

Douglas County Law Library

E-Mail Newsletter



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Meeting and Event Announcements

The Defense Bar meets the second Friday of the month. This month the meeting is on the 12th.

Frontier Lawyer and Civil War General - Lecture on Thomas Ewing, Jr.

There will be a lecture on Thomas Ewing, Jr., the first Chief Justice of the Kansas Supreme Court, at 1:00 pm on Saturday, August 20, in the Lawrence Public Library Auditorium. The presentation is free and open to the public.

In addition to being Chief Justice, Ewing was a General in the Union Army during the Civil War and was a brother-in-law to General William Tecumseh Sherman. As a direct response to Quantrill's Raid on Lawrence, Kansas, he issued the notorious Order No. 11 that ordered four counties in western Missouri to be cleared of all residents who could not prove their allegiance to the Union. The results of the order were that thousands of residents of those counties were forcibly evacuated from their homes and farms with little more than the clothes on their backs.

The presentation will be made by Ron Smith, an attorney with the Larned, Kansas, law firm of Smith, Burnett & Larson, LLC. Mr. Smith has written a book on Ewing titled [*Thomas Ewing Jr. : Frontier Lawyer*](#)

[and Civil War General](#) that was published in 2008 by the University of Missouri Press.

The lecture is part of this year's [Civil War on the Western Frontier](#) activities in Lawrence.

Organizing a Form Bank

Question: Have you ever tried to find a legal form and just couldn't seem to get your hands on it, so you had to ask another attorney if they had one or create one yourself? Well duh! It goes without saying that this is a universal problem. Yes, there are forms available in the various KBA handbooks, and the Judicial Council publishes the probate forms book and has forms on their website, and there are other forms scattered throughout the other legal reference tools in the Library, but some forms are just not available anywhere.

To try to solve, or at least to lessen this problem, the Library is organizing a Form Bank for use by its patrons. For the past year or so, the Library has had a very small, informal form bank where attorneys have submitted forms that they have created so that other attorneys could use them. The Library wants to formalize this collecting process by asking readers to contribute forms that they have created to this new Form Bank.

If you have legal forms that you have created that you would be willing to share with your colleagues, please submit a copy to the Library. The format does not matter, hard copy, electronic, whatever. Library staff will then add them to the bank.

Lockers in the Library?

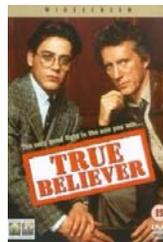
After receiving several requests from attorneys, the Library is looking into the possibility of providing some kind of locker sys-

tem in the Library for storage of personal material. We are requesting feedback from attorneys to determine if there is much interest in this; whether such a system would be used, and how best to organize such a system given the limited space in the Library.

Should lockers be open to anyone for short-term use during the day, or should they be checked-out to attorneys for their long-term use? If one were checked-out to you for long-term use, how much would you be willing to pay for this service? What would you want to store in a locker; what size lockers?

If this is a service you are interested in having the Library provide, please let us know, and please let us know how you would want that service to be organized.

Reels of Justice Film Series - *True Believer*



The Law Library's "Reels of Justice Film Series" continues at 2:00 PM, Sunday, August 28th, with a screening of [True Believer](#). The film stars James Woods and Robert Downey Jr.

In the film, a burned out former civil rights lawyer (Woods) specializes in defending drug dealers. With the prodding from an idealistic new graduate from law school (Downey), he reluctantly takes on a case of a young Korean man who, according to his mother, has been in jail for eight years for a murder he did not commit.

The program will include an appearance by a local attorney who will give commentary on the film and on how the film portrays the justice system.

The screening will be in the Lawrence Public Library Auditorium. All screenings in the film series are free and open to the public.

The next film in the "Reels of Justice Film Series" will be [The Awful Truth](#), scheduled for screening in November 2011.

Current Art Gallery Exhibition

The August/September exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are paintings by Anastacia Drake.

The exhibitions will run through the end of September. All pieces are for sale and may be purchased directly from the artist. Contact information for Ms. Drake is available in the Library.

