

Douglas County Law Library E-Mail Newsletter



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Contents

- Meeting and Event Announcements
- 2014 Law Library Registration Fee Due By January 15th
- 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 13th.

The December Douglas County Bar Association Brown Bag CLE program will be on Thursday, December 19, 2013, from 12:00 p.m. to 12:50 p.m. in the Jury Assembly Room in the Judicial and Law Enforcement Center. Anne McDonald from the Kansas Lawyers Assistance Program will present

Codependence in the Legal Arena. Handout material can be downloaded from the [DCBA website](#).

2014 Law Library Registration Fee Due By January 15th

The 2014 Law Library Registration Fee for attorneys required* to register with the Law Library is due in the Law Library no later than 5:00 p.m., January 15, 2014. It is also time for attorneys who do not have to register and pay the fee, but do so anyway to have access to a Library key, to renew their annual registration and pay their fee.

A 2014 Law Library Registration Renewal Form/Invoice was e-mailed to all attorneys for whom the Library had an e-mail address. If you need it re-sent, please contact the Library. The form is also available in fillable PDF format on the Law Library's website by clicking [here](#).

If you have not already paid your 2014 fee, please fill out, print, sign, and date the form, and, along with your 2014 fee payment of \$25.00 made out to the Douglas County Law Library, get it to the Law Library no later than January 15th.

* K.S.A. 20-3126(e) states: “For the purposes of this section, an attorney shall be required to be registered in the county: (1) Where the attorney's principal office is located, if such attorney is a resident of Kansas or a resident of another state; or (2) where the attorney resides, if such attorney's principal office is located in another state. The principal office shall be the principal office of the attorney and not the principal office of such attorney's firm.”

Current Art Gallery Exhibition



The December 2013/ January 2014 Law Library and Division IV art gallery exhibitions are quilts by Carol Gilham Jones.

The exhibitions will run through the end of January 2014.

The exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are currently open for scheduling. If you know of an artist who would like to exhibit then, please have them contact the Law Library. More information on these exhibitions will be in the February 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 Membership Directory, 2013/2014.

AALL Spectrum, v. 18:2 (Nov. 2013).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 297:2/v. 49:1 (Sept. 2013).

Code of the City of Lawrence, Kansas, July 1, 2013 edition.

The Kansas DUI Manual: Everything You Need to Know to Handle Your Case, Navigate the System and Come Out Alive After a DUI Arrest, by Jay Norton.

Law Library Journal, v. 105:4 (Fall 2013).

Reports of rules adopted by the Supreme Court of the State of Kansas, 2013 edition.

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:

Charles Whitman was elected President of the Douglas County Law Library Board of Trustees for the 2013/2015 term at the Board's July meeting.

This Month In Legal History

December 17, 1896 - Carl August Beuermann is shot by his wife.

Carl August Beuermann¹ was born September 20, 1858. The location of his birth is unknown. He married Anna Paulina Klussmeyer, born around 1862, on June 30, 1886, in Douglas County, Kansas. After the marriage, the couple lived together with Anna's mother and father on Beuermann's farm at Lake View, a community approximately four miles northwest of Lawrence, Kansas, that surrounded an oxbow lake² known as Lake View Lake. Apparently, the Klussmeyers were newly arrived immigrants, as it was later reported that Anna did not speak English at the time of her marriage to Beuermann, and attended school over the next three years to learn the language. They seemed to be a relatively happy couple with no disagreements evident to their neighbors. At around six o'clock on the evening of November 17, 1896, Anna was setting the table for supper. Beuermann went to the window to watch the Santa Fe Plug³ pass by, perhaps to set his watch by it. As such, he was standing with his back to the supper table where Anna was. She quickly left the room, retrieved a .38 revolver, came back into the room, and shot her husband once in the back, killing him instantly with a bullet through his heart. She then went out into the yard, pointed the pistol at her own heart, and pulled the trigger. The trigger was hard to pull in that awkward position, so the shot missed her heart and she was only wounded. A doctor named Anderson was called. He determined that Beuermann was beyond help, and then treated Anna. He left her at home after determining that her injuries were so severe that recovery was beyond hope. The next day "Coroner Leonard", presumably Dr. Wellington Leonard, empaneled a jury and went out to the Beuermann farm. The jury examined Beuermann's body. Anna told them that she had been

