

WALLOOMSACK REVIEW

BENNINGTON MUSEUM

DIVISION OF STATE POLICE
TROOP "G", TROY, N. Y.

Wanted For Murder HARRY PINCUS



The above is a photograph of HARRY PINCUS, wanted in connection with the murder of MICHAEL KANE, a taxi driver from Bennington, Vt. KANE was taken for a ride in his own automobile on the afternoon of July 26, 1930. He was beaten over the head and then shot and a considerable amount of money and a diamond ring taken from him.

PINCUS and his automobile, a Chevrolet Coach, License No. N. Y. 6K-4692, Motor No. 2126697 was seen at the scene of the crime.

PINCUS is described as being 5' 4" in height, about 150 lbs., 34 years of age. White, Jewish descent. Brown hair, Brown eyes, stocky build.

PINCUS is somewhat of an athlete and may be found around bathing beaches, Summer resorts and swimming pools: his particular stunt is to pull a boat load of people thru the water with his hands and legs tied.

Wire or phone any information at my expense--Troy 1658-1659.

J. M. KEELEY,
Commanding Troop G

The story behind this "wanted" poster, and a documentation study of the case of the murder of Bennington taxi driver Michael Kane, are found in Warren F. Broderick's article on page 22.

The poster was issued by New York State Police and Rensselaer County sheriff's office.

\$4.95

BENNINGTON MUSEUM



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VOLUME 15 — SPRING 2015

WALLOOMSACK REVIEW

BENNINGTON MUSEUM

Volume 15
Spring 2015

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The *Walloomsack Review* is a publication of the Bennington Museum. Its purpose is to present a wide range of articles about the history and culture of Vermont and neighboring New York and Massachusetts. We invite submission of scholarly articles and of books to be reviewed. For author guidelines and submission deadlines please contact co-editor Tyler Resch at tresch@benningtonmuseum.org.

The *Walloomsack Review* is generously underwritten
by Robert and Cora May Howe

On the Front cover:

A block of the King's Crown Quilt designed by Grandma Moses many years before she was "discovered" as an artist. See Patricia L. Cummings' article on page 16.

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legislature had imposed a tax of a half cent per acre on privately owned land. Times were tough and the tax could not be collected. The debt was not paid off until 1799.

Partisan politics of the time are analyzed as author Mello explains the Anti-Federalist role of Moses Robinson and his colleague Stephen Rowe Bradley of Westminster, Vermont's first two United States senators. Both men took positions opposing George Washington, John Adams, and Alexander Hamilton – even to the extent of taking an occasional pro-slavery position. The author explores this theme with a focus on Robinson's Vermont adversaries, Federalists Nathaniel Chipman, Israel Smith, and Isaac Tichenor.

The Moses Robinson biography conveys the real sense of danger the Vermont settlers felt in view of the continual hostilities of the British raiders swooping down from Canada and the fear of invasion from New Yorkers under the leadership of the adamant Governor George Clinton. An unforgettable example was the siege of Royalton on October 16, 1780, in which a large Indian raiding party, led by a Brit, burned the village, killed four Vermont citizens, and took several prisoners.

The Vermont Historical Society deserves much credit for its support of this book, which also had the subvention of several descendants of Moses Robinson. It is especially enlightening to read it with a bookmark in the footnotes, to savor the author's skill in the selection of sources that enrich and document this story. Chief among these sources are E.B. O'Callaghan's *Documentary History of New York*, Vol. 4; Hiland Hall's *Early History of Vermont*; Benjamin H. Hall's *History of Eastern Vermont*; Robert Shalhope's *Bennington and the Green Mountain Boys*; Lucius R. Paige's history of Hardwick, Massachusetts; and the amazingly informative early volumes of *Governor & Council*, the records of pre-statehood Vermont. □

Moses Robinson and the Founding of Vermont, by Robert A. Mello, published 2014 by the Vermont Historical Society. Paperback 450 pp. \$34.95.

WALLOOMSACK REVIEW

Volume 15, Spring 2015

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Editors' Notes

This issue features three articles that should be of much interest to our readers, and all have some unusual aspects. Most unusual is the story of the 1930 murder of Prohibition-era taxi driver Michael Kane in Hoosick, New York. Yes, it is rare to have a murder mystery story in a presumed scholarly publication, but one must consider the qualifications of the author. Warren F. Broderick is emeritus archivist at the New York State Archives and his article is more than the tale of a murder, it is published as a "documentation study." The sources he mentions in this story represent the tip of an iceberg of documents, photographs, and news clippings Broderick has accumulated to produce an immense file on this case. His persistence in producing copies of official state documents, photocopies of ancient newspaper articles and photos, and even a few yellowed detective magazines from the 1930s or 1940s has been nothing short of amazing. Broderick holds a special copyright on his article, which may be made into a movie.

Some might find it strange that the Bennington Museum publishes such a candid study of its founder, John Spargo, who died 49 years ago. He was a classic curmudgeon – and what a varied life he led! On the shelves of the museum's library are found many of the pamphlets and books he wrote, on a great diversity of subject matter. Just as Spargo was known as "a man of many feuds," he was also an author with an attitude. His writing often defends or lavishes abundant praise on his subject, whether a person or an organization, and castigates adversaries whether real or imagined.

Yet Spargo's accomplishments in launching the museum must be remembered and appreciated. It required imagination, persistence, and talent to acquire an abandoned stone Catholic church building and raise the substantial funds needed to convert it to hold and exhibit the "relics" of the Battle of Bennington – and much more.

The story of the discovery and prominence of Grandma Moses as a painter is well known and continues to serve as inspiration to many. But few know of her earlier work on quilts and needlework, when she created "lambscapes" with yarn and embroidered scenes from foreign lands. She was a person of persistent artistry, whether discovered and famous or not. Her pre-discovery creations are described here by Pat Cummings, an avid quilter who has considerable experience in this field.

Three book reviews complete this issue: a new and long-awaited history of Arlington, a biography of Moses Robinson and his strong role in the founding of Vermont, and a new biography of General John Stark, the memorable soldier of the French & Indian Wars and the American Revolution.

known as the Walloomsac Inn). They were hosted by Moses Robinson in his brick homestead that once stood along the driveway of today's Mount Anthony Country Club.

Judge Mello uses an interesting technique at the start of each chapter. He summarizes the chapter using the present tense, then proceeds with the details in the past tense, as a reader might expect. A compilation of his present-tense introductions could produce a useful tip-of-the-iceberg summary of the entire Vermont story if one were so inclined. In absorbing this fine biography, I accumulated a few clusters of facts or circumstances about early Vermont that either I had not known or found greatly clarified:

Alexander Hamilton was influential, when he was a member of the New York legislature, in persuading his colleagues to drop their opposition to Vermont's admission to the Union. Hamilton faced the adamant opposition of Gov. George Clinton, who adhered to the concept that New York's eastern boundary was the west bank of the Connecticut River. John Hancock, then governor of Massachusetts, also proved a friend of Vermont.

It was Governor Haldimand of Quebec, not Ethan and Ira Allen, who initiated the scheme during the latter years of the American Revolution that Vermont might become an independent member of the British Commonwealth. Quebec offered everything Vermont wanted in terms of solid titles to the settlers' lands and defense against the belligerence of the Brits, the Indians, and also of New York. The possibility that an English colony might be located in between New York and New Hampshire really got the attention of the Continental Congress, which was busy with its Revolution against the British.

While the Allens strung Haldimand along and issued statements that sounded to Americans like treason, Ira Allen wrote and signed a secret "certificate" that was endorsed by Moses Robinson and others to prove his loyalty to the American cause in case he were seriously charged with disloyalty. Of course the Allens were not American citizens, so the question also arises as to whom they might be accused of being disloyal.

Governor Thomas Chittenden explained Vermont's situation at the time to Governor Hancock of Massachusetts. Comments author Mello: "The question that Chittenden was posing to Hancock was why Vermont should fight a war against the British to secure the independence of the United States if Vermont will then have to fight another war against the United States for its own independence" (p. 147).

It is widely known that as a price of statehood Vermont agreed in 1791 to pay New York \$30,000 to extinguish all Yorker land claims. Less well known is that such a sum was not easily raised, and that by 1794 when it was due, the payment had not been made even though the Vermont

Walloomsac River valley not far from the intersection of the Massachusetts and New York colonies. Looming in the distance to the east was a solid ridge of mountains later to be called the Greens.

Almost immediately Moses was named as the first town clerk of Bennington, a post he would hold for twenty years. Armed with a talent for leadership but without formal legal training, he would go on to become the first chief justice of the new Vermont republic and lay the foundations of the its judiciary. He would be elected the second governor and – once statehood was finally achieved in 1791 – the first United States senator. On the way he served in many other public offices such as member of the Council of Safety and the Governor’s Council. His most important and lasting role was as chief negotiator for Vermont statehood during his relations with a dubious Congress (both during the Articles of Confederation and after 1789 the Congress of the new United States) and a hostile New York legislature.

As Vermont’s U.S. senator, Robinson dealt directly and amicably with President George Washington, Treasury Secretary Alexander Hamilton, James Madison, and other Founding Fathers, even though he was not a member of their Federalist party. Moses Robinson and his Vermont senate colleague, Stephen Rowe Bradley of Westminster, were Anti-Federalists, political followers of Thomas Jefferson who called themselves Republicans. That party later became known as the Democratic Republicans and eventually as Democrats by the time Moses’s grandson, John Staniford Robinson, became Vermont governor in 1853.

The story of Vermont’s emergence first as an independent “district” and then its often tortuous evolution toward statehood is told with new vigor and solid documentation in *Moses Robinson and the Founding of Vermont*. The book’s publisher, the Vermont Historical Society, rightly calls the subject of this new biography “the most important founding father of Vermont you have never heard of.”

The author, Robert A. Mello, a South Burlington attorney who was named a Superior Court judge by Governor Jim Douglas, researched this book for most of a decade and his meticulous attention to detail shines through. During the time of his research, two chapters were published in the *Walloomsack Review* (Vol. 4, September 2010 and Vol. 5, May 2011). One dealt with the years 1790 and 1791, when Moses Robinson as governor was helping to negotiate Vermont’s admission as the 14th state. The other described the visit to Vermont and to Bennington in June of 1791 by Thomas Jefferson, then secretary of state, and James Madison, then a congressman from Virginia, who wanted to see the new state for themselves. These two future presidents stayed at Dewey’s Tavern (later

Contributors

Anthony Marro, co-editor, has contributed several articles to this journal, including “The Two Worlds of Mary Sanford” (Vol. I), “The Transformation of a State,” (Vol. VIII), and “Preserving Senator George D. Aiken’s pioneering wildflower heritage,” (Vol. X). With Eric Peterson he recently co-authored a play about Benningtonians who served in World War Two.

Patricia L. Cummings is an avid history researcher, needleworker, writer and author. She is certified as a master craftsman in quilt making by the Embroiderer’s Guild of America. For fifteen years her column about quilt history was featured in *The Quilter* magazine and she has been published in many other venues. Her latest book is *Sweetheart & Mother Pillows 1917-1945* (Atglen, Pa., Schiffer Publishing, 2011). She is a member of the American Quilt Study Group.