The October/November 2011 Law Library and Division IV exhibitions are scheduled to be watercolors by Shannon Cloud. More information on these exhibitions will be in the October E-Mail Newsletter.

For more information on past, current, and future Art Gallery exhibitions, or for more information on the Art Gallery, please consult the Art Gallery page on the Law Library's website.

If you would like to exhibit your art in our gallery, or know of local artists who would like to show their original art here, contact the Law Library at 838-2477 or by e-mail at info@douglascolawlibrary.org.

New Acquisitions

Newly acquired material added to the Law Library's holdings:

ABA Child Law Practice: Helping Lawyers Help Kids, v. 30:4 and 5 (June and July 2011).

AALL Spectrum, v. 15:9 (July 2011).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v.292:1/v.45:3 (May 2011).

Search and Seizure Bulletin, v. 48:6 (June 2011).

Session Laws of Kansas, 2011:1 - 2011:2.

Did You Know?

Every month, a bit of Law Library trivia is posted in the Law Library and on the Law Library's website. The previous month's "Did You Know" tidbit is then published here in the Newsletter. The hope is for this to improve communication between the Law Library and its users.

July's entry was:

The Law Library's "Reels of Justice Film Series," which will have its fifth anniversary in August, is now being co-sponsored by the Lawrence Public Library.

This Month In Legal History

August 22, 1863 - Thomas Corlew lynched in Lawrence, Kansas.

Lawrence, Kansas, had been the headquarters of the Free-State movement during the new state's territorial period, and had been sacked and burned by proslavery supporters on May 21, 1856. At dawn on August 21, 1863, William Clarke Quantrill, perhaps the most notorious Confederate guerilla commander in the American Civil War, led 400 men in another, more violent attack on Lawrence. The raiders proceeded to pillage and burn the town, eventually murdering between 150 and 200 unarmed men and boys. The raid precipitated another event the following day, when a man was hanged in Lawrence. The true story of that man, de-

scribed as being forty-five to fifty years old with thinning hair turning to grey, is clouded by differing accounts given of him and his actions. His name was Thomas Corlew, but whether this was the name he was going by in Lawrence is uncertain. An article in the August 27, 1863, edition of the *Leavenworth Daily Conservative* refers to him as John Calloo. This might have been a mistake on the part of the paper, or it might have been a pseudonym the man was using to conceal his true identity. An article by John Speer(1) published in the August 27, 1863, edition of the *Kansas Weekly Tribune* reported that it was later proven that Corlew had changed his name when coming to Lawrence, so the possibility of him having gone under the assumed name of John Calloo is plausible. Corlew and two of his brothers had supposedly come to Kansas Territory from Missouri in 1854, and were supporters of the Territory being admitted to the Union as a state that allowed slavery, as were most of the other emigrants from that slave state. The Corlews settled along the Wakarusa River near McGee's Ford in an area where proslavery men lived. According to Speer's *Kansas Weekly Tribune* article, Thomas Corlew, "...belonged to a gang on the Wakarusa...[whose] huts and haunts were so located that a single yell would be re-echoed for five miles, and the demons would assemble at a half-hour's notice." Speer's article identified Corlew as a member of the proslavery group that had killed John Jones in an unprovoked attack on May 18, 1856, and who also had participated in the burning of the Free State Hotel in Lawrence three days later. It is unclear whether Corlew and his brothers were actually active supporters of the proslavery cause in Kansas, as Speer alleged, or if they had merely joined in with other more active proslavery men living around them for their own protection. Because of the violence and bloodshed occurring during the period known as "Bleeding Kansas", it was difficult to remain neutral on