trying for six months to get her husband to divorce her, but he would not do so. She said that he had ceased to love her, and she decided that it was time for them both to die. She had intended to shoot her husband three days earlier, but her courage had failed her. Then the night before the shooting, she determined to kill Beuermann the next day. She put poison in the biscuits she made for supper, but became concerned that it might not kill him, so when the opportunity presented itself, she retrieved the pistol and shot him. The jury adjourned to wait to see whether Anna would die from her wound. The bullet had gone clear through her body near the heart, and the doctors expected she would not survive. She had expressed no regret for her actions, except that the bullet had not killed her. She was also feeling better, and was concerned that she might not die after all. Beuermann was buried in Oak Hill Cemetery in Lawrence. Despite the dire prognosis from the doctors, as the days passed, Anna began to recover from the bullet wound. She was soon put under close guard. She engaged Judge⁴ John Quincy Adams Norton as her attorney, and waited for whatever developed. The Coroner scheduled an inquest that was held on January 6, 1897, where the jury examined the evidence. Anna related more of the story behind her desire to kill Beuermann. As reported in the *Lawrence Daily World*, after she learned English, "All went well for some time until she fell in with a company of free thinkers, or liberals, as they call themselves. She went to their meetings and had considerable correspondence with them. At the last meeting, which was held in Ottawa[, Kansas]⁵, spiritualism was introduced. This disgusted Mrs. Beiermann. One of the letters read at the inquest was from a married woman who said she was in love with a married man, and she expressed a horror of the laws that would not allow them to live together." The article continued, "The upshot of all this religious agitation was that

Mrs. Beiermann lost her belief in a Supreme Being and felt that there was no hope anywhere for her. Her mental position was agonizing. She had ceased to love her husband and knew that they could never have any children. She asked for a divorce but he only laughed at her. She wanted to become the mother of children but saw no hopes. Feeling that life ended all she concluded to kill both herself and her husband." After deliberating, the coroner's jury found that Anna was "mentally irresponsible at the time of the commission of the crime." Because of this, there was speculation that she might not be prosecuted for the crime, but this proved too optimistic. Five days later, on January 11th, "One of the brothers of August Beiermann this morning swore out a warrant against Mrs. Anna Beiermann, charging her with murder." She was arrested and brought in to court that evening to appear before Judge Charlton, who allowed her to go back home under guard for the night. At 10:00 a.m. the next day she again appeared before Judge Charlton, who set her bail at \$5,000. He continued her hearing until January 19th, because of the illness of her attorney. Anna was able to make bail and was released. The newspaper commented on her appearance, noting that, "She is somewhat pale but walks with a steady step. One would think she was a third party to the proceedings." The case was called on the 19th, but Judge Charlton again continued it to January 28th. The reason for the continuance is explained by another article in the same newspaper reporting the court action. The article read in part, "Judge Norton is still a very sick man. His attending physician thinks he is improving but he is in a very precarious condition." He must have recovered sufficiently to appear in court with his client on the 28th, because that morning Anna had her preliminary hearing and was bound over to the district court with the same \$5,000 bond that she had previously met. The case was scheduled for the

next session of the Douglas County District Court, but because Norton was still too ill to participate in a trial, she did not go to trial until November 8, 1897. The case was called that day in front of Judge Samuel A. Riggs, and a jury was empaneled. The charge was first degree murder, and Anna pled not guilty by reason of insanity. The prosecutor was county attorney A.C. Mitchell, and Norton served as Anna's defense council. There was testimony given that Anna, "was very desirous of having children." And that, "her husband [Beuermann] was lacking in physical power, amounting to sexual disability, and that he had not informed her of his condition before marriage, that the lack of virility and the impotency of her husband preyed upon her mind, and that by constant brooding over the situation her mind was finally unbalanced." The case went to the jury the afternoon of the 10th. They deliberated three hours and then returned with a verdict of guilty of second degree murder. Anna was sentenced to ten years at hard labor in the Kansas State Penitentiary. She was taken into custody. An article in the November 11, 1897, edition of the *Lawrence Daily World* gloated at her conviction. The article, titled *Justice Done*, stated that, "Justice is vindicated...", and that, "The verdict meets with universal favor." The article continued to make the point over and over again how the local citizenry wanted her tried and convicted of murder. It reported that in her testimony, Anna had not loved Beuerman from the day they were married, and that she had loved another man for two years. It complimented Mitchell on his handling of the trial and that, "The case was ably tried." It then made a curious statement, which read, "Although put in a delicate position on account of previous personal relations with the family[,] County Attorney A.C. Mitchell did not flinch in his official (sp.) duty." The article ended with, "There will be the usual effort for a new trial and possibly the case will be

taken up. Mrs. Buerman is quite well off and it is not likely that she will go to the penitentiary without exhausting every effort to keep out." The newspaper was correct, in that Norton moved for a new trial on November 12th. The motion must have been denied, as Norton filed a notice of appeal with the district court on December 17th. He filed a second notice of appeal on March 2, 1898. Anna's appeal had been made to the Kansas Supreme Court, and she was released from the penitentiary on bond pending the Court's decision. On July 8, 1898, the court found four errors⁶ in the original trial, and made a unanimous decision to reverse Anna's conviction and remand her case for a new trial. A new trial was scheduled for February 6, 1899, the first day of the District Court's February session. On that date, a jury was empaneled and the new trial began. The case went to the jury on the 8th, and they returned that same day with a verdict of not guilty. Anna was set free. The feelings of the *Lawrence Daily World* editor over the verdict were evident by the length of the article in the paper that day. The previous article celebrating her conviction published in the November 11, 1897, edition ran for two-thirds of a column, while the one announcing the not guilty verdict on February 8th read in its entirety, "Mrs. Anna Buerman was acquitted in district court today on the charge of murdering her husband. The jury had the case for six hours." Short, but from the editor's viewpoint, definitely not sweet. Where Anna went after her release, what she did, and what subsequently happened to her is unknown.

