

The Michael J. Malone 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.

The August 2016 Douglas County Bar Association Brown Bag CLE program will be on Thursday, August 18th, from 12:00 p.m. to 12:50 p.m. in the Jury Assembly Room in the Judicial and Law Enforcement Center. Laura Fey and Steve Hengeli from Fey LLC will present *Inviting Legal to the Bring Your*

Own Device Party. Check the [DCBA website](#) for more information on the program, on the CLE credits available, and for handout material.

Current Art Gallery Exhibition

The August/September 2016 Law Library and Division III art gallery exhibitions are arts and crafts by Judicial and Law Enforcement Center staff and their families. The exhibitions will run through the end of September 2016.

The October/November 2016 exhibition slots in the Michael J. Malone Douglas County Law Library Art Gallery and the Division III Art Gallery are open for scheduling. More information will be in the October 2016 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. 20:6 (July-Aug. 2016).

ABA Child Law Practice: Helping Lawyers Help Kids, v. 35:7 (July 2016).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 304:1/v. 52:4 (May 2016).

Juvenile Justice Update, v. 22:3 (June/July 2016).

Kansas Annual Survey, v. 27 (2016).

Kansas Criminal Law, Fifth ed., Elizabeth Cateforis, editor.

Practitioner's Guide to Kansas Family Law, Second Edition, 2016 Supplement.

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 serving as the archives for the Douglas County Bar Association.

This Month In Legal History

August 15, 1863 - Bloody Bill Anderson raids Black Jack - Or did he?

William T. Anderson was born in 1839 in Hopkins County, Kentucky¹, the oldest child of William C. and Martha Jane, née Thomason, or Thomasson, Anderson. The senior William and Martha were also natives of Kentucky, but soon after the younger William, known as Bill, was born they moved to Missouri. When Bill was around two years old, a second son, Ellis, was born. Not long after, the family moved to Iowa, where a third son, James M., known as Jim, was born around 1843. They did not stay in Iowa long, and by the time a daughter, Mary Ellen, was born in 1847, they were back in Missouri on a farm near Huntsville. She was followed by daughters Josephine, born around 1848, and Martha Jane, known as Janie, who was born around 1850. William senior left the family in Missouri and traveled to California to search for gold. Apparently not having much success, he returned to the family farm. Kansas Territory was opened up to white settlement in May of 1854, and in 1855, the senior William again left his family in Missouri and went there to stake a land claim. In the spring of 1857, the rest of the family came to Kansas Territory, and joined William on his claim locate next to the Santa Fe Trail thirteen miles east of Council Grove near a village named Agnes City in Breckenridge County. The sons helped their father build a log cabin there, and the family moved in and began making a life for themselves in Kansas. Taking advantage of the proximity of the Trail, William ran a freighting business and operated a grocery store, selling provisions to passing wagons. Martha gave birth to a fourth son, Charles, around 1859. By 1860, the family had become fairly prosperous, but serious issues began plaguing the Andersons. Ellis got into an altercation with an Indian, shot him in the head, and fled to Iowa. Then on June 28, 1860, Martha Anderson was struck by lightning and killed². Soon after, Bill staked a claim of his own and presumably moved out of the family home. He also be-