the slavery issue. A man might be accosted by a group of unknown men who would ask him if he were "sound on the goose." Being "sound on the goose" meant that someone supported the proslavery cause, the "goose" being a euphemism for slavery. If the poor man did not give the strangers the answer that they wanted, he could wind up with a knife or bullet in him. Men on both sides of the slavery issue were known to ask that question, so because of the potential danger, many men joined one side or the other out of fear and a need for self-preservation. Regardless of the reasons, Thomas Corlew had gained the reputation of being a violent proponent of the proslavery cause in 1856, the bloodiest year in "Bleeding Kansas." Considering this, one can understand why he might have taken an assumed name while living in Lawrence. In a May 22, 1905, letter to George W. Martin, James C. Horton(2) wrote about Corlew's time in Lawrence, noting that, "He was a carpenter by trade, ...and so far as I know, working peaceably at his trade." In an article published in the October 10, 1929, issue of the *Ottawa Herald*, W.C Wallace, son of saloonkeeper M.M. Wallace and a nine-year-old boy at the time of Quantrill's Raid, recounted the events in his Lawrence home the morning of the raid. He was reported to have said, "We had no advance information of the coming of the 'rebels' as the raiders were called.... Thomas Corlew, who was a connection of ours, had been staying for a time at our house. He was greatly terrified by the massacre, showing it plainly through extreme nervousness." A quite different account of Thomas Corlew's actions during the raid was recorded years later by Andrew Williams, an ex-slave who lived in Lawrence and who survived the raid. Williams remembered that a woman had seen Corlew going around with the raiders, showing them where men were hiding so that they could be killed. After the raid, some of the survivors became suspicious that Corlew was a spy for

Quantrill. The reasons for this suspicion are not known. Perhaps it was because the Wallace house, where Corlew was living, was untouched by the violence that had descended on the town earlier that day. Perhaps the woman mentioned in William's account spoke up. Speer reports in his newspaper article that Corlew's son-in-law had "removed his family" out of town the day before the raid, which could also have caused suspicion. Whatever the reasons, as reported by Wallace, "It seems that some of the Free State men suspected him of being a spy, or at least in sympathy with the rebels, and a mob formed...." They took Corlew into custody, and on the day following the raid, a trial was held for the accused spy. A jury was impaneled and three judges were chosen. Corlew was allowed to have a lawyer to defend himself and the trial proceeded. A number of people testified. Speer reported that among those who testified were, "colored men who knew him in Kansas city (sic.)," and by this, "he was proven to be a rebel, threatening death to the people of Kansas." Speer continued, "He was proven to have changed his name on coming to Lawrence, and representing himself as having come from Quincy, Illinois, when in fact he was from Missouri." Speer concluded, "We asked him if he was the Corlew who had a cabin near M'Gees Ford, on the Wakarusa. He admitted he was-- That was enough. He was a murderer, and deserved death." Following the testimony of the witnesses, the jury went out to deliberate. One story says that when it came back, the members desired that the crowd take responsibility. In his 1905 letter, Horton remembered things a bit differently when he wrote, "...my recollection also is that the jury did not find any evidence against him and so reported." According to Horton, Thomas Corlew, "...sat there during his so-called trial without uttering a word, he was a pitiful sight." Speer reported, "He exhibited a great deal of trepidation during the trial,

rolling his eyes wildly; but when his time came, he seemed more composed, merely feeling his throat, but making no outcry." Whatever the evidence brought against Corlew, and whatever the actions of the jury, a vote was taken to hang him. Horton wrote that the hanging occurred, "...in a barn near the City Hotel at the north end of Massachusetts Street." A rope was thrown over a joist in the barn and tied around Corlew's neck. Horton reported that, "I...went to one or two parties whom I thought might stop it, but to no avail." Corlew was forced to stand on a dry goods box, which was then pulled out from under him. Williams reported that as he hung there dying, Corlew was shot half a dozen times by members of the mob. Speer reported that, "There was no demonstration of delight at his death. The proceedings were orderly; characterized by a deep determination to rid the world of a traitor and murderer." The true nature of Corlew's guilt will probably never be known. There are enough discrepancies in the various reports of his actions during the raid to have warranted a deeper examination of the evidence than the lynch court would have given it. It is likely that Thomas Corlew, through fact or rumor, would already have been the object of hard feelings from the citizens of Lawrence, and the absolute devastation and grief caused by Quantrill's Raid would have pushed those hard feelings into a mindless thirst for vengeance. Horton keenly observed this when he wrote that, "His hanging was perhaps a natural outcome of the excited state of public feelings at the time, ...but I think that many people in Lawrence regretted the occurrence and in ordinary, quiet times no such termination of a trial, even by a lynch court, would have been permitted." It is likely that many of Horton's fellow citizens would have agreed with him that given the circumstances, Corlew's fate might have been unavoidable. However, Horton went on to write, "I have always felt personally that this hanging was a

disgrace to Lawrence." Many of his fellow citizens likely agreed with that sentiment as well, since the fate of Thomas Corlew and what had happened to him in Lawrence on August 22, 1863, has all but disappeared from communal memory.

