

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



Vol. 13, No. 1; January 2016

Contents

- Meeting and Event Announcements
- **2016 Law Library Registration Fee Due By January 15th**
- Changes in Law Library Staffing
- 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 January 2016 Douglas County Bar Association Brown Bag CLE program will probably be on Thursday, January 21st, from 12:00 p.m. to 12:50 p.m. in the Jury Assem-

bly Room in the Judicial and Law Enforcement Center. The presenter and topic were not available at the time of publication. Check the [DCBA website](#) for information on the program, on the CLE credits, and whether handout material is available.

2016 Law Library Registration Fee Due By January 15th

The 2016 Law Library Registration Fee for attorneys required* to register with the Law Library is due no later than 5:00 p.m., January 15, 2016. 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 2016 fee, please fill out, print, sign, and date the form, and, along with your 2016 fee payment of \$50.00 made out to the Michael J. Malone Douglas County Law Library. Please note: although the fee is due by January 15th, payment received after the 13th cannot be guaranteed to be processed before the deadline.

A 2016 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](#).

* 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."

Changes in Law Library Staffing

As first reported in the November 2015 newsletter, the law librarian position changed from three-quarter time, which it had been since its creation in 2002, to half-time, effective January 4, 2016. The result of this change is that the library will be staffed for only twenty hours per week. Public hours will remain unchanged.

Current Art Gallery Exhibition

The December 2015/January 2016 Law Library and Division III art gallery exhibitions are artwork by Perry Shepard.

The February/March 2016 exhibition slots in the Michael J. Malone Douglas County Law Library Art Gallery and the Division III Art Gallery are scheduled to be artwork by Aram Aghdaie. More information will be in the February 2016 E-Mail Newsletter.

For more information on past, current, and future Art Gallery exhibitions, or for more information on the Art Galleries, please con-

sult 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. 34:12 (Dec. 2015).

AALL Spectrum, v. 20:2 (Nov./Dec. 2015).

Kansas Court Rules and Procedure, Volume I - State, 2015.

Kansas Court Rules and Procedure, Volume II - Federal, 2015.

Kansas Court Rules and Procedure: KeyRules, Volume IIA - Federal, 2015.

Kansas Family Law, v. 1 and v. 2, 2015-2016 ed., by Linda D. Elrod.

Kansas Local Government Law, Fifth Ed., 2014, by Michael R. Heim.

Search and Seizure, Fifth Edition, v. 1 and v. 2, 2015 Supplements.

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.

December's entry was:

If you need assistance with researching the WestlawNext legal database and no library staff is available, you may call 1-800-733-2889 from your cell phone. Follow the prompts and if asked, indicate you are using the Douglas County Law Library's patron access account whose contact telephone number is 785-838-2477.

This Month In Legal History

January 10, 1863 - Louis Carpenter records his last case as Probate Judge of Douglas County, Kansas.

Louis Carpenter was born on December 14, 1829, in New York State, but the exact location is unknown. Nothing else is known of him prior to him coming to Kansas Territory sometime in the late 1850s. The earliest known record of his being in Kansas is a notice appearing in the February 5th, 1859, issue of the *Herald of Freedom* newspaper that was published in Lawrence. The notice reported that two letters addressed to a Lewis¹ Carpenter were still in the Lawrence post office at the end of January. Three weeks later on February 26th, 1859, a legal notice appeared in the same newspaper for a case filed on February 21st, 1859, in the United States District Court of Kansas Territory, 2nd Judicial District for Douglas County, which lists Louis Carpenter as Deputy Clerk of the Court. Both the 1860 United States Census and the 1860 Lawrence city directory record him as being a lawyer. When and where he obtained his legal training is not known. Carpenter became Probate Judge for Douglas County, Kansas Territory, and one month after Kansas had entered the Union as a state that did not allow slavery, he recorded his first case as judge on February 26, 1861. Less than two months later, the divisions over the continuation of slavery that had been fes-