gan working on wagon trains plying the Santa Fe Trail, being made "second boss" on one of them. Soon after that train set out, Bill and the top boss returned to Council Grove, saying that they had lost the train because the horses and mules had strayed off. People wondered how you could lose a wagon train. Suspicions of Bill's honesty grew when he began taking ponies into Missouri and returning with horses that he then sold around Council Grove. People began wondering where he had obtained the ponies. A severe drought had begun in late 1860 and continued on into 1861, which was compounded by the problems resulting from the beginning of the Civil War in April 1861. Somewhere around this time, the infant Charles died. In late 1861, Bill joined Arthur Ingram Baker and a number of other men on a trip into Missouri. Baker was a lawyer from Virginia, and had founded Agnes City and owned all the buildings there, including a store. He had been district court judge and had significant influence in the area. The drought had caused his crops to fail, and his 34-year-old wife Susan had died, leaving him with a young daughter. Baker decided to go into Missouri and see what could be found there to improve his fortunes. There was a significant amount of cross-border raiding going on between Kansas and Missouri, and Baker wanted to get in on it. After entering into Missouri, they were attacked by a Union Army patrol. The patrol assumed they were either guerrillas or were on their way to join the Confederate Army. They killed one man and captured Baker. The rest of the men, including Bill Anderson, escaped. Baker was imprisoned for four months, and on his release, swore loyalty to the Union. Upon his return to Kansas in April of 1862, he severed his ties to the Anderson family, including those with his supposed lover, Mary Ellen Anderson. William, Bill, and Jim exploded with rage at Baker for having dropped his relationship with Mary Ellen, seeing it as dishonoring

their family. The relationship between Baker and the Andersons continued to deteriorate. He had led a posse to capture a cousin of the Andersons, and had sworn out a complaint against him, prompting William, Bill, and Jim to threaten Baker. In the morning of May 12, 1862, William took his shotgun and rode over to Baker's house. On the way, he stopped for a whisky, and supposedly someone there removed the firing caps from the weapon. Presumably this was done without William's knowledge, because doing so rendered the gun unable to be fired. William arrived at Baker's house and yelled at him from outside. He then went inside and up the stairs to the room where Baker was taking refuge. Baker stepped out of the room and killed William with his own shotgun. The next night, Bill and Jim came to Baker's house and called him out. Baker and a friend were armed and were able to put off the two brothers. Baker obtained a warrant for the arrest of Bill and Jim. Bill was arrested, but was released on bond. The two brothers left that night for Missouri. Three weeks later a man with a wagon came to the Anderson place and took Mary Ellen, Josephine, and Janie to Missouri as well. Bill and Jim came back into Kansas with revenge on their minds. On the night of July 3rd, Bill, Jim, and several other men arrived at Baker's place. One of them, a stranger to Baker, went to his house. He told him that he was boss of a wagon train, and that he wanted to buy whisky for his men to celebrate the holiday the next day. Baker was supposedly on guard because of the bad blood between him and the Andersons, but despite this, he went with the man to his store. They were accompanied by George Secor³, the 16-year old brother⁴ of Baker's new wife, whom he had married two days after killing William Anderson. Upon arriving at the store, Baker unlocked the door and the three men went in. Baker opened a trapdoor in the floor and went down in the basement to fill a whisky bottle from a bar-

rel stored there. When he turned around, Bill and Jim were standing in front of him. Baker pulled out a pistol and fired, striking Jim in the thigh. Bill fired back, and Baker fell to the floor severely wounded. Bill and Jim, who was not badly injured, went back up the stairs, shot Secor, and threw him into the basement. They closed the trapdoor and piled boxes and barrels on top of it. They then lit the building on fire. After the store was fully ablaze, they went over to Baker's house and burned it and the barn. They then hurried back to Missouri, arriving there safely ahead of the posse on their tail. The next day, neighbors investigated the ruins of the store. They found what remained of Baker's body, which showed signs of him having killed himself to avoid burning to death. Secor had somehow managed to crawl through a small window and escape the flames. Before dying of his wounds, he was able to tell the neighbors that it had been Bill and Jim Anderson who had done the deed. Bill and Jim became full time bushwhackers, the term used by Union supporters to describe pro-Confederate guerrillas. Early in the fall of 1862, William Clarke Quantrill, leader of the largest and most successful Confederate guerilla band in Missouri, got word that the Andersons were robbing both Confederate and Union supporters alike. They hunted the brothers down and captured them. Before releasing them, Quantrill warned them to restrict their activities to Union supporters or they would be killed. Bill felt humiliated by this, and supposedly never forgave Quantrill. Around the first of May 1863, Bill and Jim accompanied Dick Yeager, who had once served with Quantrill, and his band of guerillas on a raid into Kansas. They went to the area of Council Grove. After several run-ins with Union forces, they made their way back towards Missouri on the Santa Fe Trail. It is unclear whether Bill and Jim were still with Yeager when he and his men raided the town of Black Jack in southeastern Douglas

