

Douglas County Law Library

E-Mail Newsletter



Vol. 11, No. 8; August 2014

Contents

- Meeting and Event Announcements
- Library E-Mail Outage
- Current Art Gallery Exhibition
- New Acquisitions
- Did You Know?
- This Month In Legal History
- Law Library Volunteer Opportunities
- Feedback
- Submitting Articles for Newsletter
- To Subscribe
- Back Issues
- Classified Ads

Meeting and Event Announcements

The Defense Bar meets the second Friday of the month. This month the meeting is on the 8th.

The August Douglas County Bar Association Brown Bag CLE program will be on Thursday, August 21, from 12:00 p.m. to 12:50 p.m. in the Jury Assembly Room in the Judicial and Law Enforcement Center. Patrick Hurley and Michael Jilka will present *An Overview of Section 1983 Litigation*.

One hour of ethics CLE credit is pending approval. Handout material can be downloaded from the [DCBA website](#).

Library E-Mail Outage

The main e-mail address through which the majority of Library business is transacted was broken from the afternoon of Thursday, July 17th to the morning of Friday, July 25th. According to technical support at WOW, the Library's Internet service provider, the outage was brought on by an aborted upgrade of their e-mail system that was being performed by an outside contractor. At this time, they have no explanation as to why, despite daily calls from Library staff reporting the continuing problem, the e-mail outage lasted for over a week.

If you e-mailed the Library during the outage period and have not heard back, please assume that your message did not go through and resend it.

Current Art Gallery Exhibition

The August/September 2014 Law Library and Division IV art gallery exhibitions are paintings by P Jenny.

The exhibitions will run through the end of September 2014.

The October/November exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are scheduled to be mixed media by Kerry Thonen. More information on these exhibitions will be in the October 2014 E-Mail Newsletter.

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

If you would like to exhibit your art in our galleries, 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:

AALL Spectrum, v. 18:9 (Jul. 2014).

ABA Child Law Practice: Helping Lawyers Help Kids, v. 33:6 (Jun. 2014).

Juvenile Justice Update, v. 20:3 (Jun./Jul. 2014).

Kansas Annual Survey, v. 25 (2014).

Search and Seizure Bulletin, v. 51:6 (June 2014).

Session Laws of Kansas, 2014:1 and 2014:2.

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 is looking for attorneys interested in providing commentary on how accurately legal issues are depicted in films screened in the "Reels of Justice Film Series" that will be starting up again later this year.

This Month In Legal History

August 27, 1910 - The bride-groom-to-be sells a stolen horse.

Harry G. Neal was born in Kansas on August 29, 1887, the youngest of three children of Ebenezer H. "Ebb" and Nannie Isabell "Bell" Neal. Ebb and Bell had both been born in Virginia, he in February of 1860 and she in July of 1864. They married in 1880, and came to Kansas sometime between February 1882, when their daughter Lula¹ was born, and May 1884, when their older son James was born. Where they originally settled in Kansas is not known, but records show that by 1900, they were living in Sherman Township in Leavenworth County, near Linwood, Kansas, a small town on the north side of the Kansas River. Ebb Neal was a farmer, and for many years worked for a local man named John Tudhope. Another Sherman Township farmer was Davis Jefferson Mills. He and his wife Amanda Susan Mills had been born in Missouri, and had come from there to Kansas sometime between 1886 and 1889. They had five children, four daughters and a son. The eldest daughter was Minnie B. Neal, who had been born on December 12, 1884, in Farley, Platte County, Missouri. Over the years, Harry Neal and Minnie Mills became acquainted, and by mid-1910, a serious rela-

