

Douglas County Law Library

E-Mail Newsletter



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Contents

- Meeting and Event Announcements
- 2012 Law Library Registration Fee Due
- New Computers for the Law Library
- 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
- Classified Ads

Meeting and Event Announcements

The Defense Bar meets the second Friday of the month. This month the meeting is on the 9th.

2012 Law Library Registration Fee Due

The 2012 Law Library Registration Fee for attorneys is due in the Law Library no later than 5:00 pm, January 16, 2012. 2012 Law Library Registration Renewal Form. A registration renewal form/invoice will be e-mailed to all attorneys for whom the Library

has an e-mail address. The form is also available on the Law Library's website by clicking [here](#).

If you have not already paid your 2012 fee, please print and complete the form, and, along with your 2012 fee payment of \$25.00 made out to the Douglas County Law Library, submit it to the Law Library.

New Computers for the Law Library

The Law Library is in the process of upgrading its computer network, and as part of that upgrade, the three old patron workstation computers are being replaced with state-of-the-art, touch-screen units from Hewlett-Packard.



[HP TouchSmart 610 Quad series](#)

The Library is also purchasing a 15" MacBook Pro laptop.



[15" MacBook Pro](#)

The new computers are on order. After they are delivered, they will be installed and the Library's network will be reconfigured. Please continue to bear with us as we improve our network and install the new computers.

Current Art Gallery Exhibition

The December 2011/January 2012 Law Library and Division IV exhibitions are textiles by Linda Frost.

The exhibitions will run through the end of January 2012. Most of the pieces are for sale and may be purchased directly from the artist. Contact information for Ms. Frost is available in the Library.

The February/March 2012 exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are scheduled to be photography by Roger Spohn. More information on these exhibitions will be in the February 2012 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:

AALL Spectrum, v. 16:2 (Nov. 2011).

ABA Child Law Practice: Helping Lawyers Help Kids, v. 30:8 (Oct. 2011).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 292:4/v. 46:2 (Nov. 2011).

The Awful Truth, DVD.

Courtroom Criminal Evidence, 5th, v. 1 and v. 2, by Edward J. Imwinkelreid, et al.

Juvenile Justice Update, v. 17:5 (Oct./Nov. 2011).

Kansas Annual Survey, v. 22 (2011).

Kansas Court Rules and Procedure, Volume I - State, 2012.

Kansas Court Rules and Procedure, Volume II - Federal, 2012.

Kansas Court Rules and Procedure: KeyRules, Volume IIA - Federal, 2012.

Kansas Court Rules for Judicial Districts, Volume III - Local, 2012. Kansas Judicial Council Probate Forms, 3d, 2011 Supplement.

Law Library Journal, v. 103:4 (Fall 2011).

Search and Seizure: a Treatise on the Fourth Amendment, 4th ed., v. 1 - v. 6, 2011/2012 Pocket Parts.

Search and Seizure Bulletin, v. 48:10 (Oct. 2011).

West's Kansas Statutes Annotated, v. 1 - v. 45, 2011 Pocket Parts.

West's Kansas Statutes Annotated: General Index, 2011.

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.

November's entry was:

Only 100% post-consumer content recycled paper is used in the Law Library's printer/copier.

This Month In Legal History

December 26, 1857 - A "rising voice in deep silence" deals with Christ Kuntz.

Charles (Karl) Kaiser was originally from Bavaria, but lived for many years in Hungary. He had served in the revolutionary army during the Hungarian Revolution of 1848, when the Kingdom of Hungary attempted to gain independence from the Austrian Empire. He had apparently seen much action in the revolution, as his face was described as being, "marked with saber cuts and lance thrusts." Kaiser came to the United States, and arrived in Kansas Territory sometime after it was opened to white settlement by the Kansas-Nebraska Act of 1854. In Kansas, Kaiser was known as Dutch Charley. At that time, Germans were frequently referred to as Dutch, the name referring not to the Netherlands but instead being a corruption of the German word

"Deutsch", meaning German. Kaiser became a supporter of the cause to bring Kansas into the Union as a state that did not allow slavery, and became an active member of the Free-State partisans as early as November 1855. On the night of November 26, 1855, he participated in the rescue of fellow Free-State supporter Jacob Branson from the proslavery sheriff of Douglas County, Kansas Territory, and then helped defend the town of Lawrence, Kansas Territory, from attack in the subsequent Warkentien War. Kaiser became acquainted with the abolitionist John Brown, and fought alongside him in the Battle of Black Jack, June 2, 1856. He was again with Brown's militia in the Free-State settlement of Osawatimie, Kansas Territory, when on August 30, 1856, a large force of proslavery men attacked the town. The proslavery force drove out Brown's Free-State militia, and sometime during the fight, managed to capture Kaiser. After they defeated Brown's men, the proslavery men proceeded to sack and burn everything in town owned by Free-Staters. The proslavery force included two other ethnic Germans, Christ Kuntz and Henry Sherman, who was known as Dutch Henry. It was unusual for Germans in the Territory to be proslavery, as most were like Kaiser and against what John Brown called, "the sum of all villainies." Charles Leonhardt, anti-slavery activist and member of the secret Free-State society known as the Danites, commented on this when he wrote that Kuntz was, "...another descendent of the otherwise so favorable a race as friends of liberty, the Teutonic...." Leonhardt also noted that Kuntz was, "a very hard case" when it came to being proslavery. Dutch Henry himself was notorious to the Free-State supporters in the Territory for his proslavery activities, and his brother William had been one of the five men killed in the Pottawatomie Massacre on the night of May 24-25, 1856. After leaving Osawatimie in ruins, the men in the proslavery force held a