County, Kansas, on May 8th. The town had been established in 1857 approximately a mile east of the site of the Battle of Black Jack, in which the abolitionist John Brown had led a Free State militia in a successful attack on a proslavery militia early on the morning of June 2, 1856. The area had come to be known as Black Jack because of the abundance of Blackjack Oaks there. During the raid, Yeager and his men robbed a store owned by N. H. Brockway and Samuel Ashbury Stonebraker, and stole all the horses that were owned by the overland stage route. Although they were robbed, the citizens of Black Jack were otherwise unmolested by Yeager and his men. After Bill and Jim Anderson returned to Missouri, they resumed their activities there. The two, but especially Bill, were getting to be well known by the Union authorities in the Missouri/Kansas border area. On June 16, 1863, Brigadier General Thomas Ewing, Jr., former chief justice of the Kansas Supreme Court and brother-in-law of Union General William Tecumseh Sherman, became commander of the District of the Border, which comprised western Missouri and most of Kansas. He was determined to stop the bands of pro-Confederates carrying out guerrilla warfare on the border, and to accomplish this, decided to get at them indirectly through their families. He had female relatives of known guerillas arrested. These included Mary Ellen and Josephine Anderson. As she had nowhere else to go, young Janie voluntarily accompanied her sisters into custody. The women and girls were put into a makeshift prison in Kansas City, Missouri. The structure, built in 1859, was known as the Thomas Building. It was owned by the famous painter George Caleb Bingham, who had previously added a third floor to the original two-story structure to serve as a studio. A Jewish merchant had had a shop on the ground floor, but was only storing merchandise there when it became a prison. Except for the captives and guards,

the building was otherwise unoccupied. An adjoining building was being used as a guardhouse, and in order to make more room and more easily access the ground floor of the prison, guards removed a wall and posts holding up an important structural member in the prison building. The building began to sag. The merchant advised the authorities of this, expressing his concerns for the safety of the building. On August 13th, people became concerned that the building might collapse. An inspection was supposedly in progress when around dinner-time, the building gave way, collapsing into a large pile of rubble, burying a boy, a guard, and the seventeen women who had been on the second and third floors. Four of the women were killed, including Josephine Anderson, and a number were severely injured, including both Mary Ellen and Janie. Accusations quickly began to circulate that the building had been undermined on purpose so that it would collapse and kill the women. Just where Mary Ellen, Josephine and Janie's brother Bill was at this time, or when he first heard of the tragedy, is unclear⁵. He was reputed⁶ to have been in Kansas just two days later, when he led twenty-two men to Black Jack on August 15th in a repeat of Dick Yeager's May 8th raid. The men took goods from Brockway and Stonebraker's store, robbed the passengers of the overland stage that had the misfortune to arrive at the same time the raiders were there, and took all the stage horses with them when they left town. Fifteen men under the command of a J.J. Bell took out in pursuit of the raiders, and caught up to them the next morning near Westport, Missouri. They surprised the raiders who were dividing up the stolen goods. They were able to recover one horse and a portion of the stolen property. Considering what would happen on August 21st, the people at Black Jack having suffered nothing worse than their property being stolen by Bill Anderson would indicate that at that time, he knew