tionship had developed. The two decided to get married. Minnie was working as a school teacher and Neal was working as a blacksmith and living at home with his parents. He apparently did not have the money necessary for a wedding and honeymoon, so he came up with a plan to fund them. Sometime during the week of August 22, 1910, Neal visited Ernest Krause in Eudora, Kansas, a town approximately seven miles from Linwood on the south side of the Kansas River. Krause was a horse buyer, and Neal told him that he had a horse that he wanted to sell. The two agreed that Neal would bring the horse to Eudora on Saturday the 27th. On the night of Friday the 26th, Neal went to a pasture west of Linwood that was owned by his father's employer, John Tudhope. Tudhope kept horses there, and Neal selected a "fine" mare², and rode off with her. He crossed the river into Douglas County the next morning and brought her to Eudora, where he sold her to Krause for \$160³. There is no evidence that Krause knew the horse was stolen. Krause immediately sold it to John Miller, and later that same day, Miller sold the horse to Art Wyland. As soon as he received the money for the stolen horse from Krause, Neal went back to Linwood, picked up Minnie, and brought her the 12 or so miles to Lawrence, Kansas, where they obtained a marriage license. He spent \$45 in town on what a local newspaper would sarcastically report as "gay wedding raiment." They were then married by the probate judge in Lawrence, and set off on their honeymoon to Troy, Kansas, the county seat of Doniphan County approximately 70 miles north of Lawrence. When Tudhope discovered that his horse was missing, he began looking for it. He was able to trail it to Krause in Eudora, who readily admitted that he had bought the horse. The two men soon located Art Wyland, and Tudhope got his horse back. Wyland and Miller both got their money back, but Krause was left empty handed. He

began looking for Neal to get his money back. On Monday the 29th, Krause located Neal where he and Minnie were staying in Troy. Krause secured Neal's arrest⁴. Minnie went back home to her parents. The next day, August 30th, Neal's father went to Lawrence to consult an attorney and arrange for his son's defense. He was "advised by the authorities to abandon any thought of defending the boy, as his guilt was unquestioned and as an expensive suite would not secure him a lighter sentence." Since Tudhope had his horse back, and the only person out any money in the case was Krause, the Leavenworth County authorities consented for Neal to be tried in Douglas County. Charles Richards, a constable from Eudora, went to Troy that same August 30th and brought Neal back there. He was arraigned before Alvin Schellack, Justice of the Peace in the Eudora Township Justice Court. Justice Schellack set a preliminary hearing for September 3rd and a \$600 bond. Neal's father and Minnie paid the bond and he was released. A newspaper reported that in addition to her salary as a school teacher, Minnie owned a small property in Linwood where she and Neal were to make their home, and that she would use it all to keep him out of the penitentiary. Neal's case was brought before the court in Eudora on September 13th. Krause was paid back the money that he had lost when he bought the stolen horse from Neal, and Justice Schellack dismissed the case against the young man. As soon as Neal was released from custody in Eudora, Douglas County Deputy Sheriff E.F. Woods, who had come to town that day from Lawrence, re-arrested Neal, took him back to Lawrence, and put him in the Douglas County Jail. He did so on a request from the authorities in Leavenworth County. Davis Mills, father of Minnie, had opposed the marriage of his daughter to Neal. He announced "his determination to send his newly acquired son to the penitentiary," and convinced the Leavenworth

County authorities to issue a warrant to re-arrest him. What the warrant was for and what charges they proposed to file against him are not known. Leavenworth County Sheriff Brown came to Lawrence the day following Neal's re-arrest, took custody of him, and brought him back to Leavenworth County. Neal announced that if the prosecution was not dropped, he would "send his father-in-law to the penitentiary for seduction of two of the Mills girls." One of the girls that Neal referred to was his wife, Minnie. The *Lawrence Daily World* observed that "The case promises to be an extensive laundering of dirty linen." Records on the outcome of this conflict have not been located, so it is not known if charges were dropped, or whether one or the other, or both of the two men were prosecuted or spent any time in the penitentiary. What is known is that in 1920, Harry G. and Minnie B. Neal, man and wife, were living together on a farm in Richland Township, Miami County, Kansas. That same year, Davis and Amanda Mills, along with their 18 year-old son Elmer, were living in Lincoln Township, Linn County, Kansas. It is not known whether fallout from the accusations of incest that Neal made against his father-in-law when he was re-arrested caused the Mills to relocate. Harry and Minnie must have divorced sometime before 1940, as it appears that he was then living in Lexington Township, Johnson County, Kansas, with a new wife named Ethel. Apparently, Minnie never remarried. She lived for some years in Kansas City, Kansas, before eventually moving to Lawrence around 1960. She was a poet and an author, and published at least two books⁵ under the name Minnie Mills Neal. Harry G. Neal died on March 5, 1962, and was buried in Mount Sidney Cemetery, just east of Linwood, not far from the graves of his father and mother. Minnie Mills Neal died on August 13, 1968, and was buried in Memorial Park Cemetery in Lawrence.

