advised that J. R. Birchall was none other than the younger son of the Rev. Joseph Birchall, late well-known vicar of church kirk and rural dean of Whalley. After completing his course at Oxford, young Birchall, who had achieved a reputation for wildness during his college days, went to London. There, he eloped with Florence Stevenson, daughter of David Stevenson, for 50 years master of transportation of the London and Northwestern railroad. Birchall's favorite club at this time, November, 1888, was the Badminton club, 100 Piccadilly, W. When he made ready to leave England after his marriage, he cashed cheques for £25 at the Badminton club, and C. Stewart Sprout, secretary of the club, wrote him on January 7, 1890, when he was back in England, to send the cash without further delay.

He and his bride sailed for America in the fall of 1888. They wrote to David Stevenson from America, and early in 1889 Birchall wrote from Woodstock, Ontario, to creditors at

He verified the dates of arrival and departure at the Metropolitan hotel of the party of four, and their arrival at the Stafford house, Buffalo, on February 16. At the Stafford house he ascertained the fact that, on the day following their arrival, Pelly and Mrs. Birchall stayed at the hotel, while Birchall and Benwell were called before six o'clock and went away together. Birchall returned in the evening but Benwell never returned.

The next step was to follow the course of Birchall and Benwell after leaving the Stafford house on February 17. Conductor William H. Poole, running on the Grand Trunk railroad between Niagara Falls and Windsor, asserted that he had two passengers who got off his train at Eastwood, four miles from Blenheim swamp. Their description answered that of Birchall and Benwell. The train stopped at Eastwood at 11:14 that morning. Matthew Virtue, a bailiff of Woodstock, was on the train. As it left Eastwood he saw two young Englishmen walking away from the station, one of them wearing a cape coat. A Miss Lockhart of Blandford was on the train. A couple of seats ahead of her sat two young Englishmen. As the train approached Eastwood her attention was drawn to them by the manner in which they were talking about the land. They were admiring fields which had nothing about them to be admired. One was easy to identify by the big astrakhan cap he wore. She saw them alight at Eastwood and walk north.

Alfred Hayward and his wife saw the pair leave Eastwood station. John Crosby, a young farmer living in Blenheim township, was driving in Governor's road about noon when he saw the two young men walking towards Blenheim swamp. Miss Allie Fallon, who lived with her mother a short distance from Blenheim swamp, saw them pass the house on the road leading past the marsh. One, in a cape overcoat, walked ahead of his

companion. She had known Lord Somerset by sight the year before and thought the man walking behind was that nobleman. James Rapson, owner of a swamp adjoining Blenheim swamp, was out with his men cutting timber about one o'clock in the afternoon, when he heard two pistol shots fired in rapid succession in Blenheim swamp.

Thus Murray completed his chain of evidence to the swamp and the very hour of the murder when the assassin was alone in the swamp with his victim. The shots were fired about one o'clock, half an hour after Miss Fallon had seen the men pass. Birchall had evidently pointed out land from the car window as part of his farm, and told Benwell they would take a short cut through the woods to it. Benwell was a credulous youth and innocently entered the swamp and started up the winding path. It was an easy matter for Birchall to drop behind a moment while Benwell was pressing eagerly on anxious for a view of the farm—the farm he was never to see.

At half past two Charles Buck, a young farmer living on the road between Eastwood and Blenheim swamp, was driving home from Woodstock when, at the crossroads leading to Eastwood, a man turned the corner from the Blenheim swamp road and started for Eastwood. The man wore a fur cap, and he stopped and asked Mr. Buck the way to Gables Corners, as he wished to get to Woodstock. Buck told him he was within much

less than two miles of Eastwood and he could get to Woodstock from there as easily as from Gables Corners. The man thanked him and walked on toward Eastwood at a rapid pace.