nothing of the death of Josephine and the injuries to Mary Ellen and Janie. When he did hear about them, he changed from Bill Anderson to "Bloody" Bill Anderson. Quantrill had long been planning a raid on Lawrence, the headquarters of the Free State movement in pre-Civil War Kansas, and the town at the top of the list for revenge by many pro-Confederate Missouri guerillas. Despite the humiliation he had received at the hands of Quantrill the year before, Bloody Bill enthusiastically joined him in the raid on August 21, 1863. Upwards of 200 men and boys were murdered in Lawrence, and most of the town was burned to the ground. Bloody Bill was among the most ruthless of the raiders that day⁷. He went on to become more and more violent and bloodthirsty, killing Union soldiers and civilian sympathizers alike across a wide swathe of Missouri. In late 1864, Lieutenant Colonel Samuel P. Cox was assigned to hunt down and kill Anderson. A woman observed Anderson and his men camping near Albany, Missouri, and went to Cox to tell him what she had seen. Cox moved on Albany. On October 26, 1864, his men ran into Anderson's sentries about a mile from Albany and drove them through town. Cox set up a heavy skirmish line a distance from the town and sent a mounted detachment of men forward to engage the main body of the enemy. Suddenly the mounted detachment came riding back, pursued by two to three hundred screaming guerillas led by Anderson. Cox's men opened up a heavy fire on them. The guerillas killed several of Cox's men, but the heavy fire stopped all but two of them. Anderson and John Rains, son of Confederate General James S. Rains, continued the charge alone. Anderson was hit by a bullet behind his left ear, and went down off his horse. Rains was also shot off his horse and staggered off into the brush, where his body was later found lying in a field. The remaining guerillas quickly withdrew with some of Cox's men in hot pursuit. When

soldiers approached Anderson's body, they found him dead. The body was identified as Anderson's by two sheets of paper and a small Confederate flag found on it. The flag bore the inscription "Presented to W.L. Anderson by his Friend, F.M.R. Let it not be Contaminated by Fed. Hands." The sheets of paper contained orders from Confederate General Sterling Price to "Captain Anderson." Several photographs of Anderson's body were taken and it was put on public display before he was buried in a field near Richmond, Missouri. When word of his death became public knowledge, newspapers exalted over the death of Bloody Bill Anderson. Jim, who had been with his brother during most of his notorious exploits, moved to Texas after the War, and was killed there in either 1867 or 1868. In 1908, Cole Younger, former Confederate guerilla and ex member of the James-Younger Gang, reburied Anderson in the Old Pioneer Cemetery in Richmond.

¹ There is some confusion in the sources as to when and where he was born. The confusion is probably the result of the family having moved from Kentucky to Missouri around the time of his birth. According to a genealogy site, the William C. Anderson that is recorded in the 1840 U.S. Census for Marion County, Missouri, is the senior William. This would indicate that the family was in residence there at that time. The 1850 U.S. Census for Randolph County, Missouri, records Bill Anderson's place of birth as Missouri, while the 1860 U.S. Census for Breckenridge (later Lyon) County, Kansas Territory, records it as Kentucky. His age as noted in both the 1850 and 1860 census records indicate him having been born in 1839. Although his entry on the Find-A-Grave website has his birth year as 1840, it has his place of birth as Hopkins County, Kentucky. Lacking other evidence, it is assumed here that William T. Anderson was born in 1839 in Kentucky.

² In a strange coincidence, the United States Census enumerator visited the Anderson home that same day, June 28, 1860, and recorded the members of the family living there, including Martha, who would not survive the day.

³ There is a question as to the spelling of the last name. Different sources have it spelled Segur, Secor,

and Cecor. All three spellings are names of families in New York, where George and his family came from. The 1860 U.S. Census for Breckenridge County, Kansas Territory, has the head of the household that George was living in as being Ira B. Segur. The last name of George and his two siblings is recorded as Cecor. There are at least three possibilities for this. One is that the census enumerator misunderstood the pronunciation of the children's' last name and misspelled it. A second is that Ira may have been the second husband of his wife Delia, and that the three siblings were her children by a previous marriage to a man named Cecor. A third is that George and his siblings were living with people who were not their parents. In this case, the similarity of the pronunciations of Segur and Cecor could indicate that they were all related, though perhaps distantly. The source indicating the Secor spelling is from Morris County, Kansas, which is near to where Agnes City was in Breckenridge County, so it is possible that it is the most accurate spelling. In addition, Secor and Cecor are pronounced the same, which would lend weight to the possibility of the misunderstanding by the census enumerator. In considering all the variables, the most likely answer is that the census enumerator misunderstood the spelling of George's last name, and that it was actually spelled Secor, so that is the spelling used here.