Warren F. Broderick is emeritus archivist at the New York State Archives and received his B.A. and M.A. degrees in American Studies from Union College. He has authored five books, edited or contributed to ten others and has written on natural history, American ceramics, art history, and on literary and local historical subjects. He contributed an essay on the artist Arthur Gibbes Burton in the Bennington Museum’s recent catalog “Three Vermont Impressionists.” Warren is working on forthcoming art exhibits at the Albany Institute of History and Art and Rensselaer County Historical Society.

Tyler Resch, co-editor of this journal and research librarian at the Bennington Museum, is writing a biweekly newspaper column that revisits books, past and present, about Vermont history.

Don Keelan is a CPA in Arlington who writes a biweekly column for the *Bennington Banner*, *Manchester Journal* and *VTDigger*. He has been involved with local and state nonprofits including the Preservation Trust of Vermont and Hildene, where he chaired the board of trustees. He is the author of *Robert Todd Lincoln’s Hildene and How it was Saved* as well as a recent novel *Conspiracy on the Hudson*.

Michael P. Gabriel is a professor of history at Kutztown University in Pennsylvania and has become a leading authority on the Battles of Bennington and Saratoga. He has written several articles for the *Walloomsack Review* including “Prisoners at the Bennington Meeting House,” (Vol. VII) and “A Forgotten Cattle Skirmish preceded the Battle of Bennington,” (Vol. V). He is the author of *We Were at the Bennington Battle*.

The socialist founder of the Bennington Museum: A framed portrait of John Spargo by Sister Mary Veronica, formerly Elizabeth McCullough Johnson.

Bennington Museum collection



John Spargo 1876-1966

**The socialist founder of the Bennington Museum:
activist, muckraker, and ‘a man of many feuds’**

Anthony Marro

John Spargo, who at the time was a well-known socialist organizer, activist, and muckraker, came to Bennington in the winter of 1909 expecting to die. He was suffering from asthma and a severe case of pneumonia that was complicated by emphysema and, he later told people, also a serious heart problem. His doctors had told him that he had only a few weeks to live.

Spargo was 33 at the time, and had been brought north from New York by train with his family. His wife, Mary Bennetts Spargo, had ridden in a passenger car with eight-year-old George and two-year-old Mary while Spargo himself was stretched out on a cot in the baggage car. It was a sad time because their younger son, also named John, had died a few weeks earlier from the same sort of lung infection that was threatening to kill Spargo. They had been brought to Bennington by Mary Sanford and Helen Stokes, two wealthy socialists who had been students of Spargo’s at the Rand School of Social Science in Manhattan and who were part of a conservative wing of the party whose members — because they seemed to spend more time discussing politics in drawing rooms than organizing workers or

was Rockwell’s assistant and took the photographs from which Rockwell painted. There were also Mead Schaeffer (1898-1980), George Hughes (1907-1990), and John Atherton (1900-1952).

And in the context of full disclosure, even this author gets some mention in Budde’s summary of Arlington writers.

What I found most interesting and relevant in reviewing the 250 years of Arlington’s history was to see how much of our past is being replayed today. For example, in 1921 one of the leading manufacturing firms, the Hale Chair Company, helped the town build its first high school in order to keep local children in town to become future producers of chairs. Previously, Arlington students had to go by train to high schools in Bennington or Manchester.

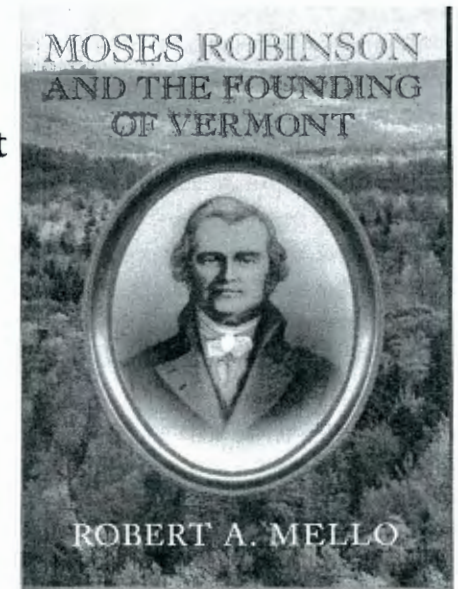
This book will be a significant source of material for those who will want to know the contribution made by those citizens who resided in this small Vermont village from the founding of our state to today. □

Arlington, Vermont: Its First 250 Years, by William P. Budde, published 2014 by the Arlington Townscape Association and printed by ShiresPress, Manchester Center. Paperback, 255 pp. \$39.95.

Moses Robinson and the Founding of Vermont

Reviewed by Tyler Resch

In the spring of 1761 Moses Robinson was one of the very first arrivals to settle in the town of Bennington. He was only 20 years old, one of several sons of Captain Samuel Robinson and his wife Marcy Leonard. The Robinson family was joined by a few others from the central Massachusetts town of Hardwick who migrated to newly opened wilderness to create a Congregationalist Separatist community. They chose to settle on a stretch of uninhabited upland that looked down on the



on the Post Road linking it to Massachusetts, to upstate Vermont, and to New York on the west, that enabled it to grow its manufacturing businesses. Growth was also aided by the town's four streams and the Battenkill. The book points out the numerous manufacturing entities that established themselves along the waterways, capturing strong mountain flows to generate power, in a town with a population of nearly 1,000 in 1791 (in 2010 there were 2,300 residents).

Only in passing does Budde describe the manufacturing plant's discharges into the pristine waterways. It is unfortunate that more of a discussion on this subject was not mentioned because it could have been a wonderful benchmark to have today as state and federal agencies research the quality of the town's streams. This is not to take away from the research Budde did in documenting his work. He details the town's population for each decade of its existence. He does not stop there but goes on to provide the names of each of Arlington's Tories and what eventually happened to them. What I found intriguing was the detail Budde provided on the products, staffing, customers, and ultimate demise of the town's manufacturing businesses.

Perhaps Budde had wished to provide a basket of topics for his readers to pick from. If so, one such choice was the migration to Arlington, nearly hundred years ago, by the arts community. Famed author and Arlington resident Dorothy Canfield Fisher (1879-1958) was and continues to be one of the town's most distinguished citizens. She spent most of her professional writing career within the town. Budde's access to the detailed and well-preserved historic records in the town's Martha Canfield Memorial Free Library's Russell Vermontiana Collection (of which he is the curator) allowed him to present a lesser-known side of Mrs. Fisher. Her generosity to individuals and to Arlington was significant.

One such recipient was the artist Rockwell Kent (1882-1972). Budde's book quotes Jamie Franklin, curator of the Bennington Museum, as noting Kent's period in Arlington was "the beginning of a rise to fame that made him almost a household name in America from the 1920s through the mid-1940s."

It was Dorothy Canfield Fisher's donation of her family's Main Street brick home to the Arlington Community Club in 1947 that stands today as a lasting reminder of the generosity of this Arlington icon.

When one writes about the history of Arlington, surely the likes of famed illustrator Norman Rockwell (1894-1978) must somehow be addressed, and Budde does this quite well. He also goes beyond Rockwell's contribution and includes the town's other famed illustrators of the period. Here he includes the accomplishments of Gene Pelham (1909-2004), who

staging protests — often were referred to as "Parlor Pinks."

Sanford and Stokes had what back then was known as a "Boston Marriage," two women living together without financial support from a man, and often — but not always — as lesbian lovers. They had met a few years before in Manhattan and would remain inseparable for the rest of their lives. They wanted the last days of their teacher and friend to be as comfortable as possible, which they could afford to arrange, and so they moved him and his family from a small apartment in Yonkers, just north of New York City, to one of Sanford's several homes in Old Bennington.

Stokes was an artist who belonged to one of the richest families in America at the time. The Berkshire "cottage" in Lenox, built by her banker father, Anson Phelps Stokes, was the largest private home in the country.

Sanford, who had Bennington roots, wasn't as wealthy as Stokes but had inherited a good deal from her father, Samuel Sanford, whose United Shirt and Collar Company in Troy had been a large and profitable enterprise. The Sanfords had summered in Bennington Centre (as Old Bennington was known then) for many years. They owned the large brick home at the corner of Monument Avenue and Bank Street that still exists, and Samuel Sanford, in addition to his main business in Troy, had been the owner of the Walloomsac Inn. When her father died in 1896, the 37-year-old Mary Sanford, a Vassar graduate who had been dragged into the unhappy role of her father's housekeeper when her mother had died fourteen years earlier, took her money and "without one regret" left Troy almost immediately for Manhattan. She eventually ended up in Greenwich Village, which even then was known for its Bohemian lifestyles and radical politics.

Samuel Sanford had left the brick house to his sister, not to Mary. But because she wanted to continue to spend her summers in Bennington, Mary Sanford used her new wealth to build the large home at the northeast corner of Monument Circle that she called "the Priory." The smaller home just to the west of it she used during winter visits because the main house was too large to heat with the furnaces of the time; and — being a tiny woman but a skilled equestrienne — the large carriage barn with six stables for her horses and room for several carriages that now serves as the offices and social center for the Old First Church. She also built the small house just south of the carriage barn as a caretaker's cottage, and she bought the Old Academy Library building and the adjacent house at what now is 34 Monument Avenue. It was there she installed Spargo and his family rent-free.

Spargo in fact would die in that house, but not until August 17, 1966, when he was 90 years old. In the fifty-seven years in between, Spargo — who made a fairly astounding recovery in the fresh air of Vermont — would make Bennington first his summer home and then his only home, and would



*John Spargo at his hearth at "Nestletown," his home in Old Bennington.
Special Collections, University of Vermont*

metamorphose from a socialist activist into a Goldwater Republican while insisting he hadn't changed his political principles at all. He also went from being a muckraker who wrote passionately and powerfully about the evils of child labor to a writer of Vermont history and folkways, focusing on such topics as Bennington pottery, covered bridges, and catamounts. And he went from being an advisor to presidents on international and labor affairs to curating a small-town museum while cultivating large flower gardens at the home he eventually bought from Mary Sanford and that his wife had named "Nestledown."

In his new life, Spargo became a frequent lecturer and prolific author, and was active in the local Masonic Lodge and Episcopal Church. He also became known in Bennington for being outspoken, feisty, and a man of many feuds. Biographer Markku Ruotsila, who is admiring of Spargo in many ways and who calls him "utterly honest and courageous," nonetheless describes him as "blunt and acerbic to a fault" and "never a popular man." In later life he could be just as fierce in his opposition to what he considered an inappropriate proposed monument in front of the Old First Church as in an earlier life he had been about criminally unsanitary conditions in which milk was being transported from farms to the cities. Another biographer and admirer, Kenneth Hilton, wrote in his Ph.D dissertation that Spargo became increasingly stubborn and irascible in old age, saying that he "always had a streak of conceit and dogmatism, and in his old age it grew worse." According to Hilton, "He feuded with museum directors, tyrannized assistants, and picked fights with the local newspaper." He managed to have many of his writings published

problem: "An Act for Making and Repairing Highways."

The law was specific. Men and boys age 16 to 60 were to spend upward of four days each year between May 15 and June 15 or between September 15 and October 15 to work on roads. Vermont's weather, planting, and harvesting must have had some influence on the dates selected. The road crew individual was to be paid 18 shillings for a day's work, the equivalent of \$12.25 in today's currency. Failing to show up could cost the delinquent worker his property, which would be sold at auction with the proceeds going to the road fund.

As controversial as having to "volunteer" for road work might have been to those souls living in Arlington during these times, nothing could have been more frightening than one's declaration of loyalty. If Vermonters of today thought that there were heated arguments when Act 60 (school funding) was debated in 1997 – which pitted poorer towns (receiving) against richer towns (sending) – it pales next to the controversy that took place in Arlington in the mid-1770s.