At three o'clock Miss Alice Smith arrived at the Eastwood station to post a letter. As she was going into the station gate she came face to face with Lord Somerset, who had been in Woodstock the year before, and who had called at the home of her grandfather, John Hayward at Eastwood. Somerset wore an astrakhan cap. He came up to Miss Smith and shook hands, saying: "How do you do? Don't you remember me?" and asked after her family and grandfather. He told Miss Smith he was coming back later, and then bought a ticket for Hamilton. Miss Mary Swazie, another young lady of Eastwood, also was at the station for the three o'clock train, and saw the stranger. His trousers were turned up and his shoes were muddy. Miss Ida Cromwell of Eastwood also saw him at the station. James Hayward, an Eastwood store-keeper, saw him at the station and recognized the so-called Lord Somerset.

At 3:38 the train for Niagara Falls reached Eastwood and the stranger in the fur cap climbed aboard. George Hay, a brakeman, saw and remembered him distinctly and identified Birchall positively as the man. Other witnesses also identified him, their evidence covering Birchall's trail up to his return to the Stafford house, Buffalo, at 8:30 at night. Witnesses also identified the dead body of Benwell as that of the young man with Birchall on the train to Eastwood, and on the road to the swamp, Birchall, according to the detective's deductions, had four hours and 24 minutes in which to walk the four miles from Eastwood to the swamp, do the murder, and walk back to Eastwood. He arrived at 11:14 in the morning and departed at 3:38 in the afternoon. If he took three hours to walk the eight miles, he still had one hour and 24 minutes for the crime.

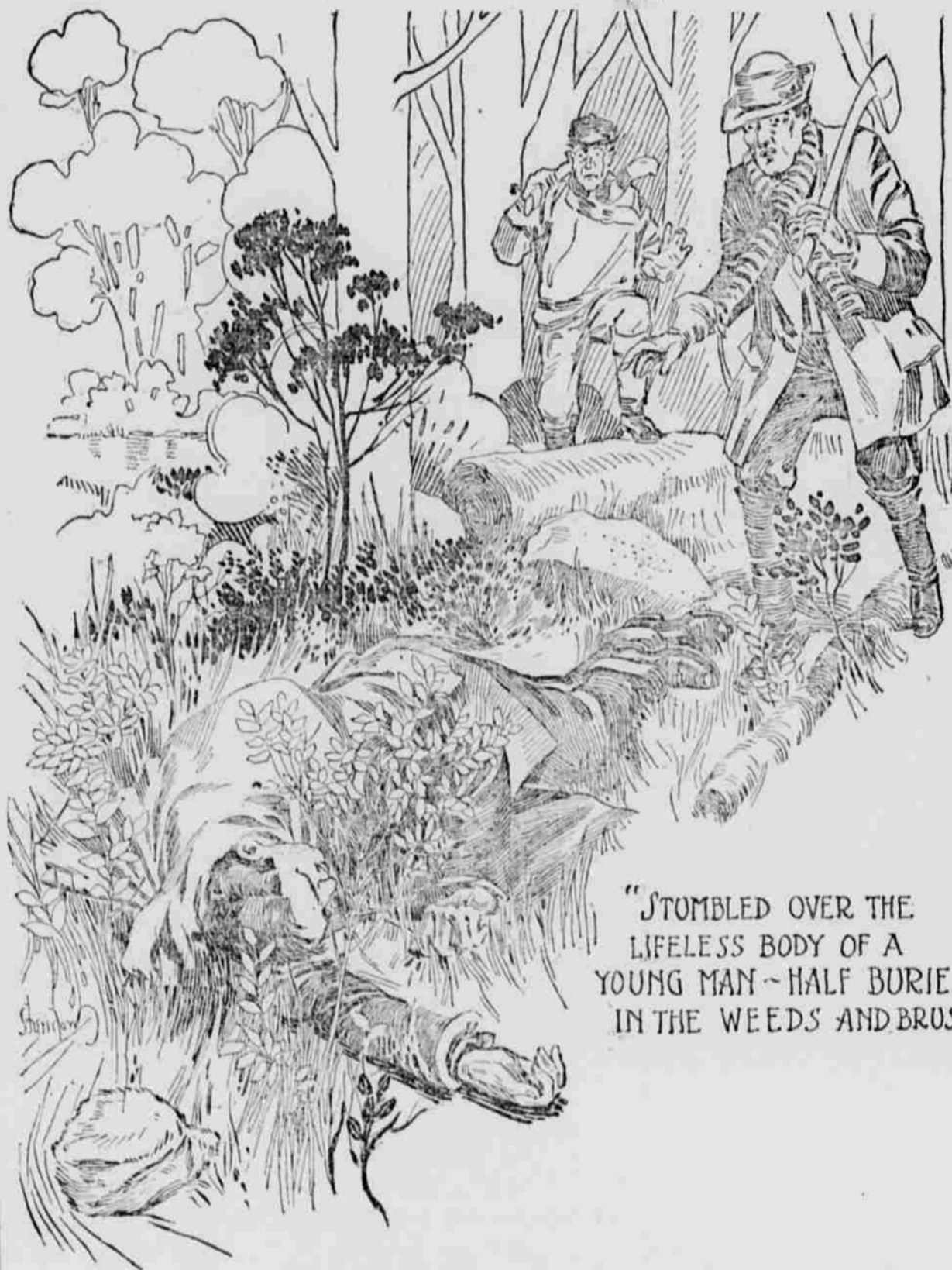
As a final proof of Birchall's guilt, Murray was advised by the London, England, police that Col. Benwell had just received from Birchall an undated letter, headed with the address of Niagara Falls. The postmark revealed its date as February 20, three days after Birchall left Benwell dead in the swamp. In this letter Birchall asked that \$500 be sent him at once, adding: "I have been talking to your son to-day about arrangements, and he is so well satisfied with the prospect here that he is ready to go immediately into the partnership, and he is writing to you to-day on the subject."