(1) It should be noted that John Speer's opinions and observations might have been colored by the fact that he lost two sons in Quantrill's Raid, and that the *Kansas Weekly Tribune* article was published only six days after the event.

(2) James Clark Horton was born in Ballston Spa, New York on May 15, 1837. He came to Kansas and settled in Lawrence in March of 1857. He served in the Kansas House of Representatives in 1874, and in the Kansas Senate in 1875 and 1876. In 1878, he moved to Kansas City, Missouri, where he died on May 14, 1907.

From: Letter, James C. Horton, Kansas City, Mo., to Hon. George W. Martin, Topeka, Kans., May 22, 1905, Kansas State Historical Society Library; Leavenworth Daily Conservative, v. 7, issue 48 (August 27, 1863), p.2; Kansas Weekly Tribune, August 27, 1863, p.1; [Joseph Savage's recollections of 1854](#), Kansas Memory website; Ottawa Herald, v. 33, no. 273 (October 10, 1929), pp. 1-2; Narrative of a Former Slave, by Andrew Williams, unpublished manuscript, Kansas Collection, Kenneth Spencer Research Library, University of Kansas; The Devil knows how to ride: the true story of William Clarke Quantrill and his Confederate raiders, by Edward E. Leslie, Random House, New York, 1996, p. 236; History of Lynchings in Kansas, by Genevieve Yost, Kansas Historical Quarterly, vol. 2, no. 2 (May 1933), pp 182 - 219; and, Kansas Legislators Past & Present, [James Clark Horton](#), State Library of Kansas website.

Each month, an event from "This Month In Legal History," the history of law and jurisprudence of Douglas County that occurred during that month, is included in the Newsletter. The current entry is also posted for the month on the Law Library's website. Entries from past months are [archived](#) on the website. Submissions from readers are welcome and encouraged.

Law Library Volunteer Opportunities

The Law Library Volunteer Program provides a capable and dependable volunteer work force to assist with the day-to-day operations of the Law Library and with its special projects. This work force supplements the paid Library staff and allows the Library to provide the best possible service to attorneys, local judges, and the public.

The Volunteer Program is instrumental in linking a valuable community resource - the citizens - with a valuable community institution - the Douglas County Law Library - for the benefit, growth, and enrichment of both.

If you or someone you know might be interested in volunteering for one of them, or if you would like more information on our program and/or the positions we have open, please contact the Library or visit the "Volunteers" page on the Law Library's website.

Feedback

This Newsletter is intended to be useful to its readers. As in any enterprise, feedback on how the Newsletter is fulfilling this goal is crucial to our achieving it. If our articles are helpful, let us know. If they are not, let us know. If you have suggestions on how to improve the Newsletter, please let us know. Thank you.

Submitting Articles for Newsletter

The Editor encourages readers to submit articles for publication and/or make suggestions on material to be included in future issues of the Newsletter.

To Subscribe

Contact the Law Library by mail, e-mail, or telephone and request a free subscription to the Newsletter. It will be sent to you as a

PDF attachment to an e-mail. The Library's mailing address is: Douglas County Law Library, Judicial and Law Enforcement Center, 111 East 11th Street, Lawrence, Kansas, 66044. The Library's e-mail address is: info@douglascolawlibrary.org. The Law Library's telephone number is: 785-838-2477.

Classified Ads

Free classified ads may be placed in the Newsletter by contacting the Law Library. The Editor reserves the right to refuse anything deemed inappropriate and to add restrictions as the need arises.

No Ads this Month.

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