Arlington at that time had a fair number of citizens called Loyalists, who supported the king of England. According to author Budde many, if not all of them, were parishioners of St. James Episcopal Church – the first Episcopal church in Vermont – and supported the Church of England. Some of the town's leading citizens held this position, such as the Hawleys, the Briscos, the Canfields, and others. Later, Canfield would have a change of heart and support the rebels, also known as the Patriots.

Budde makes a decent effort in calling to our attention the dissension that existed. It is unfortunate that he did not spend more time actually depicting the mental anguish, the physical pain, and the financial hardship inflicted upon those who retained their loyalty to the king. Some idea of the tension that existed could be ascertained from articles in this journal's Autumn 2014 issue. Specifically, the reviews by Jennifer S. H. Brown and Wilson B. Brown of two books devoted to Arlington's rebel instigators, notably Ethan Allen and his "gang," the Green Mountain Boys. Intimidation was their mantra. How difficult it must have been for the Loyalists to live in Arlington only to have to flee to Canada to escape the wrath of the rebels.

Nevertheless, Budde notes that despite the fact that many of Arlington's notable citizens were forced to leave, the town did flourish in the years that followed. Much of the success had to do with the fact that Arlington was "the seat of power" for the territory between 1779 and 1787 (Vermont did not become a state until 1791) in part because the state's first governor, Thomas Chittenden, resided on Main Street in the heart of the village.

Budde's research of period maps revealed that it was the town's location,

Federalist policies. The authors note that Stark favored Democratic Republican ideals and even received letters from that party's two principal leaders, Thomas Jefferson and James Madison. Stark's famous 1809 "Live Free or Die" letter, which is included in an appendix, also warns of "a dangerous British party" residing in the country (345).

This reviewer was fortunate enough to read an early draft of this manuscript and now see the finished product. One of the book's strengths is the authors' extensive and creative use of primary sources, including Matthew Patten's (Stark's long-time neighbor) diary and Anne Hulton's loyalist letters. These not only provide insight into Stark, but also day-to-day life during this era, including tidbits of environmental history, such as fish runs on the Merrimack River, forest fires, and heavy snowfalls. Additionally, the book offers a good overview of the principal campaigns in the north of both the French and Indian and Revolutionary Wars. Overall, the Polhemus brothers have written a wide ranging and highly readable biography that has much to offer. □

Stark, The Life and Wars of John Stark: French & Indian War Ranger, Revolutionary War General; by Richard V. Polhemus and John F. Polhemus; Delmar, New York, Black Dome Press Corp., 2014, paper, 386 pp.

A new history of Arlington

Reviewed by Don Keelan

Vermont Governor Peter Shumlin recently noted that many of the state's roads and bridges are in dire need of repair. The state's problem, in addition to its decaying infrastructure, is the lack of funds to complete the necessary repairs.

Allow me to make a suggestion. The governor should read William P. Budde's new book *Arlington, Vermont: Its First 250 Years*, and specifically, page 126. Budde describes the town's history from its settlement in 1764 by transplants from Connecticut, all the way to 2014.

In literary fact, the book goes back even farther, and describes how the Ice Age millions of years ago influenced today's geology. Budde might just as well have enlightened us with a practical solution to getting our state's roads and bridges fixed. In his well-researched and documented manuscript, he notes that in 1779 the legislature adopted an act that addressed this very

in the *Bennington Banner* even while accusing its owner and editor, Frank "Ginger" Howe, of "many stupidities and absurdities." It is not known if his decision was based on yet another feud, but in 1963 he donated all his papers and his autograph collection — which contain much material about early Bennington — not to the Bennington Museum but to the Wilbur Collection of Vermontiana in the Special Collections Department of the Bailey-Howe Library at the University of Vermont.

Although he had been a major figure in the socialist movement when he first came to Bennington, by the time of his death he had been relegated to little more than a footnote in the histories that were being written. He had left the party in 1917 because of its opposition to American involvement in World War I, which he favored, and had attacked it with some vitriol in later years. Spargo's socialism had been rooted in what he said were Christian beliefs although it is not clear that — despite having been a Methodist lay minister and active in the Bennington Episcopal Church — he was particularly religious. He was a Marxist but not a Bolshevik, and an advocate of social progress through education but not through revolution. That caused him to oppose those socialists preaching violence and sabotage, including William "Big Bill" Haywood of the International Workers of the World, whom he helped drive out of the party before leaving it himself. He was active in socialist causes in America for sixteen years but then opposed them for fifty. And not everyone agreed with his assertion to a third biographer, Gerald Friedberg, that "The only intellectual produced by American socialism was myself." Franklin Roosevelt's Secretary of Labor Frances Perkins, in talking about the Stokes family's activism, for an oral history project at Columbia University, said that "John Spargo, who belonged to that wing of the Socialist Party, was crazy."

Whatever the case, he in fact had been a popular lecturer and author of a great many books and essays, including a best-selling book about child labor, *The Bitter Cry of the Children*, and a well-regarded biography of Karl Marx. He had been a teacher at the progressive Rand school; a leader of the more conservative wing of the Socialist Party; and a friend and confidant of three presidents (Woodrow Wilson, Calvin Coolidge, and Herbert Hoover) as well as many labor leaders, muckraking journalists, and other important figures of the day, including Supreme Court Justice Charles Evans Hughes and financier Bernard Baruch. At the time of his death Spargo was also respected for his work as a past president of the Vermont Historical Society, which J. Kevin Graffagnino, a much later VHS executive director, said he had transformed from "a sleepy antiquarian club to a modern historical institution." More importantly, he was credited as having been a principal founder and then the long-time director and curator of the Bennington Museum, which now is acknowledged as one of the finest regional museums in the country.

His accomplishments were all the more amazing given that he had started out as an impoverished and barely educated child laborer in England who went to work at 10 to help support a family that included a younger step-brother and step-sister as well as a father who was a drunk and a step-mother who was both indifferent and abusive. He had started working part-time in a shoemaker's shop but at 13 had quit school entirely to work full-time, first in a foundry and then — like his father and grandfather — in the tin mines and the granite quarries of Cornwall. As a child, he later wrote, he was “often hungry and never happy.” But while working as a stone mason over the next decade he also managed to turn himself into a Methodist lay minister, a newspaper editor and columnist, a forceful public speaker, and a self-educated leader of the British trade union movement. By the end of his life he had achieved much in many different fields, and had done it in spite of a lifetime of physical hardships that included asthma, emphysema, a serious spinal injury that caused long periods of intense bed-ridden pain, many painful tooth and gum ailments (he had all his upper teeth pulled in 1925), and a physical and possibly mental breakdown in the summer of 1927 that Ruotsila says may have been a stroke. Mary Spargo described it as a “serious mental breakdown” and Spargo himself said that it had plunged him into a “frightful cloud . . . of physical collapse and mental chaos.”

John Spargo was born on January 31, 1876, in the small village of Longdowns in Cornwall, the southwesternmost county in Britain. There had been Spargos in that area since the fifth century, but while he came from an old family (his mother's maiden name was also Spargo) it wasn't a wealthy one. In fact, the dire poverty of his childhood was like something in a Dickens novel, while his early manhood could have been a success story penned by Horatio Alger. Spargo's parents divorced when he was two and — when his mother left for America — he spent five years living with his father's sister until his father married again.

When he was 10 he heard William Gladstone, who served as Britain's prime minister four separate times, speak to a group of miners. While he later said he could not remember just what Gladstone had said, he was powerfully impressed by the impact his speech had on the miners, and became determined to learn to speak to large crowds. Indeed, he would literally talk his way out of poverty and obscurity. In his early teens he taught Sunday school and took up lay preaching, then joined debating societies. He did this while working as a granite cutter at Barry Docks in South Wales. By the time he was in his early twenties he had become a labor organizer and activist who was appearing with the most prominent socialist speakers on platforms all over Britain, as well as an editor of the local newspaper, the *Barry Herald*. His obituary in the *Bennington Banner* said that “His sentences were flawless and the extent of his

The book's second main theme is Stark's natural independence and refusal to serve under those whom he believed lacked ability and/or seniority. As an example of this trait the authors cite the “Misbehavior Scout,” where Stark purposely botched a reconnaissance mission led by a British officer in November 1757. Biographers often have trouble detailing their subjects' early lives, which can be lost in the narration of larger events. The Polhemuses avoid this mistake, however, by keeping the focus squarely on Stark and placing him in a broader context. Throughout this first section of the book, readers get a strong feel for the man, his habits, and the extensive military experience he gained during the French and Indian War.

The authors expand upon these themes, especially the later one, in the second section of the book, “The American Revolution.” Learning of the fighting at Lexington and Concord, Stark immediately left his wife and children and played a key role in the siege of Boston, where he decimated two crack British regiments at Bunker Hill. He also participated in the American retreat from Canada and crossed the Delaware River with George Washington for his famous attack on Trenton, New Jersey. Still, New Hampshire and Continental officials repeatedly overlooked Stark's achievements and appointed less-experienced officers, such as Nathaniel Folsom and John Sullivan, to high command. In some regards, Stark's frustrations over promotion resembled those that led Benedict Arnold to treason. Stark merely resigned his commission in the spring of 1777 and was home when New Hampshire called upon him to help repel General John Burgoyne's invasion from the north. The Polhemuses devote four chapters chronicling Stark's role at Bennington and Saratoga, his most important contributions to American independence.

The authors note that these successes earned Stark a promotion to general, but not admittance to the Continental Army's inner circle. He suppressed loyalists on the northern frontier and served on the board that convicted John Andre, but Washington left him behind when he marched for Yorktown in 1781. Stark referred to this last assignment as his “exile,” suggesting that the slight insulted him (327). The Polhemuses argue that some tension existed between Washington and the rough-hewed, blunt-speaking Stark, possibly because he lacked a “gentleman's” refinements, and they quote a Continental surgeon, James Thacher, to bolster their assertion: “His [Stark] manners were frank and unassuming but he manifested a peculiar sort of eccentricity and negligence which precluded all display of personal dignity and seemed to place him among those of ordinary rank in life” (303).

This tension between Stark and Washington continued after the war when the Virginian became president and supported Alexander Hamilton's

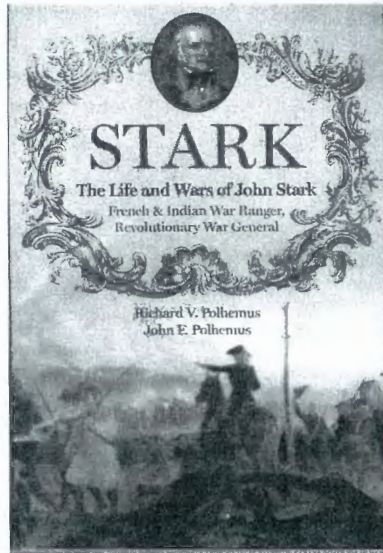
A new biography of General John Stark

Reviewed by Michael P. Gabriel

“Live free or die – Death is not the worst of evils.”