¹ Depending on the source, his first and middle names are recorded as either August Charles or Carl August. The spelling of his last name varies, again depending on the source, as Beiermann, Beirman, Beirmann, Beuerman, Beuermann, Beurman, Beurmann, and Buerman. His tombstone reads Carl August Beuermann, so that is the spelling used in this article.

² An oxbow lake is the remnant of an old meander in a river channel, in this case the Kansas or Kaw River,

that had at some time in the past been cut off and bypassed by the river and then been partially silted up, resulting in a U-shaped lake.

³ The Plug was a local train on the Santa Fe line that operated between Kansas City and Topeka, Kansas, from 1881 to 1931. It plied the tracks that crossed just north of Lake View Lake and near the Beuermann farmhouse. The train held the longest continuous on-time service record of any train in the entire Santa Fe system, and was so reliable that people who lived along the tracks could set their watches by it.

⁴ Norton had at one time been Probate Judge in Douglas County, Kansas, and was thereafter known as Judge Norton.

⁵ It was a meeting of the Kansas Freethinkers Association, and was held at Forest Park, Ottawa, Kansas, in August of 1896, four months before the shooting.

⁶ The syllabus of the decision of the Supreme Court noting the four areas where the District Court erred in its handling of the case reads:

1. A person who has read a newspaper account of a homicide, and has also learned the facts pertaining to the same from one who assumed to know and state them, and, based thereon, has formed and expressed an opinion as to the guilt of the accused, which would require evidence to remove, is not a qualified juror, although he may state that he believes he could give the accused a fair and impartial trial.

2. A nonprofessional witness, acquainted with one whose sanity is in question, may, after stating the facts, words, and conduct of such person which have come under his personal observation, and based upon these, express his opinion as to the sane or insane state of such a person's mind.

3. If the witness' knowledge of the acts, words, and conduct of the person claimed to be insane is meager, his opinion will not be as valuable as that of one who has had better opportunities of knowing, and who is thoroughly informed in that respect; but what weight the opinion shall receive is a question of fact for the jury.

4. It is the duty of the presiding judge to be present throughout the trial; to supervise the proceedings, and see and hear all that transpires during the trial, and especially during a criminal trial where the highest penalty of the law may be inflicted. If the presiding judge leaves the court

room, goes out of the sight and hearing of the jury and counsel, and temporarily relinquishes control over the trial, the accused has good cause to complain.

From: [Carl August Beuermann](#), Find A Grave website; [Carl August Beuermann](#), BillionGraves website; [Beirmann, August Charles - Anna Paulina Klussmeyer - 30 Jun 1886](#), Douglas County, Kansas Marriages, 1886, Blue Skyways website; Beirman August (or Beurmann), [Lawrence Cemetery Interactive Map](#), City of Lawrence website; [Carl August Beuermann](#), "BillionGraves Index", FamilySearch website; [Shot dead by his wife](#), Kansas Trails website; [August Charles Beiermann, "Kansas, Marriages, 1840-1935"](#), FamilySearch website; Lawrence Daily World, v. 5, no. 270 (January 7, 1897), p.3; Lawrence Daily World, v. 5, no. 264 (December 31, 1896), p.3; Lawrence Daily World, v. 5, no. 253 (December 18, 1896), p.3; State of Kansas vs. Anna Beurman, Case no. 1443, Douglas County, Kansas, District Court Records; [John Q.A. Norton papers, 1868-1869](#), Archivegrid website; The Lawrence Gazette, v. 17, no. 747 (December 24, 1896), p.3; [Atchison, Topeka & Santa Fe Railroad](#), My Present Past website; Lawrence Daily World, v. 5, no. 273 (January 11, 1897), p.3; Lawrence Daily World, v. 5, no. 274 (January 12, 1897), p.3; Lawrence Daily World, v. 5, no. 280 (January 19, 1897), p.3; Lawrence Daily World, v. 5, no. 288 (January 28, 1897), p.3; Lawrence Daily World, v. 6, no. 219 (November 10, 1897), p.3; Lawrence Daily World, v. 6, no. 220 (November 11, 1897), p.3; State v. Beurman, 59 Kan. 586; Lawrence Daily World, v. 7, no. 293 (February 6, 1899), p.3; and, Lawrence Daily World, v. 7, no. 295 (February 8, 1899), p.3.

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 spe-

cial 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.



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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>