

Family Skeletons and Buried Treasure

by Matthew Porter

Throughout my genealogical research I have been able to find my share of Civil and Revolutionary War veterans, pioneer homesteaders and Mayflower ancestors. If there has been one thing I have learned, it is that every ancestor has a story to tell and it must be put into context. Every family has a story that has been passed down generation to generation about a famous or not-so-famous ancestor. Many times there are some important missing details which can make the difference between the person being a hard working farmer who was in the wrong place at the wrong time, and a convicted felon who is the proverbial "skeleton in the closet."

A few years into my family history research I came across such a person and this is his story. My search started with a single line from a correspondence letter. "Did you know William Martin Bennett went to prison?"¹ I had no clue at the time if this was true or just a family legend, but I set out to find out what happened. Was he a bank robber, a cattle thief, a pick pocket, or was this just a tall-tale passed down as family lore? This is William's story:

William was born in Indiana circa 1840 to John K. Bennett and his wife.² No primary source has been found to link a specific John K. Bennett to William, but a copy of a letter from a John K. Bennett to one of his daughters states, " ... I have not seen William Martin for 23 years. He lives in Oregon if he is not dead..."³

William eventually made his way out to Oregon over the Oregon Trail and married Eliza Wilmuth Bird on 10 Feb 1864 at the home of her father, William Bird in Clackamas County, Oregon.⁴ By 1870 William had moved his family from Clackamas County, Oregon to the Elgin area of Union County, Oregon. William is found in the Elgin area in the 1870 and 1880 Federal census records.⁵ By 1880 William and Eliza had had 8 children.

As William and Eliza made a life for themselves on the Oregon Frontier, tragedy struck on 28 May 1890 when their oldest son, John K., drowned in the nearby Grande Ronde River near Cove, Oregon.⁶ The turning point in William's life came on 5 July 1886. William was accused of first degree murder in the death of Orlando L. LeGore in Union County, Oregon. William described the events leading up to the incident as follows:

On or about the 25th of May 1886 and while I was acting as supervisor of road District No. 6 in said county of Union and while immediately after myself and other persons who were engaged in working the road under my direction had eaten our dinners near to a certain spring in the door yard of Mr. J.M. Jones and while I was lying upon my breast upon the ground with my elbows upon the

ground and my face resting upon my hands and myself entirely defenceless(sic) the said Orlando L. Legore then and there without cause or provocation assaulted me and with great force and violence kicked me upon my head face and mouth and split my lip and broke two of my teeth and so wounded injured and maltreated me that the roof of my mouth was broken and displaced and I was rendered unconscious for several hours thereafter and have ever since and still do suffer greatly from said injuries-

That the said Orlando L. Legore immediately upon the commission of said assault in great haste left the said neighborhood and remained absent from the same and the neighborhood in which I lived as I am informed and believe for the purpose of avoiding prosecution and arrest for said assault and remained concealed until about the said 5th of July 1886. That up until the time of the said shooting or at most two or three minutes before the same occurred I had no knowledge or information whatever that said Legore had returned to or was in the neighborhood in which I lived. . .⁷

According to William's grandson, LeGore eventually returned to the neighborhood. When LeGore stopped his wagon by William's house, he reached under his seat for something. William thought he was reaching for a gun and shot and killed Mr. LeGore.⁸

A neighbor recalls William as having a violent temper, and getting into quarrels with other neighbors. He also remembers William being very kind.

It was even a mystery how folks could completely ostracize a man with so much kindness as my good friend William Bennett. He often came by our place. One day a man was stuck with a load of grain on the sand hill east of our house. He was beating his team to try to make them pull the load. Bennett stopped and helped unload part of the load, and got him on his way. He said to me, "I can tell what a man is like by looking at his horses, his pocket knife, his dog, or the way he puts his shoes on."⁹

Following his conviction of 2nd degree murder, William was sentenced to life in prison at the Oregon State Correctional Facility in Salem, Oregon. William M. Bennett was prisoner number 1870 in the Oregon State Penitentiary. When he was admitted 14 January 1887 at the age of 48, he was 5' 11", 154 lbs. with black hair, hazel eyes, fair complexion, and size 6 shoes. He had one scar on his left knee cap, a mole between his shoulder blades, a mole under the front of his left shoulder blade, a mole on each side of the small of his back, a scar on the calf of his left leg and a scar on his right hip.¹⁰