tering in the nation broke out as open civil war. Lawrence and Douglas County had played an important part in the movement against slavery in the 1850s, and many supporters of slavery despised the town because of it. On the evening of October 10, 1862, Judge Carpenter married Mary E. Barber at the home of her sister, Abigail, in Emporia, Kansas. Abigail's husband, the Reverend Grosvenor C. Morse, officiated at the ceremony. At that time, Judge Carpenter was also involved in what proved to be an unsuccessful election campaign running as the candidate of the Union Party for Attorney General of Kansas. Judge Carpenter's last case as probate judge was on January 10, 1863. He was appointed as Kansas Supreme Court Reporter, and through the spring and summer of 1863, he compiled and edited material intended to be published as the first report of the Kansas Supreme Court. During this time Judge Carpenter was having a large brick house built for Mary and him, which the couple moved into in late spring or early summer 1863. They were at home with Mary's sister Abigail, who was there on a visit, on the morning of August 21, 1863, when the notorious Confederate guerrilla leader William Clarke Quantrill led his band of 400 men in an attack on Lawrence, killing and burning as they went. A number of raiders came to the Carpenter home, but Judge Carpenter was able to talk them out of doing any harm to him or his house. Then, as the raiders were assembling in preparation to leave a block or so from the Carpenters', another raider knocked on their door. Judge Carpenter was coming down the stairs as Mary opened the door. The raider asked Judge Carpenter "Where are you from," to which he replied "New York." The raider exclaimed that New Yorkers were the ones that they were after and began firing his pistol at him. Judge Carpenter ran throughout the house and then down into the cellar, trying unsuccessfully to avoid being hit by the gunfire. A second gunman joined the

first and they continued to fire at Judge Carpenter through the cellar windows. There was nowhere for him to hide, and he suffered four² severe gunshot wounds. He came up out of the cellar and collapsed in the back yard. Mary felling down on him and tried to shield him with her body, but one of the gunmen lifted her arm and killed Judge Carpenter with a point-blank shot to his head. About three hours after Quantrill and his men left town, a crude wooden coffin was made by friends who had survived the devastation, and Judge Carpenter was buried in his own back yard. A week later, on August 28, 1863, his body was exhumed from his backyard grave and moved to another location. Three months after the raid, on November 19, 1863, the members of the Bar of Douglas County met in an official session of the District Court to memorialize the attorneys who had died in that early-morning attack. During that court session, resolutions were adopted expressing the profound grief of the members of the bar over the death of Judge Carpenter, noting his hard work, his many fine personal qualities, and offering deep sympathy to his wife and family. The session concluded with instructions that the resolutions be communicated to Judge Carpenter's family, that they be made part of the official records of the Court, and that they be transmitted to the Supreme Court of Kansas with a request that they be entered in its records "as permanent testimonials of the sentiments of this bar upon this occasion." On the first day of the Supreme Court's January 1864 term, the proceedings, statement, and resolutions on Judge Carpenter from the Douglas County Bar were ordered "to be spread upon the journal of the court," and were published in the first volume of the *Kansas State Reports*. After Oak Hill Cemetery was opened in Lawrence in 1865, Judge Carpenter's body was reinterred in a plot there, near to the final resting place of many other victims of Quantrill's Raid. Mary Carpenter eventually

remarried and moved from Lawrence, leaving Judge Carpenter to lie alone on Oak Hill.

1 In the handwriting style of the time, "Lewis" and "Louis" were, and are, difficult to distinguish from one another unless an example of each is available for comparison. Confusion over the spelling of the name on documents, especially if the reader was not familiar with the handwriting of the person who wrote the name, would have been common. Therefore, when dealing with handwritten documents of the period, the two spellings of the name are interchangeable for all practical purposes.

2 An article published in the September 24, 1863, issue of the Ripley Bee, Ripley, Ohio, contains extracts of a letter written by "a lady of Lawrence, Kansas" to a relative in Ripley. The author of the letter identifies herself as a friend of Mary (e.g. Mary Carpenter, Louis Carpenter's wife) and, among other things, describes the attack on Judge Carpenter.

From: [Judge Louis Carpenter page](#), Michael J. Malone Douglas County Law Library website.

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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Published monthly by:

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