council to decide what to do with their prisoner, Dutch Charley Kaiser. During the proceedings, Kuntz reportedly jumped to his feet shouting, "Let the Dutch kill the Dutch," and then commanded Dutch Henry to, "show his grit." In response, Dutch Henry rose, walked over to Kaiser, and shot him dead through the head. When news of the murder reached the Free-State camp, "...our members became silent. None spoke. They looked into each other's eye [sic]. They all understood the order--to be on a keen lookout for the murder [sic] and his associates. Both men, Dutch Henry and Koontz¹ were now by a rising voice in deep silence condemned to die." That rising voice spoke on the night of December 26, 1857². The January 2, 1858, edition of the *Kansas Tribune* newspaper carried an article that read, "A German by the name of Kuntz was found dead near his residence several miles south of Lecompton[, Douglas County, Kansas Territory,] a few [days] ago. He took a prominent part in the pro-slavery ranks during the troubles of 1856, and as the recollection of several dark deeds are associated with his name, it is not improbable that justice has been meted out to him by some of his old antagonists in rather a summary and unceremonious manner." As to the identity of these old antagonists, the newspaper was silent, but Charles Leonhardt wrote that, "John E. Stewart³ and Willitz Dorn [or Horn]...rid the world of Christ Koontz." Assuming that Leonhardt's account is accurate, Stewart and Dorn were the embodiment of that "rising voice in deep silence," when they killed Kuntz. Although the killers of Kuntz were obviously known in some circles, the authorities never were told, and no one was every brought to trial for the killing of Christ Kuntz. Dutch Henry Sherman, the man Kuntz had goaded into murdering Kaiser, had himself been killed nine months before Kuntz, in March 1857, supposedly, "... by a party of men, simply for his money, of which he had collected a

considerable amount." Whether this is correct, or whether Dutch Henry's demise was another expression of that "rising voice," is unknown.

¹ Several different spellings of the name exist in written accounts, including Kuntz, Kontz, and Koontz.

² In a letter to the editor printed in the March 9, 1900, issue of the *Baldwin Ledger*, an anonymous writer tells of some of the experiences he and a man he calls his brother had had during the turbulent times in the 1850s in Douglas County. From the tone of the letter, it is possible that he meant that the man was his brother-in-arms, and not actually a member of his family. It is also possible that the author of the letter, in describing the activities of his "brother," was using a fictitious person to mask an account of his own activities. Whatever the true identity of the writer, he mentions that a proslavery man named Koons, "who had killed his third free state man...", had "bit the dust upon the night of December 26, 1857, ...". The timing of when the writer indicated the man he called Koons "bit the dust" (i.e.: when he died), combined with the timing of when Kuntz's body had been discovered near Lecompton, and adding in the similarity of the two names, leaves little doubt that the letter writer was referring to Christ Kuntz. Assuming the writer was correct about the date, Christ Kuntz was killed on the night of December 26, 1857.

³ John E. Stewart, also know by the alias Levi W. Plumb, was a Methodist minister who earned the nickname "the fighting preacher" for his militant support of the Free-State cause in Kansas. Stewart had also participated in the rescue of Jacob Branson in November 1856, so would undoubtedly have known Charlie Kaiser, and likely would have served with him in other Free-State activities. Considering his attitude and his militancy, Stewart would have been a good candidate to have helped, "...rid the world of Christ Koontz."

From: *The Secret Danites, Kansas' First Jayhawkers*, by Todd Mildfelt, Todd Mildfelt Publishing, Richmond, KS, 2003, pp. 42-43; *Kansas Tribune*, v. 2, no. 49, (January 2, 1858), p. 2; *German Republicans and Radicals in the Struggle for a Slave-Free Kansas: Charles F. Kob and August Bondi*, by Frank Baron, *Yearbook for German-American Studies*, No. 40 (2005), pp. 3-26; [Hungarian Revolution of 1848](#), Wikipedia website; *The Kansas Conflict*, by Charles Robinson, Harper & Brothers, New York, 1892, p. 186; [Thaddeus Hyatt Papers 1843-1898](#), Kansas Historical Society website; *Geary and Kansas: Governor Geary's Administration in Kansas with a complete*

history of the Territory until July 1857..., by John H. Gihon, Charles C. Rhodes, Philadelphia, 1857, [Chapter XXXI](#); William G. Cutler's History of the State of Kansas, Border Troubles - Part 2, [Bourbon County, Part 3](#); [John Stewart and Others of the Wakarusa/Kennedy Valley](#), Wakarusa River Valley Heritage Museum website; and, The Baldwin Ledger, v. 17, no. 21, (March 9, 1900), p.2.

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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