William spent several years at the State facility. During that time he eventually became the private chauffeur for the governor at the time, Sylvester Pennoyer. They must have developed a good relationship because on 29 March 1893,

Sylvester granted William a pardon for his murder conviction and commuted the rest of his sentence:

By the virtue of the authority in me vested as Governor of the State of Oregon, I Sylvester Pennoyer, Governor, do hereby give and grant unto the said Wm. Bennett a full pardon, restoring to him all the rights and priviledges heretofore enjoyed by him under the laws of this state.¹¹

After spending 6 years in prison, William was once again a free man. He returned to the Elgin area of Union County, Oregon, but things had changed. His wife and family had disowned him. A friend recollects: As a small boy I can remember seeing him when he came home with his striped uniform. Few people would have anything to do with him and the remainder of his life was spent in loneliness. Even his wife and children would not speak to him. Part of his big farm went to the lawyer who saved him from the gallows. His wife lived with a son who had the place where he built the big barn. The only thing left for him was a small farm with a house on the south side of the hill he called Mount Sinai. When his son lost the old farm his wife was without a home. He moved her to a small house across the road and over the divide east of his house. He hauled wood and groceries over and left them at her place, even though she would not speak to him.¹²

Tragedy again struck William and his family when his daughter committed suicide. Elma Alice Bennett took her own life less than one year after the death of her mother, Eliza.¹³

William did not trust banks. It is unknown whether this was a result of his run in with the law or for some other reason. William was his own banker and preferred to carry out all transactions in gold. It was rumored that he buried thousands of dollars of gold coins on his farm in Union County. An old timer of Union County remembers:

Before I left for the army during the 1st World War, Bennett came by to tell me goodbye. He asked me to do him a favor. He said he was getting old and might not be alive when I returned. If he was dead, would I see that his money was taken care of? His children had disowned him and they did not deserve anything, excepting Belle, a deaf daughter. He wanted Belle to have the money. Would I dig it up and give it to her, excepting for a sum he named that I was to keep for myself, because I was his best friend. I agreed to do this. He told me to go to the north window of his house and to look at Sinai straight in front of me, then go to the place I saw. A short distance to the right I would find a flat rock beside a service bush where the ground hogs had dug. In a crevice of this rock I would find a wagon bolen (iron part of the axle that the wheel turns on). Some 30 to 40 feet northeast of this place \$20,000 was buried securely under a big rock.

When I returned from the war Bennett was dead. I spent days searching but never so much as located the wagon bolen. I knew he had that much money and that it was hid. I knew he would not mislead me. I doubted if he ever told anyone else where it was, and never knew of anyone else searching near the place he described. Folks tore the house apart and dug all around it. To the best of my knowledge they found a total of about \$1100, all in small gold pieces and silver.¹⁴

When his wife Eliza died on 4 August 1908 there was no mention in her obituary that William was still alive.¹⁵ This had to have been a hard time for William. He had virtually no support from his family. William died in Elgin, Oregon on 15 April 1917 at the age of 79 or 80.¹⁶ This Union County, Oregon Pioneer lived through many hardships in his life including a trek across the Oregon Trail, the drowning death of his oldest son John K. Bennett, the suicide of his daughter Elma, and serving time in the Oregon State Penitentiary for murder.

The family rumor turned out to be true. William had spent time in jail, the Oregon State Penitentiary no less. As my research uncovered more and more of William's life, I kept reminding myself that these events really occurred in William's life and were not a made for TV movie. He lived through these trials and tribulations and dealt with all the repercussions. I never imagined at the beginning that this research would uncover the life of an Oregon Pioneer complete with a family skeleton and buried treasure.

End Notes

1. Letter from Nancy Bennett Westermeyer (1906 S. Ione St., Kennewick, WA 99337) to Matthew Porter, 10 March 1998; Matthew Porter Collection (4975 SW 188th Place, Aloha, OR, 97007)
2. His grave stone lists his birth date as 14 June 1842 while his death certificate lists it as 14 Jun 1838. The death certificate lists John K. Bennett as his father.