⁴ Several sources have George Secor being Baker's father-in-law instead of his brother-in-law. The fact that he was 16 years old at the time, which is borne out by the 1860 census records, shows that he was not Baker's father-in-law. Somehow, "father" became confused with "brother" when those sources were written.

⁵ Because he was a guerrilla, and as such out in the bush most of the time, his exact movements are very hard to pin down. As fast as men on horseback can move, their location can dramatically change in a relatively short period of time. In addition, they may not record where they go and when they are at a specific locale unless there is something particularly important to document.

⁶ Two accounts record the Black Jack incident. One, in the sectioned titled *Black Jack* in William G. Cutler's *History of the State of Kansas, Douglas County, Part 34*, first published in 1883, mentions both the May 8th and August 15th raids on Black Jack. Cutler notes that the store that was raided was owned by Brockway and Stonebraker. He does not have Bill Anderson participating in the May 8th raid, but reports that Anderson led the August 15th raid. In Cutler's account, Anderson raided Black Jack on Au-

gust 15th on his way back to Missouri after killing Baker in Agnes City. Since this event had actually occurred over a year before on July 3, 1862, it is obvious that Cutler was confused about the actual chronology of the events, combining the two incidents into one. This brings the veracity of the rest of his account into question. The other account may be more reliable. It is a biographical piece titled *Samuel Ashbury Stonebraker* contained in *The United States Biographical Dictionary, Kansas Volume*, published in 1879. In it, the author of the piece does not mention Brockway at all, giving full ownership of the store in Black Jack to Stonebraker. The author goes on to report that Anderson participated in the May 8th raid along with Dick Yeager, and then led an August 15th raid on Black Jack. Presumably, the information on the life of Stonebraker recorded in this source was supplied by Stonebraker himself. It is likely that he would have correctly remembered how many times his store had been robbed in 1863, and who would have led the raiders on each occasion. It is therefore highly likely that Bill Anderson did lead an August 15, 1863, raid on the town of Black Jack.

⁷ Considering what he did in Lawrence, had Anderson known of the collapse of the prison in Kansas City and the death and injury of his sisters when he raided Black Jack on August 15th, it is likely that none of the male residents of the town would have survived, and that every building there would have been burned to the ground. This is evidence that Anderson did not know of the prison collapse on August 15, 1863.

From: *Bloody Bill Anderson: The Short, Savage Life of a Civil War Guerrilla*, by Albert E. Castel and Thomas Goodrich, Stackpole Books, Mechanicsburg, PA, 1998; Anderson, William C., 1860 United States Census, Agnes City Township, Breckenridge County, Kansas, 6/28/1860; [William C. Anderson](#), FamilySearch website; [William T. Anderson](#), Wikipedia website; 1840 Census, Liberty (Township), Marion County, Missouri; [William T. "Bloody Bill" Anderson](#), Find A Grave website; [Bloody Bill and Judge Baker](#), From the Barber's Chair: Historical sketches of Morris County, Kansas, fromthebarberschair website; A.I. Baker, 1860 United States Census, Agnes City Township, Breckenridge County, Kansas, 6/28/1860; Ira B. Segur, 1860 United States Census, Agnes City Township, Breckenridge County, Kansas, 6/28/1860; Samuel Ashbury Stonebraker, *The United States Biographical Dictionary, Kansas Volume*, S. Lewis & Co., Chicago, 1879, pp. 432-433; [Collapse of the Union Women's Prison in Kansas City](#), Civil War on the Western Border website; and, [Black Jack](#),

William G. Cutler's *History of the State of Kansas, Douglas County*, Part 34.

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

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.

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