

The Michael J. Malone Douglas County Law Library E-Mail Newsletter



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Contents

- Meeting and Event Announcements
- The Honorably Amy Hanley Joins the Law Library Board
- Mandatory Juvenile, Misdemeanor, and Felony Panels CLE
- 2017 Law Library Registration Fee Due By January 16th
- 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 9th.

The December 2016 Douglas County Bar Association Brown Bag CLE program will be on Thursday, December 15th, from 12:00 p.m. to 12:50 p.m. in the Jury Assembly Room in the Judicial and Law Enforcement Center. Alice Craig from the Paul E. Wilson Project for Innocence & Post-Conviction Remedies at the University of Kansas will present *Wrongful Convictions – How do they happen and what can we do to fix them.* Check the [DCBA website](#) for more information on the program, on the CLE credits available, and for handout material.

The Honorably Amy Hanley Joins the Law Library Board

With her swearing in as judge in Division 1 of the Kansas Seventh Judicial District on December 1, 2016, the Honorable Amy Hanley became a member of the Michael J. Malone Douglas County Law Library Board of Trustees.

The editor would like to take this opportunity to welcome her to the law library board.

Mandatory Juvenile, Misdemeanor, and Felony Panels CLE

The Douglas County Criminal Bar Association will be conducting a CLE on Friday, December 9, 2016, that is mandatory for all attorneys who wish to take juvenile, misdemeanor and felony appointment cases in Douglas County in 2017. This free CLE will be held from 8:00 a.m. to 5:00 p.m. that day in the Jury Assembly Room in the Judicial and Law Enforcement Center in Lawrence.

2017 Law Library Registration Fee Due By January 16th

The 2017 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 16, 2017. 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.

If you have not already paid your 2017 fee, please fill out, print, sign, and date the form, and, along with your 2017 fee payment of \$50.00 made out to the Michael J. Malone Douglas County Law Library, get it to the Law Library no later than January 16th.

A 2017 Law Library Registration Form 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](#).

* 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 2016/January 2017 Law Library and Division III art gallery exhibitions are photography by Deborah Kai. The exhibitions will run through the end of January 2017.

The February/March 2017 exhibition slots in the Michael J. Malone Douglas County Law Library Art Gallery and the Division III Art Gallery are scheduled to be photography by Camron Flanders. More information will be in the February 2017 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:

ABA Child Law Practice: Helping Lawyers Help Kids, v. 35:11 (Nov. 2016).

Juvenile Justice Update, v. 22:5 (Oct./Nov. 2016).

Kansas Reports, v. 294.

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:

The Library's on-line catalog can be accessed through any device connected to the Internet at <http://www.librarything.com/catalog/doug-lascountylawlib>.

This Month In Legal History

December 17, 1913 - Howard Wynn gets a minimum sentence.

Howard Wynn¹ was born in Kansas around 1884. In 1910, he was a boarder in the residence of a James Culver at 173 Maple Street in Lawrence, Kansas. At that time, he was working for the railroad, but by 1913, he was working for the Lawrence Paper Company. Early in the evening of September 6, 1913, Wynn went to the Griffin Ice Company and Cold Storage Plant in Lawrence to show Charles Calvin Fearing, known as "Spot" because of his many freckles, three knives he was trying to sell. Fearing was an employee of the ice company. There was a heat wave going on in Lawrence, and the ice company was staying open late to accommodate the large volume of customers seeking ice. Apparently, Fearing did not take Wynn up on his offer to buy one of his knives, so Wynn left the ice company, but returned around 11:00 p.m. to purchase some "slush" ice. He was waited on by Colonel John Knox Rankin, manager and co-owner of the business. Rankin had been born in Cass County, Indiana, on November 3, 1837², and came to Lawrence on May 1,