Many Americans are familiar with this famous quote, part of New Hampshire’s state motto, and some can even attribute it to John Stark, but few know much about the man. That is unfortunate because Stark was one of the heroes of the Battle of Bunker Hill, and his victory at Bennington in August 1777 paved the way for the American triumph at Saratoga two months later. Still, Stark’s relative obscurity is not surprising considering that for more than a half a century his only substantial biography was Howard Parker Moore’s self-published one in 1949. Now Richard V. and John F. Polhemus have written the third and most comprehensive biography of the cantankerous Revolutionary War general since 2007. In doing so, they not only offer insights into Stark, but also his times, which gives the reader a fuller understanding of the man.

The authors possess a straightforward approach, and they divide their book into two parts. The first, “The French and Indian War,” provides a detailed account of Stark’s early life on the New Hampshire frontier and his role in this last, decisive colonial war. Two interrelated themes emerge in the opening section, which continue throughout the book. The first is Stark’s growing disenchantment with the British military and eventually the mother country itself, something that many other Americans also experienced. Serving as a captain in Rogers’ Rangers, Stark saw the British army’s harsh discipline up close and its officers’ disdain for colonials. He also witnessed first hand multiple cases of British incompetence, such as General James Abercromby’s bloody defeat at Fort Ticonderoga. Britain continued to misjudge American affairs after the war as it attempted to administer a vastly enlarged empire, and these errors ultimately sparked revolution.



John Spargo, front, center, is pictured with colleagues in 1905 at the Rand School of Social Work in New York City.

*Special Collections,
University of Vermont*

vocabulary was astounding. Even the simplest statement was a delight to the ear of his listener.”

Spargo was short, just five-foot-seven, with a prominent nose, and bad teeth, but great upper body strength because of his time swinging a sledge in the granite quarries. By the time he left for America in 1901 he would have the bushy mustache and pompadour hair style he would wear for the rest of his life. Over the years Spargo gave several contradictory explanations for his decision to emigrate to America, but it may have been a sudden decision sparked both by his marriage to Prudence Edwards and an offer by his dead mother’s second husband to give him a job and part ownership of a small newspaper, tobacco, and candy shop on Manhattan’s Lower East Side. He and Prudence arrived in New York on February 14, 1901, Valentine’s Day, virtually penniless (he later said they had \$11 between them) and in the middle of a raging blizzard, only to find that the husband of Spargo’s mother had himself died unexpectedly two weeks before and had left his entire estate to a housekeeper-nurse. There was no job and no place to stay. Tired and cold, the Spargos found their way to the tiny apartment of a fellow socialist, where Prudence shared a bed with the man’s wife while Spargo slept in the back room of a saloon owned by another socialist comrade.

Spargo quickly fell in with a crowd of New York socialists that included Lincoln Steffens, Upton Sinclair, Jack London, and John Reed. He got a low-

paying job as an editor of the *Funk and Wagnalls Jewish Encyclopedia*, became a contributing editor to two socialist magazines, *Socialist Spirit* and *The Comrade*, and — just as he had in Britain — set out to give lectures. By September he was giving more than twenty speeches a month in the New York City area. Eventually Caroline Rand, a wealthy backer of socialist programs, started providing him with a monthly stipend of \$120, which lasted from the summer of 1901 until sometime after her death in 1905.

During those early years the Spargos lived in three different tiny apartments in the tenement district of Manhattan's East Side. Despite the stipend he traveled often because much of his income came from lecturing in distant places. According to Markku Ruotsila, "It was well known that on many of his trips Spargo cavorted with a number of attractive ladies, and he quickly built a reputation not just as an effective socialist organizer but as a womanizer of some note." Ruotsila also wrote that, like his alcoholic father, Spargo had taken to drink.

Prudence died of tuberculosis in March 1904, and a year and ten days later Spargo married Mary Amelia Bennetts, a British-born socialist who had been working in a carpet mill. Described as a "mousy" woman in looks and personality, she was later quoted by a friend as having said, "John married me because he needed a cheap nursemaid." Whatever the reason, they had three children of their own, one of whom died young and another died during World War II when the gas tank of a blowtorch he was using while working in a Navy shipyard exploded. John and Mary remained married until her unexpected death from a heart attack in 1953. Another child was Mary Spargo, who for a time was a staffer on the U.S House Un-American Activities Committee and who as a reporter for the *Washington Post* wrote the first stories about the committee's investigation of Alger Hiss. The son from Spargo's first marriage, George, was 75 when he died in September 1977 in a fire at "Nestledown," which he had inherited from his father.

During his New York years Spargo went from being a manual worker to a sort of tweedy professor, writing, lecturing, and teaching at the Rand School, which while not technically a socialist school had many socialist ties. He saw better schools as the key to a better society, and advocated not only broadening curriculums to include home economics, weaving, gardening, arts and crafts, and music, but called on schools to provide nutritious breakfasts and lunches, as well as basic medical, dental, and eye care. He became an advocate of civil rights and women's suffrage, and was an early advocate of the arts and crafts movement, which he felt would allow workers to take a sort of pride in their work that was lacking in many routine factory and quarry jobs. He also opposed the Boy Scouts as militaristic.

After 1909, Spargo began spending his summers in Bennington,

newspaper accounts, from Hoosick Falls, for example, likely contain valuable information. Was Michael Kane truly involved with illegal alcohol smuggling? The whereabouts of Harry Pincus following his release from prison have yet to be determined. Many mysteries still surround the life of the elusive Helen Macavage Kerinski, a.k.a. "Jean Mack." Details vary from one newspaper account to another and details found in detective magazine articles are even less reliable. With the investigative records no longer in existence, these factual discrepancies are difficult to resolve. □

<p>Q Have you any legal cause to show why the judgment of this court should not be pronounced against you?</p> <p>A Well, I am not guilty. That is all.</p> <p>-----</p> <p>THE COURT: Do you want to say anything, Mr. Meehan?</p> <p>MR. MEEHAN: No; there is nothing to say.</p> <p>THE COURT: (Addressing the defendant) The</p>
<p>jury in your case, William Franco, having rendered a verdict of murder in the first degree on the 19th day of March, 1937, the sentence and judgment of the court in your case is that you be put to death in the mode, manner and way and at the place prescribed and provided by law, on some day during the week beginning Monday, April 26, 1937. And the Agent and Warden of Sing Sing Prison is hereby directed to do the execution of this sentence upon some day within the week thus appointed. Remanded to the custody of the Sheriff.</p> <p>The Sheriff is directed to deliver the prisoner to the Warden at Sing Sing Prison.</p> <p>-----</p> <p>F I N I S .</p>

The verdict of guilty, as written by County Court Judge James F. Brearton, speaks for itself. Rensselaer County Clerk's Office

[series 14610-77] and Auburn Prison Inmate Case Files, 1912-1950 [series 14610-77A]. State Archives also holds the original commutation of the death sentence (no. 872) of William Franco in 1938, signed by Gov. Lehman, in series 13253-87.

The New York City Municipal Archives holds the death certificate and detailed medical examiner's report on the death of Jean Mack in 1948 as well as the first marriage certificate for Harry Pincus dating from 1917. Wanted posters for Harry Pincus issued by the Division of State Police and the Rensselaer County sheriff's office are preserved by the Bennington Museum and the Hoosick Township Historical Society respectively. The latter also owns Jean Mack's mug shot, which likely was once in the possession of the local police department.

State and federal censuses were consulted on Library Ancestry, where draft registration and military service records were also identified. City directories for a number of communities were consulted at various libraries. The estates of Michael Kane and his mother were located at the Bennington County Superior Court, Probate Division; these records have since been transferred to the Vermont State Archives at Middlesex. Deeds for properties owned by the Kanes, as well as Mike Kane's death and burial permits, are found at the Bennington town clerk's office. Park Lawn Cemetery maintains records relating to the Kane burial plot.

Five known detective magazines covered various aspects of the Michael Kane murder case as follows:

- ▣ Hal White, "Trailing New York's Gorilla Man," *Daring Detective* (15: 85), October 1941, pp. 44-47, 78.
- ▣ Ruby Cameron, "Death Parks a Car," *Real Detective* (M:4), October, 1941, pp. 44-47, 92-95.
- ▣ John Barton, "Mystery Passenger," *True Detective* (42:4), July, 1944, pp. 10-13, 100-101.
- ▣ "Murder Clue of the Jilted Blonde," *Headline Detective*, September, 1940. [This issue has not been located.]
- ▣ Hal Langdon, "River Grave for a Broadway Cutie," *Front Page Detective*, October, 1944, pp. 10-13, 51-54.

A Never Ending Search

Detective magazines, rarely consulted by historians, provided important details about this case and reproduced crime scene photos and portraits of principal characters that could not be located elsewhere. The provocative dialogue is clearly fictional and some information they contain has been proven erroneous. but these creative accounts recalling the case have proven to be both highly readable and informative.

A research project such as this one never truly ends. Undiscovered

returning to the city every fall. He became involved in the creation and development of the Intercollegiate Socialist Society, which in the years just before World War I had more than a hundred chapters at major schools like Harvard, Columbia, Princeton, and Berkeley, and at many smaller liberal schools like Grinnell, Oberlin, and Swarthmore. According to Kenneth Hilton, during one six-week period in the winter of 1915 Spargo spoke to more than 15,000 people at 25 different colleges.

But by this time, Spargo and the Socialist Party already were on a collision course. The reason was the start of the war. Many of the union workers in the party were Germans, who opposed American involvement in the war, as did the party itself, which took an inflexible anti-war position. Spargo argued that Germany's invasion of Belgium was a crime against socialist principles, and that in opposing American involvement in the war the party was losing touch with American life. In the spring of 1917 he resigned from the party, saying he had been "compelled to tear my life up by its roots." This caused a serious split with many former friends who, according to the *Banner*, accused him of being as traitor and a Judas. These included his one-time benefactor, Mary Sanford, who tried to evict him from her Old Bennington home, which he refused to leave and eventually purchased.

Ruotsila says that Spargo wanted to join the armed services but was prevented by his severe and chronic asthma. But he was sent to Europe by Woodrow Wilson as part of a delegation intended to try to persuade workers groups in Britain, France, and Italy to maintain support for the war and not stage wartime strikes. While the others returned home in August 1918, Spargo stayed in Rome where he took a job writing pro-war propaganda for the U.S. government and became friendly with Benito Mussolini, whose socialist newspaper *Il Popolo d' Italia* printed much of his work. In 1919 Spargo published *Bolshevism: The Enemy of Political and Industrial Democracy* in which he staked out a position as a staunch anti-communist.

In the years between the wars Spargo grew increasingly conservative, coming to believe that the improvement of the lot of the common man was more likely to be brought about by an enlightened free-enterprise system than government programs. He built friendships with Calvin Coolidge and Herbert Hoover and characterized Franklin Roosevelt's presidency as an "ugly, alien spirit of irresponsible dictatorship." Eventually, an autographed picture of Senator Joseph McCarthy ended up in his study and in 1964 he championed the presidential candidacy of Barry Goldwater, although by that point his political influence was minimal. As Kenneth Hilton concluded in his thesis, "If any single 'monument' stands today to the life and works of John Spargo it is the Bennington Museum located in Old Bennington," and not a political legacy.

