

Lo Though the Night Has No Eyes: Predawn Autopsy Exposes the Unforeseen¹

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The goal of this presentation is to familiarize the forensic community with Mary Lily Kenan Flagler Bingham's mysterious death on July 27, 1917 who was the richest woman in America at the time of her death.

David Chandler, author and Pulitzer Prize winner, presented three possible hypotheses to explain Mary Lily's controversial death, one of which implicated Robert Worth Bingham whom she had recently married. Other than dying from natural causes, Chandler's first hypothesis is that Bingham's actions contributed to her death because he would benefit financially, second that Bingham was a victim because he attempted to disguise her death to protect her reputation, and third that she caused her own death that may have been accidental or deliberate.

When Mary Lily was twenty-four, family friends, the Pembroke Joneses of Wilmington, North Carolina, invited her and a Peace Institute companion, Miss Elizabeth Ashley, to accompany them on a Caribbean cruise. Miss Ashley's aunt and uncle, Henry and Alice Flagler, were among the guests included on the cruise. Flagler, Standard Oil co-founder and entrepreneur, enchanted Mary Lily. Following the cruise, for approximately ten years, she and a female companion often traveled with the Flaglers from New York to Palm Beach in his private rail car. During this time, Flagler's wife, Alice, was admitted to an asylum due to her deteriorating mental condition. Flagler divorced Alice in 1901 when the Florida Legislature amended the state law that allowed divorce on the grounds of insanity. Flagler was a generous man and in the divorce settlement gave Alice substantial financial resources for her medical care. He married Mary Lily on August 24, 1901 at her ancestral home, Liberty Hall, in eastern North Carolina. Just as Flagler was generous toward Alice, Flagler's generosity for Mary Lily also included no boundaries. Flagler provided Mary Lily with the lifestyle she yearned for as a young woman. When she wanted a marble palace, he built Whitehall in Palm Beach for her.

On January 15, 1913 Flagler fell down the stairs at their residence in Whitehall. Five months later he died at the age of eighty-four. His estate was estimated to be worth \$170 million. Mary Lily was to receive \$100,000 annually and eventually the bulk of his estate would become hers.

When Flagler died, Robert Worth "Bob" Bingham, Mary Lily's college boyfriend, reestablished his relationship with her. They were married November 16, 1916 in New York. She paid Bob's debt of \$1 million, gave him an annual salary of \$50,000, and an estimated \$695,000 in Standard Oil stock. Within less than a year after their marriage, her health began to decline. On July 12, 1917, a maid found her unconscious and slumped over the side of the bathtub in her Louisville, Kentucky residence. Two weeks later on July 27 Mary Lily was dead at the age of fifty.

Mary Lily's body was returned to Wilmington for burial. Approximately five weeks after she was buried, concerned family members obtained an exhumation order to perform an autopsy. After much effort to exhume Mary Lily's body, the autopsy took

place in Oakdale Cemetery, Wilmington, North Carolina. At 3 a.m., on September 18, 1917, they examined samples of Mary Lily's vital organs to determine the possible cause of her death. The team concluded she had been subjected to enormous amounts of morphine and injected with adrenaline. Also, the autopsy team discovered traces of heavy metal poisons, namely elements such as arsenic and possibly mercury. Samples were taken to New York for further analysis; however, the autopsy and toxicological results were never publicly released.

Two months following Mary Lily Kenan Flagler Bingham's death, her body was exhumed in the dark of night to determine the cause of death. Led by Dr. Charles Norris, the autopsy team included Dr. Alexander Gettler, Dr. Ludvig Hektoen and Dr. William George MacCallum who had been assembled from around the country for their task. They labored throughout the night. The controversy over her death rages still.

Initially, the Kenan family planned to contest a codicil to Mary Lily's will that was filed in Kentucky that awarded a large financial sum to Bingham. When the state court ruled in Bingham's favor, the case was appealed but the Kenan family chose not to contest the codicil at the appellate level. Bingham inherited \$5 million from Mary Lily's estate.

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