¹ The exact spelling of her name is unclear in the census record, which is the only place a reference to her has been found. Lula is the best estimation of the spelling.

² One account mentions a colt also having been stolen.

³ One account records the selling price as \$100. It also mentions that the actual value was \$350.

⁴ There is some confusion as to who arrested Neal and where he was jailed. An article in the August 30, 1910, edition of the *Lawrence Daily World* newspaper reports that he was arrested by "the Leavenworth authorities" and that he was in the Leavenworth jail. Troy is in Doniphan County, so why Krause would have had Neal arrested by "Leavenworth authorities" and be confined to the Leavenworth jail is unclear. Officials from Leavenworth County could have been involved because the initial crime had occurred in that county, but it would seem strange that the authorities in Doniphan County would have allowed Leavenworth authorities to arrest someone in their county seat. It would seem more likely that the Doniphan County Sheriff would have made the arrest of Neal and would have initially put him in the Doniphan County Jail in Troy. Evidence for his incarceration in Troy is in an article in the September 1, 1910, edition of the same newspaper. It relates that Neal had been retrieved on August 30th from "Trop", apparently a typographical error in which a "p" was substituted for the "y" in Troy, and brought to Eudora. Perhaps the author of the August 30th article was confused as to which county Troy was in, or perhaps he received incomplete information as to the circumstances around Neal's arrest and incarceration, and since the theft had occurred in Leavenworth County, the reporter jumped to the incorrect conclusion that the Leavenworth authorities arrested and jailed Neal. By the time of the September 1st article, the true location of Neal's incarceration could then have been clearer.

⁵ *Oliver Goldsmith and Lamp lighting time.*

[Harry G. Neal](#), BillionGraves website; Neal, Ebenezer, 1900 U.S. Census, Sherman Township, Leavenworth County, Kansas, 6/8/1900; [Ebenezer H. Neal](#), BillionGraves website; Neal, Ebb., 1910 U.S. Census, Sherman Township, Leavenworth County, Kansas, May 9, 1910; Mills, Davis J., 1900 U.S. Census, Sherman Township, Leavenworth County, Kansas, 6/14/1900; [Minnie Mills Neal](#), Find A Grave website; *Lawrence Daily World*, v. 19, no. 155 (September 1, 1910), p. 3; *Lawrence Daily World*, v.

19, no. 152 (August 30, 1910), p. 1; Lawrence Daily Journal, v. 54, no. 207 (August 30, 1910), p. 1; [Guide to Eudora Township Justice Court Collection](#), Kenneth Spencer Research Library, University of Kansas Libraries, University of Kansas website; Lawrence Daily World, v. 19, no. 165 (September 14, 1910), p. 6; Neal, Harry G., 1920 U.S. Census, Richland Township, Miami County, Kansas, 1/14/1920; Mills, Davis J., 1920 U.S. Census, Lincoln Township, Linn County, Kansas, 2/18/1920; and, Neal, Harry 1940 U.S. Census, Lexington Township, Johnson County, Kansas, 4/16/1940.

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, or comments and suggestions on the Law Library itself, please let us know. For your convenience, there is a link to a [feedback form](#) available on most pages of the Law Library's website. 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.

Back Issues

Back issues of the Newsletter are [archived](#) on the Library's website.

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.



Douglas County Law Library E-Mail Newsletter

Editor: Kerry Altenbernd

Published monthly by:

The Douglas County Law Library,
Judicial and Law Enforcement Center,

111 East 11th Street,

Lawrence, Kansas 66044

Phone: 785-838-2477

Fax: 785-838-2455

E-mail: info@douglascolawlibrary.org

Website: <http://www.douglascolawlibrary.org>

© 2014, by the Douglas County Law Library