That second career had its start one day in 1923 when Spargo and his

daughter Mary were walking home from downtown Bennington. Along the way they stopped to chat with the Rev. Thomas Carty, the pastor at St. Francis de Sales Church. Father Carty was boarding up the windows of the original stone church, which had been erected in 1855 and abandoned in 1892 when a much larger church had been built to replace it. The diocese was going to sell the old building, Father Carty said, and Spargo (who by now was the president of the Bennington Battle Monument and Historical Association), decided that this might be the right place for a museum to house to association's growing collection of artifacts, manuscripts, and relics. The bishop of Burlington agreed to sell the church for much less than its appraised value, and Spargo in turn promised that the Catholic cemetery behind it would be cared for. With major financial help from Edward H. Everett and James C. Colgate, the building was bought and deconsecrated, major renovations were completed, and the Bennington Museum opened its doors on August 16, 1928, with Spargo as its first curator-director.

Spargo would remain in the job for the next 26 years, overseeing dozens of fund-raising efforts, several major expansions, and many important acquisitions, including Spargo's own impressive collection of Bennington pottery, which he donated to the museum. And Spargo went from writing about Bolsheviks and child labor to trying to solve the mystery of the naming of Mount Anthony (he concluded it had been named for Peter Anthony, a hermit-like farmer and trapper who lived on the western slope and had died after a bad fall there in 1788); the founders of Bennington ("That they were men and women of narrow minds, steeped in bigotry and even fanaticism, can hardly be questioned"); the early potters and pottery of Bennington; and many other aspects of state and local history.

He became increasingly active in St. Peter's Episcopal Church, although one person who knew him well told Gerald Friedberg that while Spargo "knew the bible backwards and forwards," he was not particularly religious. He eventually became a 33rd Degree Mason, about which he was very proud. And after his wife died, Spargo developed a relationship with a younger red-haired woman who called him her "Little Boy Blue." Museum staffers were said to have kept track of the relationship through a worker who pilfered ripped-up letters between the two from Spargo's wastebasket and took them home and taped them together again.

He finally retired from the museum in 1954 when he was 78. He lived for twelve more years, with a sharp mind and a serious interest in national affairs, but with many health problems as well. In those last years his hearing and eyesight were seriously impaired and he was suffering from arthritis, emphysema, asthma, and back pain. An ardent baseball fan, he listened to every game he could tune into, particularly Yankee games. When he no longer

Authors of published accounts of the Michael Kane murder case seem to have mostly consulted previously published accounts and a few personal reminiscences, relying largely upon contemporary newspaper accounts. Newspaper staffers of the era covered the case in considerable detail and for the most part strove for accuracy. My research relied heavily on nearly 200 newspapers articles dating from 1927 to 1948 from Troy, Albany and Washington County, New York; the *Bennington Evening Banner*, *Berkshire Evening Eagle*; and newspapers from Newark and Jersey City. Three newspapers covering this period, the *Albany Press Knickerbocker* and the *Hoosick Falls Press* and *Hoosick Falls Standard Press*, no longer exist.

Local and state government records provided a great deal of valuable and accurate information. Sadly, few investigative records from the 1930s have survived from the Rensselaer and Bennington County sheriffs departments, Rensselaer County district attorney, and New York State Police, the lead agency, which as of 1936 had already compiled 50 pounds of pertinent documents. The only surviving series of state police records that proved useful are the State Police Scrapbooks, 1915-1959 [New York State Archives, Series B2031-69, vols. 6, 8, 9.]

Court records proved to be a most significant resource. Details of the Franco trial of 1937 and the subsequent appeal are precisely documented in more than 600 pages in New York State Court of Appeals, Cases and Briefs on Appeal, 1847-1999, a voluminous and underused series of 3,514.25 cubic feet, comprising 17,786 printed volumes, held by the New York State Archives [Series J2002, Vol. 571]. Duplicate copies are found at the New York State Library and filed with the county court case file at the Rensselaer County Clerk's office [Criminal Docket Vol. 20, p. 341; case index no. 34065.] Three typed volumes of the stenographer's notes, amounting to more than 2,000 pages, are on file there as well. These notes contain detailed interviews with prospective jurors not found in the printed court testimony. For the Harry Pincus trial of 1941, certain procedural documents only are on file with the county clerk [Supreme Court Minutes, Vol. 144, pp. 434-435; case index no. 39492.] Records (including the indictment, Charles Wolford's confession and his fingerprints) relating to the death of Helen Macavage Kerinski and her boyfriend's subsequent conviction are held by the Kings County Clerk [case no. 1221.]

Prison records held by the state archives contain valuable and accurate personal and criminal history on inmates Franco, Pincus, and Wolford, including their mug shots. These include Inmate Summary Record Cards, 1890-1987 [series 21833]; Inmate Admission Ledgers, Clinton Prison, 1846-1948 [series B0098]; Inmate Admission Registers, Sing Sing Prison, 1842-1971 [series B0143]; Clinton Prison Inmate Case Files, 1930-1956

Sadly, Helen was remembered by most as the woman who “cried in her beer” at a Brooklyn bar in 1936 about the Kane murder and was overheard by an informant who contacted the state police. In truth, many details about the woman who was found dead as the “noosed nude” may never be known.

Helen was reportedly fingerprinted as a publicity stunt when she appeared in the *Vanities* on Broadway in 1926, according to an article about her life and death that was published in a detective magazine. More likely, the fingerprinting occurred when she was twice charged with prostitution. She was arrested but not tried or convicted in New York City on December 13, 1929. A docket entry for Women’s Court, a division of Brooklyn Magistrate’s Court, identifies the person of interest as “Helen Mack.” She was also arrested for prostitution and pleaded guilty to “Vagrancy 4-C” on July 24, 1940, in Manhattan District 9 of New York City Magistrate’s Court. Her client was Charles Wolford, also known as Roy Winchell, and this event likely marked the start of their romantic relationship. Her fingerprints were available for comparison from the City Police Department when her corpse was discovered in 1948. As *Troy Record* columnist Herbert A. Calkins declared, “Jean Mack talked because of a homicide and homicide sealed her lips forever.”

Charles was described as a muscular, handsome man with dark, curly hair. He appears to have begun dating Helen some time following her celebrated break-up with William Franco in 1936. The confession given by Charles Wolford shows true remorse over his killing the woman who had lived as his common-law wife for a number of years.

Original Source Records Consulted

Charles Edgar Clinton Wolford was born in Illinois and was sometimes also known as Ray or Raymond Winchell. His parents moved to Pennsylvania by 1920. Charles was the first of seven children. As a young man he worked as a fireman in a power plant and served as an engineer in the U.S. Navy in World War I, and earned a living as a barge man for the rest of his life. He was married in 1915 and legally separated in 1924. His trouble with the law began in 1924 when he was involved in a car theft in Pennsylvania. In 1940 he paid a fine for aiding and abetting prostitution in New York City Magistrate’s Court. A severe alcohol problem affected him for the rest of his life. After serving his sentence in Sing Sing Prison he was paroled in 1952 but returned after a parole violation and finally released on July 24, 1955. Following his years in prison, Wolford settled in Queens and died at Long Island City on April 7, 1968. He was buried in Long Island National Cemetery at Farmingdale.

could read them himself he had the *New York Times* and the *Bennington Banner* read to him from front to back.

Spargo died on August 17, 1966, and was buried in the Bennington Center Cemetery behind the Old First Church. When he wrote his Ph.D dissertation six years later, Kenneth Hilton took issue with those who saw Spargo’s shift to conservatism as evidence of “inconsistency and perfidy” and argued that on the contrary they were the result of the same values and principles — “an odd mixture of Victorian morality, Cornish individualism, (and) Gladstonian Liberalism” — that Spargo carried with him through his entire life.

The epitaph on his tombstone reads *Labor Omnia Vincit*, which means “Work Conquers All.” It was the motto of some of the earliest U.S. labor unions, including the precursors to the modern-day American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and the all-black Brotherhood of Sleeping Car Porters. □

Notes

This article was based on many sources, including the files of the *Bennington Banner*, and two biographies, *John Spargo and American Socialism* by Markku Ruotsila, and Kenneth Hilton’s Ph. D. dissertation, “A Well-Marked Course: The Life and Works of John Spargo.” It also was based on several interviews with Spargo and others that were conducted by Gerald Friedberg for his own Harvard Ph.D thesis “Marxism in the United States: John Spargo and the Socialist Party of America.”

It also drew from many of Spargo’s own books, pamphlets, monographs, newspaper articles, and essays, including *The Bitter Cry of the Children*, *The Jew and American Ideals*, *Bolshevism: The Enemy of Political and Industrial Democracy*, *The Potters & Potteries of Bennington*, *Notes on the Name and the Family of Spargo of Mabe Parish in Cornwall*, *The Founder of the Town* (about Bennington’s founder, Samuel Robinson), *The Romance of Mount Anthony*, *Ethan Allen – Our Flamboyant Hero*, *Our First Printer* (about Anthony Haswell), *The Catamount in Vermont*, *Covered Wooden Bridges of Bennington County*, *Ballad of Jesus, Son of Mary*, *The Truth About a Memorial – A Personal Statement by John Spargo*, and *The Story of David Redding, Who Was Hanged*.



Two nearly identical dolls made by Grandma Moses show the diversity of her needlework abilities. She originally gave them to her granddaughters when they returned from the funeral of Anna, Grandma's daughter and the girls' mother.

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All images from the Bennington Museum Collection, photographed by James Cummings

Grandma Moses: Early Quilts and Needlework

Patricia L. Cummings

The name “Grandma Moses” to most people conjures up the memory of an aged artist who rose to national fame in the last two decades of her life in the twentieth century. Celebrated for her untutored style of painting, sometimes called folk or primitive art, Anna Mary Robertson Moses (1860-1961) created more than 1,500 landscape paintings, as well as hand-painted tiles, during her most productive decades. Less well known is her artistry in quilts and embroideries before she was “discovered.” These include a “King’s Crown” bed-size quilt, patchwork pillows, and needlework pieces she referred to as “pictures.”

After I became aware of her paintings titled “The Quilting Bee” (1950), and “Waiting for Santa Claus” (1960), both of which feature quilts as part of the design work, I wondered whether Grandma Moses had made any quilts herself. It was a delight to discover a few examples of her quilts and

counsel, David Rosenfeld, was assigned instead) and the trial was deferred again to the February 1941 term and then again to a special term in May before Judge Francis Murray. Jury selection for his trial opened on May 13. Pincus was accompanied by his wife, Mary Brenner, along with their younger adopted daughter, Ramona. Mary was wheeled into the courtroom in a body cast she wore following an auto accident that occurred the past December on her way to visit Harry in jail in Troy.

Before the trial had begun, and with only nine jurors selected, Harry Pincus pleaded guilty on May 19 to manslaughter in the first degree. District Attorney Earle Wiley thought the plea deal was wise given the death of some witnesses and loss of evidence since the murder took place nearly eleven years before. He also commented that Pincus “has been married and has been living a decent life . . . and never was convicted of any other crime.” Judge Bergan sentenced him to a term of not less than 7 ½ nor more than 15 years to be served in Clinton Prison at Dannemora. A contrite Harry Pincus professed his rehabilitation and devotion to his family before he left Troy to be incarcerated on September 21. He was paroled on July 30, 1945, and finally released on August 29, 1955. Harry is said to have returned to his highly supportive family in Newark, but could not be located and he may have instead removed with them to Pennsylvania. His date and place of death are not known.