The \$500 asked for was to be the first payment on \$2,500 which Col. Benwell was to send to his son for Birchall if the farm and prospects pleased the youth. Pelly identified the body found on February 18 as Benwell's body, and therefore Birchall could not have been talking to him on February 20. Instead of writing to his father on February 20, Benwell was lying cold in death. Having found witnesses who identified Birchall as the bogus Lord Somerset, who had made frequent visits to Blenheim swamp the year before, and had learned the path to Pine Pond, the lake in the swamp that is supposed to be bottomless, Murray knew that his case was complete.

Birchall had embarked in business as a murderer. He had deliberately planned the crimes and fitted himself for the practice of his profession. While masquerading as Lord Somerset he had selected the bottomless lake known as Pine Pond for the grave that would tell no tales. The Blenheim swamp he marked as the place of slaughter. He was familiar with the emigration business, through his father-in-law's knowledge of it, and conceived the idea of taking rich young men instead of poor immigrants. He created an imaginative farm and went back to England seeking victims, but made the mistake of taking two instead of one. Even then his plans were well laid. He intended to kill Benwell in the swamp and shove Pelly into the whirlpool rapids. Neither body would be found for he would bury Benwell in the bottomless lake and Pelly would vanish in the rapids. If one of the Eldridges had not slipped in the swamp he would not have stepped upon Benwell's body, revealing the crime. Birchall had not meant to leave the body where anyone could find it. He was heading for Pine Pond when he slew Benwell and intended to drag the body there, but a recent storm had swept the swamp and choked with debris the path to the bottomless lake. With Benwell and Pelly vanished from off the face of the earth, Birchall would have collected through bogus letters to the fond parents the sum still due from his victims and then returned to England in pursuit of other prey.

Birchall's trial began at Woodstock, Ontario, on September 22, 1890. The case attracted world-wide attention and the English newspapers as well as those of France, Germany and Italy printed columns upon columns of the proceedings. Despite the brilliant and desperate fight made by the prisoner's counsel to save his client, the evidence gathered by Murray was too convincing to be set aside. Birchall was found guilty and sentenced to be hanged on November 14. He went to his doom bravely on a cold, gray morning, walked out in the prison yard unsupported and mounted the scaffold with a steady step. The drop fell, and an inert figure dangled at the end of a rope, swinging to and fro in the chill wind. Frederick Benwell had been avenged by the law.

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"STUMBLED OVER THE LIFELESS BODY OF A YOUNG MAN—HALF BURIED IN THE WEEDS AND BRUSH"