1859. He became involved in the territorial government, and was appointed as engrossing clerk of the House of Representatives for the first session of the Kansas State Legislature after Kansas joined the Union on January 29, 1861. When the Civil War broke out that spring, Rankin joined the newly formed Second Kansas Volunteer Infantry as a second lieutenant, and participated in several battles in 1862 and early 1863. He was back in Lawrence on August 21, 1863, when William Clark Quantrill, the most notorious Confederate guerrilla leader in the Civil War, led 450 guerillas in a murderous raid on the town. The raiders burned the town and murdered between 150 and 200 men and boys. Lieutenant Rankin and his cousin, Captain William A. Rankin, who also happened to be in town that day, were reported to be the only two men in town who were able to effectively fight back against the raiders. After the raiders left town, Lieutenant Rankin was in charge of a company of men in pursuit of the fleeing raiders. He resumed his military duties and served until the war ended in 1865. He married and came back to Lawrence. Rankin was appointed paymaster and inspector general of the Kansas militia with the rank of Colonel. He served several terms in the Kansas House of Representatives, and was Lawrence postmaster and then mayor. His wife died in 1875 and he remarried in 1878. Rankin was involved with railroads and became a banker. He served for nineteen years as special allotment and distribution agent for the Office of Indian Affairs in the Interior Department, which often took him away from home. After retiring from the Interior Department in 1908, he became associated with the ice company. He was just shy of his 76th birthday when Howard Wynn came in that hot September night to buy ice. Wynn accused Rankin of shorting him when he weighed the ice. He pulled a knife and advanced on Rankin. "Spot" Fearing heard what was going on and tried to intervene by

knocking Wynn to the floor. He got up and struck at Rankin a second time. Fearing came at Wynn again, but in the melee that followed, Rankin was knocked to the floor. He quickly stood back up and hit Wynn with his cane, knocking him unconscious. A doctor was called, but Wynn came to and left before he arrived. Although Rankin had received no obvious physical injury, he was taken home. There were concerns that the severe shock of the incident threatened a nervous breakdown in a man that was nearly seventy-six years old. The next day, a warrant was issued for Wynn on a charge of assault with intent to kill. He was quickly arrested and put in the county jail. When questioned, he told officers that he "could not explain his actions unless it was that he was 'crazy drunk'." The officers determined that Wynn was not the man's real name. It was an alias he had been using in Lawrence, and that his real name was Wind. When Colonel Rankin found out that Wynn had been jailed, he asked that he be released from custody, which he soon was. Rankin remained confined to his home due to concerns about his health having been compromised by the attack. In early October, he became bedridden, and around the end of the third week of the month, his condition began to worsen. He grew steadily weaker, and at 8:00 a.m. on October 29, 1913, he died, and was buried in Oak Hill Cemetery in Lawrence on the 31st. Wynn was rearrested and initially charged with murder. Trial began on the afternoon of December 4, 1913, in Douglas County District Court with Judge Charles A. Smart presiding. Jury selection took up the afternoon of the 4th and most of the morning of the following day, December 5th. The panel was finally sworn in at 11:00 a.m., and the prosecution began its case. The prosecution rested around 4:00 p.m., and the defense presented its case. Wynn was the chief witness, and testified that, "he could not remember distinctly the incidents of the evening and that after Col. Rankin

struck him with a can[e] he remembered nothing until the next morning when he awoke in the city jail." He said that when he arrived at the ice plant, Colonel Rankin had been very belligerent towards him, first threatening that he would call the police, and then immediately after hitting him with the cane. On cross examination, Wynn admitted, "having words with Col. Rankin regarding short weights he claimed to have received in ice." After the defense rested, Judge Smart instructed the jury that it could not convict Wynn of murder or manslaughter in the first or second degree, but could only convict him for manslaughter in the third or fourth degree, assault, or assault and battery. The jury began deliberations around 6:00 p.m., and returned at 9:30 p.m. with a verdict finding Wynn guilty of assault and battery. On December 17, 1913, Judge Smart sentenced Wynn to serve thirty days in jail and to pay court costs for his conviction of assault and battery on Colonel Rankin.

¹ The spelling of the name varies in different sources, being recorded as Winn, Wynn, and Wynne.

² The 1900 United States Census for Lawrence, Douglas County, Kansas, lists Rankin's birth year as 1840, but his gravestone indicates he was born in 1837.

From: Wynn, Howard, United States Census, 5th Ward, Lawrence, Douglas County, Kansas, 4/21/1910; [Charles Calvin "Spot" Fearing](#), Find-A-Grave website; Rankin, John K., 1900 U.S. Census, Douglas County, Kansas, 6/13/1900; [Col. John Knox Rankin](#), Find-A-Grave website; Lawrence Daily Journal-World, v. 57: issue 259 (October 29, 1913), pp.1, 4; Lawrence Daily Journal-World, v. 57: issue 215 (September 8, 1913), p.1; Lawrence Daily Journal-World, v. 57: issue 290 (December 4, 1913), p.1; Lawrence Daily Journal-World, v. 57: issue 291 (December 5, 1913), p.1; Lawrence Daily Journal-World, v. 57: issue 292 (December 6, 1913), p.1; and, Lawrence Daily Journal-World, v. 57: issue 301 (December 17, 1913), p.1.

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.



**Michael J. Malone Douglas County Law Library
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