The Jilted Blonde Meets a Tragic End

Jean Mack, as she was known, was not heard of again until her death in 1948. On June 8, 1948, Helen Macavage Kerinski (a.k.a. “Jean Mack”) was killed on the coal barge *Mineola* by her boyfriend, Charles Wolford, who in a drunken rage dumped her corpse into the Hudson River off Jersey City, New Jersey, the following day. He was arrested on June 13 and tried for manslaughter in the second degree in Kings County Court and sentenced on October 20 in a plea bargain to 3 ½ to 7 years in state prison. Wolford was so intoxicated that he did not realize that his common-law wife of ten years or longer had died from a blow to her head. Wolford, still intoxicated, had stripped off her clothes, tied her body with a rope and weighted it with a 35-pound iron object before dumping it into the river off Pier 18. Following an exhaustive and well-documented autopsy by the city medical examiner’s office, the body of the former showgirl was interred in potter’s field at Hart’s Island.

According to the article by Hal Langdon in *Front Page Detective* magazine a brother of hers came from Pennsylvania to help identify the body. He also supposedly informed police that Helen had been a slender, attractive young woman with dreams of fame on the “Great White Way.”

York City and would not resurface in this area until 1940.

Fingered by Fate

The New York State Police continued to search for Harry Pincus and one lead even brought them to Newark in 1936, but Harry could not be located. Bill Cashin continued to assist the investigation even though he had left the state police for the new Bureau of Criminal Investigation that year. One trooper involved in the case, Luke Conlon, had joined the Newark Police Department but a tip he received that Pincus was seen in Newark produced no positive results at that time.

A series of circumstances led to Harry Pincus's arrest on September 1, 1940. Newark Patrolman John P. McEnroe had read an article about the Kane murder in the current issue of *Headline Detective* magazine entitled "Murder Clue of the Jilted Blonde." The article contained a picture of the wanted man and subsequently Sgt. Luke Conlon located a "wanted" poster for Pincus in police headquarters. Initially, Harry could not be located because he was still recuperating from a head injury at his father-in-law's farm in Berks County, Pennsylvania. But he returned to Newark to obtain medicine and to file an official report at police headquarters regarding the rebellious behavior of his runaway daughter, Catherine. Sgt. Conlon and others immediately noticed the similarity between Newark glazier "Jack Brenner" and the wanted Harry Pincus. Conlon followed Jack/Harry and detained him at Marvin Goldberger's Glass Store. Oddly, Jack Brenner had previously replaced glass windows at city police stations.

Insisting that his name was Jack Brenner and that he was innocent of any crime, Pincus allowed the authorities to transport him to Troop G Barracks in Troy, where he was positively identified by his brothers, Abraham and Edward, from Pittsfield, and also by Massachusetts law-enforcement officials. His family and friends in Newark were stunned because all knew "Jack Brenner" as an industrious worker and diligent husband and father. Jack/Harry was charged with murder and remanded to the Rensselaer County Jail. He pleaded not guilty on September 9, 1940, and requested a jury trial in Rensselaer County Court. The case was subsequently transferred to a special term of State Supreme Court. "Jean Mack" came to Troy and agreed to testify as a witness for the prosecution.

Pincus was given a mental health examination at the request of his attorney, who feared lingering effects from a concussion. His trial was deferred to the December term of State Supreme Court (because County Court Judge Charles Ranney had been the prosecutor in the Franco trial in 1937) and Troy attorney Charles F. Meehan was appointed to serve as his defense counsel. Meehan was not allowed to resign as counsel (an assistant

some of her needlework at Bennington Museum.

Famous though it may not be, Grandma Moses produced a twin-size quilt that measures 71 by 80 inches. A gift to the museum from her granddaughter, Betty Moses Grochowski, the quilt is a colorful polychromatic scrap quilt with both pieced and solid cotton square blocks. The commercial (published) name for the quilt pattern is "King's Crown," a name thought to be a Biblical reference.

Where did Grandma Moses find the pattern? We shall never know for sure. Instructions for making the quilt blocks for this design were offered in the *Kansas City Star* in 1931 and were further documented in the book *The Romance of the Patchwork Quilt in America* by Carrie Hall and Rose Kretsinger (Caldwell, Idaho: Caxton Printers, 1935). A description of how to piece a King's Crown quilt block is found in *The Standard Book of Quilt Making and Collecting* by Marguerite Ickis, originally printed in 1949 by Dover Publications. In that book, the following instructions are provided: "Fold block into 16 squares. Divide 8 squares along the outer edge into two triangles. The corner squares are plain. Erase lines in center of block to form [a] larger central square."

What any quilter would realize is that the quilt was a labor of love, and a tedious one at that. The quilt has 255 quilt blocks set together without sashing or borders. Some blocks are printed fabric while others are solid. Their small size would have required dedication and work to sew them together. By selecting some solid pieces of cloth for alternate blocks, the quilter saved herself some work. Clearly, the fabrics represent pieces saved in a multi-decade scrap bag. The quilt backing is pieced from medium-scale floral fabric carefully fashioned so that the individual scrap pieces resemble a wholecloth look. The edges are finished in a simple knife-edge fashion, tacked down by a row of sewing machine stitches.

Grandma Moses would have been familiar with quilts. Nineteenth century women in rural towns made quilts out of necessity to use as warm bed covers. Otto Kallir's book, *Grandma Moses*, (New York: Harry N. Abrams, 1973) provides Grandma Moses own description of the history of quilting:

"Back in Revolutionary War times quilting bees were a necessity as well as a thing of art. The women took great pride in their needle work. Every well regulated house had one room set aside which was called the quilting room; the quilting frames were set up on the backs of chairs or stands. The women of the neighborhood would gather to sew, sometimes at night, but candle light was very poor for fine stitches, which the women of those days prided themselves in [...]."



"The Shepherd Comes Home" is the title of this framed "yarn painting," one several Anna Mary Robertson Moses made. It measures 18 by 28 inches, shows a shepherd and his flock, a cottage with abundant flowers, and mountains in the background.
©1973 Grandma Moses Properties Co., New York

Another small quilt, possibly made by Grandma Moses, features triangles cut from various print fabrics. Although it was found among her possessions, no clear provenance has been established for it. The textile was given to the Bennington Museum by Zoeanna Koloseus and Frances Ludowieg, her granddaughters. The quilt's backing is a red and black fabric with a repeat motif of birds. Parts of the binding appear to be missing or bent out of view in the photo.

The museum collection also includes two patchwork pillows believed to have been made by Grandma Moses. Together, they make a compelling statement about the importance of being thrifty and not wasting the smallest bit of fabric. The wide red border on one of them helps to unify the pillow top that features many late nineteenth century fabrics. A Dresden Plate quilt block was used for the top of a third pillow. It includes a section that has 24 pieced triangles, assembled as a strip, and then sewn to both the block top and the pillow backing to make a small round pillow.

Two never-framed 17 by 7 inch needlework pieces made by Grandma Moses, also in the museum collection, are Oriental scenes probably made from Crewel embroidery kits. They are titled "Around the Corner" and "On the Road to Mandalay." At the bottom edge of each piece, the same embroidered

Kane, Franco told her "Yes, I did." The state reimbursed Jean Mack \$282 for her travel and lodging expenses in Troy.

By the time of the actual trial, Franco's father and wife had come to Troy to support him at the January 25 trial. The defendant requested public defenders, and Troy attorney Charles F. Meehan and Harold W. Founks were assigned on March 2; earlier, prominent New York City criminal defense attorneys Michael Winter and Leo Healey had withdrawn due to Franco's lack of funds.

Rensselaer County spent \$2,2215.15 (sic) to cover salaries and expenses of these publicly designated defenders. County Judge James F. Brearton allowed only \$1 per person to cover jurors' daily meal expenses and denied reimbursement for their cigars. Jury selection began on March 8 and prospective jurors were asked if they could find a person guilty of murder if the death penalty were the sentence. Judge Brearton banned photography in the courtroom. Testimony began on March 12 and the jury returned a guilty verdict on the 19th following 157 minutes of deliberation. Interviewed by a *Times Record* reporter following his conviction, William Franco professed his innocence and stated that, "I guess the jury must have been affected by sex," a clear reference to the attractive Jean Mack's appearance on the witness stand.

Defense attorney Meehan requested the verdict be set aside because "certain [potentially prejudicial] exhibits, including a photograph of the deceased in his coffin," were viewed by the jury during their deliberation; this motion was denied. On March 22 Judge Brearton sentenced Franco to death in the electric chair at Sing Sing Prison, but an appeal was immediately filed, staying his execution scheduled for April 26.

On April 19 the appeal was filed directly with the New York State Court of Appeals. Arguments were heard in Albany on October 18, and on the January 18, 1937, the court denied the appeal by a 4-3 vote. The dissenting judges – one of them was Irving Lehman, the governor's brother – felt uncomfortable that Franco's confession resulted from a beating during his interrogation even though this confession had been ruled inadmissible by the trial judge. His execution was rescheduled for March 27, but on February 25 Governor Herbert H. Lehman commuted his sentence to life imprisonment.

William Franco had been housed in Sing Sing Prison at Ossining, but following the commutation was transferred to Auburn Prison until August 17, 1956, when he was transferred to Attica, the state maximum-security prison. He was paroled on November 19, 1963, and finally discharged on January 22, 1969. Franco returned to New York City and died in Long Island City, Queens, on November 1, 1982. "Jean Mack" returned to New

the crime of murder, and she is not a woman scorned.”

Jean/Helen was presumably born in Wyoming, Pennsylvania, circa 1906-1909. Because of her stage career, her involvement in prostitution, and her generally risqué lifestyle, she used different assumed names. She reportedly came to New York City in the 1920s to pursue a career on the stage and appeared as a singer and dancer in Earl Carroll's *Vanities*, which ran for nearly a year at this somewhat notorious Broadway theater. She was charged with prostitution, but not tried or convicted, in New York City on December 13, 1929, and at the Franco trial she admitted marrying Tommy Mack in Brooklyn, a young chauffeur, about 1926 – the date and details she could no longer remember, being barely fifteen years old at the time.

While in jail in February 1937 Jean/Helen attempted to commit suicide by slashing her wrists but was rescued without serious injury due to prompt action by the jail matron. She admitted having dated William Franco and clearly testified that she planned the murder along with Franco once Harry Pincus had brought Mike Kane's fearless display of cash and jewelry to their attention. They plotted the Kane murder in the Plaza Cafeteria on Havemeyer Avenue in Brooklyn in July of 1930 a few days prior to the act. While Pincus had selected Mike Kane as the robbery victim, Franco determined he would be the one carrying a weapon and Pincus would drive the getaway car and serve as “muscle” if needed; and Jean would serve as their lookout. On July 25 the trio rode from Brooklyn to Albany in Pincus's car and they spent the night there in a hotel on Broadway before heading to Hoosick the next day. They were so broke that Jean was forced to pawn some jewelry before traveling to Albany. She also testified that back in Brooklyn on July 28 when she asked William Franco if he had killed Mike



Front Page Detective magazine in October 1948 published this article called “River Grave for a Broadway Cutie,” which told the story of the murder of Jean Mack by a boyfriend.

inscriptions appear: “Grandma” and “Feb. 1932.” They were also given to the museum by granddaughters Zoeanna Koloseus and Frances Ludowieg.

In the same Crewel medium, her first woolwork picture used worsted to create the 10 by 8 inch embroidered scene she calls “Cairo.” The wool yarns show a white-domed building with columns and a Venetian gondola in the foreground. The back of the work indicates that it was made for her granddaughter Zoan in 1933 (the name appears on the back of the piece, misspelled). This was donated to the museum by the same two granddaughters.