Grave stone marker for William M. Bennett, Summerville Cemetery, near Elgin, Union County, Oregon, read by Matthew Porter July 1998.

Wm Martin Bennett, Oregon State Death Certificate #36 (16 April 1917), Oregon State Archives, Salem, OR.

3. Leila S. Balis, *Our Bennett Family* (5267 Springhouse Lane, Murray UT 84107: Leila S. Balis, September 1990)
4. Clackamas Co., OR Marriage Certificate for William Bennett and Eliza Bird, Book 1, page 198. Copy obtained at the Clackamas County Courthouse, Oregon City, OR.

5. Federal Census, Wm Bennett, 1 August 1870, Union County, Oregon, Cove Post Office, printed page 50, household 466, family 468.

Federal Census, William Bennett, 19 June 1880, Union County, Oregon, Indian Valley Precinct, supervisors District unknown, Enumeration District 117, printed page 35, stamped page 164C, Household 1, Family 1.

6. Interview with Talbert Bennett (2007 Y Avenue, La Grande, OR 97850), by Matthew Porter, July 1998. Tapes in Possession of Matthew Porter (4975 SW 188th Place, Aloha, OR 97007). Hereinafter cited as "Interview with Talbert Bennett."

Family group sheet for William M. Bennett filled out by Thorson H. Bennett. Copy received from Nancy Bennett Westermeyer March 1998.

7. Circuit Court records, Exhibit A, State of Oregon vs. William M. Bennett, filed 5 July 1886. Copy received from Union County Circuit Court March 1999. My copy of the court proceedings stops at this point. I think it may be missing one or more pages of William's statement.
8. Interview with Talbert Bennett.
9. "Strange Mysteries of Mt. Sinai Told By Lynn Hill," Lynn Hill, *History of Union County Oregon, Supplement #3*, pgs 19-23, 1962, Union County Historical Society. Record found at the University of California Berkeley, Bancroft Collection, call number F882 455 H8 Supp#3. Hereinafter cited as "Strange Mysteries of Mt. Sinai Told By Lynn Hill."
10. Prison records for William M. Bennett, Convict Record Oregon Penitentiary, prisoner #1870, located at the Oregon State Archives, Salem, Oregon 1999.
11. Pardon Records for the State of Oregon, Sylvester Pennoyer pardoning Wm. Bennett 29 March 1891. Located at the Oregon State Archives, Salem, Oregon 1999.
12. "Strange Mysteries of Mt. Sinai Told By Lynn Hill"
13. Obituary for Alma Bennett, *The Elgin Recorder*, Elgin, Union County, Oregon, 24 June 1909, page 1. Located at the University of Oregon newspaper collection, University of Oregon, Eugene, Oregon.
14. "Strange Mysteries of Mt. Sinai Told By Lynn Hill"
15. Obituary for Eliza W. Bennett, *The Elgin Recorder*, Elgin, Union County, Oregon, 7 August 1908, page 1, column 1. Located at the University of Oregon newspaper collection, University of Oregon, Eugene, Oregon.

16. Obituary for William Bennett, *The Elgin Recorder*, Elgin, Union County, Oregon, 19 April 1917. Located at the University of Oregon newspaper collection, University of Oregon, Eugene, Oregon.

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Bennett, Talbert oral interview. (2007 Y Avenue, La Grande, OR 97850), by Matthew Porter, July 1998. Tapes in Possession of Matthew Porter (4975 SW 188th Place, Aloha, OR 97007)

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collection, University of Oregon, Eugene, Oregon.

Obituary for Eliza W. Bennett, *The Elgin Recorder*, Elgin, Union County, Oregon, 7 August 1908, page 1, column 1. Located at the University of Oregon newspaper collection, University of Oregon, Eugene, Oregon.

Obituary for William Bennett, *The Elgin Recorder*, Elgin, Union County, Oregon, 19 April 1917. Located at the University of Oregon newspaper collection, University of Oregon, Eugene, Oregon.

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