Sheep: A Theme Since Childhood

Sheep were featured in Anna's work from childhood. In fact, her older brother teasingly called some of her pictures “lambscapes,” perhaps pronouncing the word the way she initially said it. Two undated works held by the museum feature sheep. The first is a small shepherd scene titled, “The Shepherd Comes Home from the Hills” and measures 9.5 by 11.5 inches. The piece of needlework framed under glass was the gift of Mary Moses in 1972. The scene depicts sheep being led down a dirt road, with mountains in the background and a river flowing through the center of the design area.

Yet another framed “yarn picture” shows a shepherd and his flock, a cottage with abundant flowers, and again, mountains in the background.

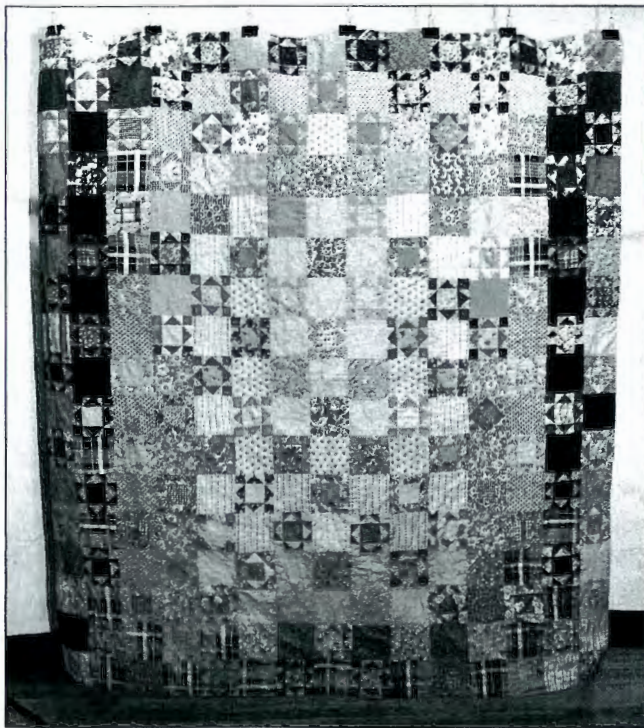


This Crewel embroidery of an Oriental scene is called “Around the Corner,” with the embroidered inscriptions “Grandma” and “Feb. 1932.” It, and another called “On the Road to Mandalay” were given to the Bennington Museum by Grandma's granddaughters Zoeanna and Frances. ©2015 Grandma Moses Properties Co., New York

“The Shepherd Comes Homes,” measures 18 by 28 inches and was purchased by the museum in 1972. Another needlework piece in the Bennington Museum collection is titled, “Cottage in Winter” and measures 22.5 by 18.75 inches. Depicted is a scene with two rabbits foraging in the front yard of a house that has two red chimneys, a porch, and windows with blue shutters. Brown birds are seen in the distant cloudy sky.

Two dolls that are almost identical are present in the collection and were made by Grandma Moses to console her granddaughters on the day of their mother’s funeral. They measure 9.5 by 15.5 inches and demonstrate the diversity of Grandma Moses’s needlework.

Among the belongings of Grandma Moses are two pincushions. One is well used and has two little Dutch doll shoes attached. The second one appears to be a soldier’s hussif – sometimes called a “housewife” – a sewing kit carried by infantrymen during wartime that has the basics of thread, scissors, pins, and needles to accomplish such tasks as minor repairs or sewing on a button.



The full view of Grandma Moses’s twin-sized King’s Crown quilt, which measures 71 by 80 inches.
©2015 Grandma Moses Properties Co., New York

Early Lessons

In her autobiography *Grandma Moses: My Life’s Story*, Anna Mary

Officials Testify in Franco Murder Trial



Asst. Dist. Atty. Charles G. Maloy, left, and Director William E. Cashin, State Bureau of Criminal Investigation, who testified this morning at the Franco trial, the former being called to the stand as a witness for the defense and Director Cashin by the state.

A photograph from the Albany Knickerbocker News shows two principals in the case, Charles G. Maloy, assistant district attorney for Rensselaer County, and William E. Cashin of the state Bureau of Criminal Investigation.

Manuscripts and Special Collections, New York State Library

former amateur prize fighter, Franco was 5 foot 8 ½ inches tall, weighed 178 pounds, had dark hair, and was identified by witnesses as Mike Kane’s mysterious passenger. In June 1933 Franco had married a woman named Catherine and they resided at 15 South Oxford Street at the time of his arrest. Franco was arraigned before Hoosick Town Justice Theodore Wruck on the morning of December 17 and he was sent to the Rensselaer County jail without bail, charged with first degree murder.

On Monday, December 21, a grand jury in Troy began to review the case against Franco. By this time Franco’s father and wife had come to Troy to support his son. He was formally arraigned in Troy on January 11 and his trial was set for January 25.

The woman known as “Jean Mack” was given material witness status for her testimony for the prosecution and detained in the Rensselaer County jail. Her real name was Helen Macavage Kerinski, but that fact was not known until her death some twelve years later. During cross examination, Jean testified that she could not remember her maiden name, her father’s name, nor her place or date of birth. Nonetheless, her detailed testimony about the planning and execution of the Kane murder was seen as highly credible by the jurors. District Attorney Charles Ranney in his summation admitted that Jean never said she was “of unblemished reputation . . . but when it came to the all-important thing here she said that she hated him for



This roadside marker, resembling a gravestone, is located where Mike Kane was “killed by unknown assassin” on July 30, 1930. It was placed by a friend just off the road near the eastern end of the Tibbitts Forest section of N.Y. Route 7.

Warren F. Broderick

resembled a simple old-style gravestone. It read “MIKE KANE / Killed here by / unknown assassin / July 26, 1930.” Sadly, “Pop” did not survive long enough to see Kane’s killers brought to justice.

She Cried in Her Beer

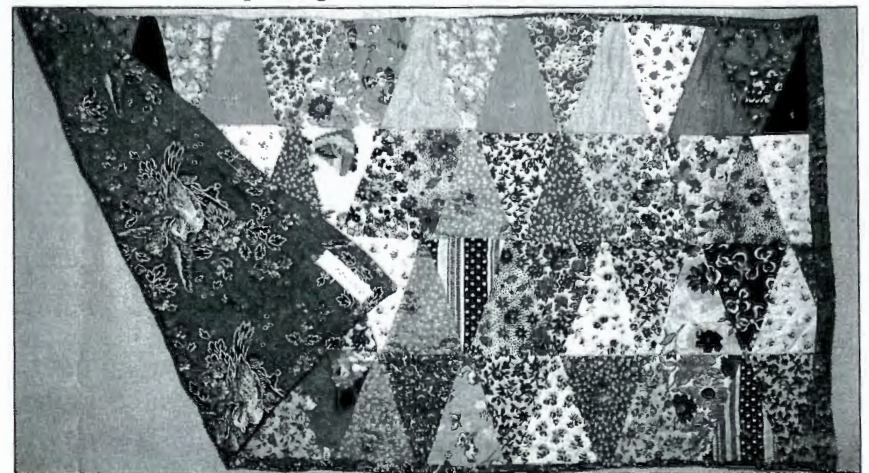
A major development in the case occurred in 1936 when an informant reported to the New York City Police Department that he had overheard in a Brooklyn bar a woman named Jean Mack admitting to a friend that she had been an accomplice to an upstate murder of a taxi driver six years ago. Jean spoke about how her former boyfriend, William Franco, who had recently rejected her and married another woman, planned and executed the crime. Whether Jean Mack had previously threatened to expose Franco remains a matter of conjecture. Once the state police were informed, they traveled to New York City and arrested Jean and Franco after intense questioning at the state police barracks at Valhalla. Dominick Ambrosino, a friend of the murderers, was also detained as a material witness. A confession Franco gave at that time was later ruled inadmissible in court due to physical evidence that he had been beaten with a rubber hose by troopers. Following the arrests, Major John A. Warner, state police superintendent, claimed that the case was solved after six years due to “experienced investigators devoting untiring efforts and energy towards the solution of this crime.”

William Franco (1900-1982) was the son of Italian immigrants and worked for his family plumbing business in Brooklyn. His previous criminal record consisted of only a minor gambling conviction in Jersey City. A

Robertson Moses recalls the difficulty of sewing seams by hand and how her mother, Margaret (Shanahan) Robertson taught her to sew clothing in that manner. Her father, Russell King Robertson, encouraged his children to draw and paint, and often brought home large sheets of blank newsprint he had purchased for a penny each page.

As the oldest girl in a family with 10 children, Anna recycled any available paper she could to make paper dolls. To add color to the dolls’ eyes she would dip a paintbrush into water that had turned blue from the indigo dye released from fabrics her mother had just washed. To colorize lips, she would use natural color from pigments in grape or berry juice. She fondly recalled the occasion that her grandmother gave her colored paper which proved fun in making doll dresses. As one can readily see, in childhood, she built a life-long love of creative projects.

The artistic talents of Grandma Moses were encouraged all of her life by her family. She used whatever materials were available to create works of art. Her last painting “Rainbow” (June 1961), painted when she was 101 years old, culminated a long life of engagement with the arts. To give you an idea of her longevity, she was just four years old when she saw black buntings hung from buildings to mark the passing of President Abraham Lincoln. She lived to receive an award and shake the hand of President Harry Truman. She painted some commissioned work that depicted the farm of President Dwight Eisenhower. She lived to receive accolades from President John Kennedy. Petite, candid in her speech, and with a down-to-earth charm, “Grandma Moses” became a household name by the mid-1940s. Today, her art work are national treasures and we are certainly happy that needlework and quilting are in that mix. □



Front and back of a small one-patch quilt made of repeated triangles of the same size.
©2015 Grandma Moses Properties Co., New York



Taxi driver Michael Kane (inset from a detective magazine) had a regular stand here for several years, in front of the County National Bank at the southeast corner of Main and South streets in Bennington. This picture dates to the 1920s when the building was the Bennington post office. After Kane's murder the Bennington selectmen ordered that there would be no more taxi stands at this location. Bennington Museum collection

TRUTH STRANGER THAN FICTION

Shedding new light on the Michael Kane murder case

Warren F. Broderick

The Michael Kane murder first came to my attention in the early 1990s while I was working on the first edition of the *Natural Areas of Rensselaer County, New York* for the Rensselaer-Taconic Land Conservancy. While exploring Tibbitts State Forest in Hoosick I was astounded to find a roadside marker resembling a marble gravestone stating that Mike Kane was “killed here by unknown assassin” on July 26, 1930. This was near the place where young Franklin Brown of Hoosick was beaten to death by Andreas Hall in 1847; Hall was executed in Troy in 1849 for this crime and a subsequent robbery and murder of an elderly Petersburg couple.

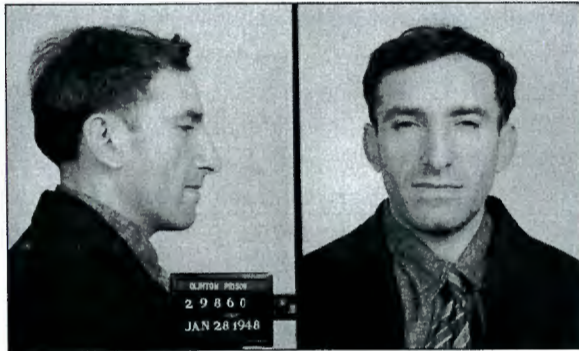
Gardner combed Kane's office and found some evidence that he had been transporting liquor from Canada. Bennington selectmen ordered that no future taxi stand would ever be located at Mike's site.

A New York City taxi driver, Harry Vestes, staying in Bennington at the time, was cleared after providing a solid alibi. Other local suspects were soon cleared of any involvement. The best evidence by far turned out to be the license plate number (6K-4692) of the Chevrolet, issued to Harry Pincus, a chauffeur, with an address of Clarkson Avenue in Brooklyn. The Kings had recorded the license number before stopping at the Robert Bovie home in North Petersburg to call authorities. “Wanted” posters issued by the state police and Rensselaer County sheriff featured a photo of Pincus and his description: “5’4” in height, about 150 pounds, 34 years of age, White, Jewish descent, Brown Hair, Brown Eyes, stocky build,” taken from his driver's license.

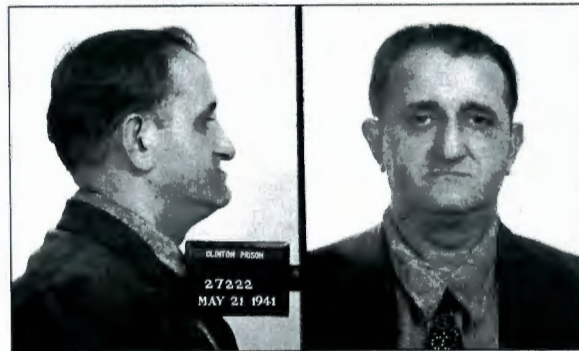
Some thought he was the Harry Pincus who had lived in Hoosick Falls between about 1889 and 1915. But that Harry, son of Louis Pincus, a clothing and dry goods merchant, and then the owner of a store in White Plains, was unrelated. Harry Pincus, the owner of the Chevrolet, was related to a Pincus family living nearby in Pittsfield, Massachusetts. His brothers, Abraham and Edward, lived and worked in Pittsfield, and Harry did as well for two periods of time in the 1920s. Harry Pincus was strong and muscular for his weight, and was an accomplished swimmer, well known in Berkshire County and adjoining eastern New York for various aquatic stunts. He was best known for his ability to pull boats containing people while swimming. Bennington resident William Lonergan recognized the photograph of Pincus as a competitive amateur wrestler and carnival performer.

Such notoriety helped law-enforcement personnel to identify Pincus following the Kane murder. A photo of Harry Pincus, taken at Rudd's Beach between Albany and Schenectady, at an Albany Jewish organization outing in August of 1927, appeared in the Albany press and was recognized by State Trooper John J. Morrissey (1896-1961). Morrissey's meticulous work would prove useful to Bill Cashin during his investigation. But Harry Pincus the murder suspect, while seeming to vanish into thin air, had moved in fact to Newark, New Jersey.

As the state police continued to work on the case with due diligence, Bennington residents became frustrated at the seeming lack of progress in solving the brutal murder of their townsman. One of Mike's best friends was Frederick M. “Pop” Harrington (1865-1935), a respected local trucker. On the morning of August 26, 1932, Harrington placed the marble memorial stone at the site of the murder on the Troy-Bennington road. Likely cut at the monument works of Harry B. Spear on Grandview Street, the slab



Mugshots of murderer William Franco, top, and murder accessories Harry Pincus and Jean Mack, were issued by the New York Department of Correction. (New York State Archives)



(Image of Jean Mack courtesy of Hoosick Township Historical Society)



head had indeed been the fatal blow. Once the body was returned to his mother in Bennington, a wake was scheduled. Hundreds of people attended the funeral service at St. Francis de Sales Roman Catholic Church, which was followed by interment in Park Lawn Cemetery, Lot 201, Section B. The *Bennington Evening Banner's* editorial on July 31 commented: "his name is on every mouth . . . and the excitement of the affair has not died down . . . he was a land mark of Bennington."

Many of the initial leads in the investigation proved fruitless. Kane's murder was not connected to his alcohol transportation activities or his gambling or his former boxing interests. Even possible connections to gang activity, organized crime, and narcotic trafficking were investigated. Sheriff

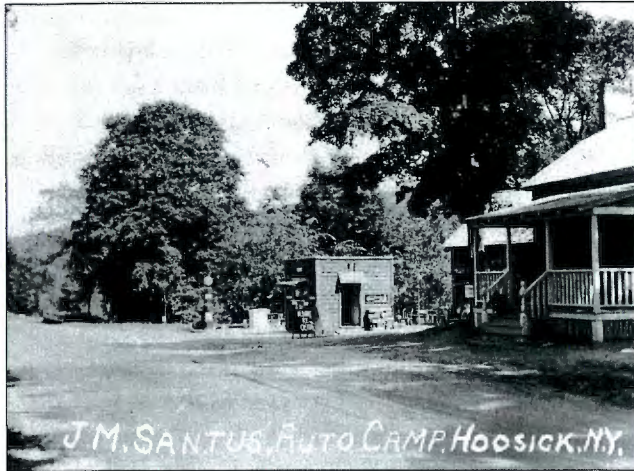
Roadside memorials are a tradition in New England and eastern New York. In fact, a marble obelisk erected in 1806 in Potter Hill, a few miles to the west, commemorates an early gentleman who died from a fall off his wagon. But a memorial to the victim of an "assassination" sounded unique. Exploring the case unlocked an amazing Prohibition-era story filled with exciting events, riveting court testimony, fascinating characters, and remarkable coincidences and ironies.

A few years before my discovery, in 1984, when the New York State Department of Transportation was reconstructing State Route 7, the memorial was removed for safekeeping and subsequently replaced after a formal request for its preservation was received from the town of Hoosick. At the time two brief articles about the murder appeared in the *Troy Record*. Then a story on the case appeared in the [*Hoosick Falls*] *Press/Post* in 1987. Carleton Reed mentioned the murder in his 1992 book *Hoosick Falls as I Remember*. Joe Parks, while Bennington Museum librarian, wrote about the crime in the *Bennington Banner* in 1994. In 2004 Philip Leonard and Charles Filkins included the Mike Kane murder story in a booklet *Three Hoosick Areas Murders 1902-1930* issued by the Hoosick Township Historical Society. More recently Joe Hall related the story on his "Bygone Bennington" show on radio station WBTN AM 1370.

While these published accounts were for the most part accurate, I became curious about what other information on the case could be located. Most of the research to date had been conducted in a selection of Bennington and Troy newspaper articles. Local and state government records and other original source materials appeared not to have been consulted. This article begins with summary of the Michael Kane case followed by a documentation study of what new information was unearthed in a wide variety of records found in three states – and why this newly discovered evidence is so critical.

A Murder Most Foul

Michael Kane, who emigrated to Bennington from his native Waterford, Ireland, circa 1887, with his mother, sister, and grandmother, worked as a laborer and teamster until 1921 when he purchased a garage and opened a taxi business at 334 Main Street. He maintained his stand near the clock in front of the former County National Bank (the current People's United Bank) on the southeast corner of Bennington's Putnam Square. Kane never married and lived with his mother, Margaret Kane, widow of Hugh McGuire, in a modest home at 130 McCall Street. "Mike" or "Mickey" was tall, handsome, and athletic, known by all in Bennington



Santu's Auto Park in 1930, the present Man of Kent Tavern on N.Y. Route 7, was where two young men had been swimming before they noticed the murder scene nearby.

Hoosick Township Historical Society

for his affable and generous nature as well as his flamboyant appearance. He enjoyed racing, gambling, cigars, and attractive women and was often seen in fashionable attire sporting gold and diamonds and flashing a large roll of bills. He traveled frequently to the Capital District of New York and also to Montreal, and some speculated that he supplemented his income by alcohol smuggling, which became lucrative soon after Prohibition took effect in 1920.

July of 1930 had already been an eventful month for Kane, the 42-year-old taxi owner and former amateur pugilist. On July 6 he had helped police subdue John Kelley, an escaped felon, with a strong blow to his chin. July 26 would be more eventful. Around noon a dark-haired man wearing a blue suit and a panama hat, and carrying a briefcase, hailed Kane's taxi at the stand for a ride to Troy. The taxi, a 1927 Buick said to be worth a thousand dollars, required a tire repair at Marshall's Garage at South and Hillside Streets, and while they waited for the vehicle the mystery passenger remained unrecognized by any Bennington resident. After the repair, the cab traveled west into New York State and after passing through the long covered wooden bridge over the Hoosic River continued on the State Road (the current NY 7) into a wooded area known as Shingle Hollow, the present Tibbitts State Forest. It was followed closely by a 1926 Chevrolet coach.

At the first curve in the road west of the stone schoolhouse the mystery passenger, identified six years later as William Franco, rose up in the back seat and shot Mike Kane in the head with a .38-caliber revolver and then fractured his skull with a blunt instrument. The final blow would prove fatal, so Franco managed to steer the car off the edge of the highway into some trees without sustaining any injury himself. The Chevrolet, driven by

Harry Pincus, soon pulled onto the shoulder of the road, shielding the view of the Buick taxi from any curious passerby. Pincus and his companion, an attractive red-head then known as "Jean Mack," served as lookouts while pretending to be dealing with automotive trouble. Franco robbed Kane of his money and jewelry, leaving less than \$100 in cash in his pockets.

A few witnesses passed along the road. William King and his wife were traveling from their home in Watervliet, N.Y., to an American Legion convention in Williamstown, Mass., and offered assistance, which Pincus rudely declined. "And you'd better keep on going, if you know what's good for you," he barked at them. Soon a farmhand, Albert Center, walked by and was likewise told to keep moving by Franco, who had emerged from the underbrush. Forrest and Carleton Reed were walking west to swim at Santu's Auto Park, the present Man of Kent Tavern, and their offer was likewise rebuked.

After the Chevrolet had departed, William Miller, a bee keeper from Hoosick, and George Markham from Hoosick Falls, both noticed the deceased Mike Kane in his Buick and rushed to the nearest telephone to notify Town Constable Henry Myers, a former deputy sheriff. When Myers arrived he verified the fatality and made an emergency call to the Rensselaer County sheriff's office. By this time Mack and Pincus were on the way to Troy and eventually, Brooklyn. Franco hid in the woods for a while and then rode to Troy by hitching rides, one in a farmer's wagon. That afternoon, near the Tomhannock Reservoir, the wife of Sheriff Herman Schneider noticed Pincus's car speeding west toward Troy.

The first state police personnel to arrive on the scene were Sergeant William E. Cashin and Trooper Ted Monahan. Cashin's involvement would soon take charge of the investigation. Bill Cashin (1904-1998) possessed a remarkable memory, organizational skills, and a fascination for improving the relatively new science of fingerprint and other identification technology. His unfailing persistence, even following his transfer in 1936 from the state police to become director of the newly organized Bureau of Criminal Investigation, would be vital in identifying the murderers of Michael Kane and bringing them to justice.

The murder investigation involved various agencies including Sheriffs Perry Gardner of Bennington County and Schneider of Rensselaer County, Rensselaer County Coroner Charles Cote and District Attorney Charles H. Ranney. Soon it would be overseen by Troop G of the New York State Police headquartered at that time in its South Lake Avenue barracks in Troy. An autopsy at the Robson funeral home in Hoosick Falls was conducted by doctors W.C. Clark, James McKenna, and Frank Cahill. The coroner's investigation, held in Troy, confirmed that blunt force trauma to Kane's