

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 10th.

The June 2016 Douglas County Bar Association Brown Bag CLE program will be on Thursday, June 16th, from 12:00 p.m. to 12:50 p.m. in the Jury Assembly Room in the Judicial and Law Enforcement Center.

The topic and presenter were not available at the time of the newsletter's publication. Check the [DCBA website](#) for more information on the program, on the CLE credits available, and for handout material.

Library Changing Online Legal Database Provider

The board of trustees has decided to change the legal database the library provides through its patron workstations from Thomson Reuters Westlaw, formerly known as WestlawNext, to Lexis Advance. The decision was made because of the substantially lower cost of Lexis Advance over Thomson Reuters Westlaw.

Lexis Advance has a similar Google-like search capability as does Thomson Reuters Westlaw, with full access to all 50 states' case law, statutes, court rules, administrative materials, and legislative bill tracking. It also has all Federal case law, USCS, CFR, Federal Register, agency materials, and legislative bill tracking. In addition to also providing Shepard's citation searching, Lexis Advance provides access to over 800 national law review journals. The board has

opted to also include online access through the library's subscription to all Kansas Bar Association Handbooks and both the Criminal and Civil PIKs.

Special arrangements have been made for Lexis Advance access to begin before the Thomson Reuters Westlaw access ends, so both databases are currently available on the library's patron workstations through June 30, 2016, when the Thomson Reuters Westlaw contract ends.

Current Art Gallery Exhibition

The April/May 2016 Law Library and Division III art gallery exhibitions are paintings by Joanna Ward. The exhibitions will run through the end of May 2016.

The June/July 2016 exhibition slots in the Michael J. Malone Douglas County Law Library Art Gallery and the Division III Art Gallery are scheduled to be acrylics by Frank Pondrom. More information will be in the June 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. 20:5 (May/June 2016).

ABA Child Law Practice: Helping Lawyers Help Kids, v. 35:5 (May 2016).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 303:3/v. 52:3 (Apr. 2016).

Juvenile Justice Update, v. 22:2 (Apr./May 2016).

Kansas Sentencing Guidelines, Desk Reference Manual, 2015.

Kansas Sentencing Guidelines, Desk Reference Manual, CD-ROM ed., 2015.

Pattern Instructions Kansas-4th Criminal, 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.

May's entry was:

The Kansas Child Support and Bradley Parenting Time Calculators are available through the middle desktop workstation in the library.

This Month In Legal History

June 1, 1907 - Attorney Lucius H. Perkins dies after a fall off the roof of his new house in Lawrence, Kansas.

Lucius H. Perkins was born in Racine County, Wisconsin, on March 5, 1855, to Otis G. and Julia Perkins. Otis Perkins was a farmer, and Lucius grew up on the farm with his older brother Francis and older sister Mary. Lucius had what was described as

"a liberal education" eventually attending Beloit College in Beloit, Wisconsin. Francis moved to Lawrence, Kansas, in 1875, and began work in the mortgage investment business. As soon as Lucius graduated from Bethel College in 1877, he left Wisconsin to join Francis in Lawrence. Lucius studied law there in the office of Judge Solon O. Thacher, and in 1879 was admitted to the bar. He then attended classes in the Department of Law at the University of Kansas and was a member of the first graduating class in 1880. Perkins developed a lucrative legal practice, and on May 15, 1882, he married Clara L. Morris, daughter



Lucius H. Perkins

of Dr. Richard and Belinda L. Morris. Clara was an 1877 University of Kansas graduate, and at the time of her marriage to Perkins was a faculty member at the school teaching music. Bertram Allen Perkins was born to Lucius and Clara on April 14, 1883, but died when he was only four years old. Clement Dudley Perkins was born on August 2, 1885, and Rollin Morris Perkins was born on March 15, 1889. A fourth son, Lucius Junius Perkins, was born March 11, 1897. That same year Perkins began postgraduate study, and was awarded a Doctorate of Civil Laws by the University of Chicago in 1900. It was reported that in his practice he was "entrusted with a volume of important litigation, not only in Kansas but in other states." Perkins took Clara and the three boys on a three-year trip abroad, spending most of that time in England, where his family had originated. He visited his ancestral home known as Ufton Court in the county of Berkshire. Inspired by what he saw, on his return to the United States he began planning for the construction of a large house in Lawrence. Perkins hired the noted Kansas architect John G. Haskell to design it. It was to be a three-story 25 room edifice, with a decorative tower and a red

tile roof, located at 1004 Elliot Street. Construction began on the project, and owing to the size of the structure, took some time to complete. It was finished in the spring of



Ufton Court, Lawrence, Kansas

1907, and Perkins named his new residence Ufton Court after the house he had visited in England. On Saturday, June 1, 1907, Perkins had an appointment with William B. Dorward, a brick mason who was one of the contractors who had built the house. He and previously told Dorward that there were problems with the roof of the tower, and the 6:00 p.m. meeting was to show him where repairs needed to be made. As the time for the appointment approached, Dorward realized that he would be late, so he called Perkins to let him know. Perkins responded "All right, but as I am going out of town soon, I will go out on the roof and mark with a piece of chalk the pieces I want fixed." He was reported to have gone up on the roof around 5:00 p.m. At around 6:00 p.m., an employee¹ of Perkins saw him "slip over the coping, feet foremost" and "cling for a moment to the coping as though endeavoring to save himself... ". The employee yelled, "Look out", and watched as Perkins fell forty feet to the ground, landing first on his feet before falling over backwards and striking the base of his spine hard on the ground. Lucius' sons and his brother Francis were called, and they found him unconscious. They took him into the house and Dr. Charles Simmons was summoned. Lucius Perkins died around 10:00 p.m. without having regained consciousness. He was buried in Oak Hill Cemetery in Lawrence. It was soon discovered that Perkins had recently purchased a total of almost \$600,000 in life and accident insurance policies with twelve insurance companies. There was also a report that he had studied poisons and

had inquired to the authorities at the University of Michigan about poisons that would leave little or no trace in the body. The theory that Perkins had committed suicide was raised. It was reported that one insurance company promptly paid the \$300,000 policy it had on Perkins' life, but the other eleven balked at making payments. They argued that Perkins would not have been able to pay the premiums on such a large amount of life insurance, so the only reason he would have taken out so much would have been to defraud the companies. His family countered that he had been advised that purchasing life insurance was a sound investment and that he had no intention of committing suicide. The Mutual Life Insurance Company of New York filed suit in the United States Circuit Court, District of Kansas, to force the exhumation of Perkins' body and have it tested for poison residue. The application was originally denied, but Mutual Life tried again to have the court order an exhumation and this time they were successful. His body was exhumed from his grave in Oak Hill Cemetery and was turned over for autopsy. On October 3, 1907, Clara Perkins filed suit for \$75,000 in damages against Mutual Life, United States Marshal William J. Mackey, Jr., and Dr. John D. Freeman for damages they did to her and her property "in exhuming the body of her late husband and mutilating it." Perkins' body was eventually reinterred in Oak Hill Cemetery. On November 4, 1907, the court received the report on the examination of Perkins' body. It had been determined that three of ribs on his right side had been broken and the broken ends had been thrust into the right lung. In the investigators' opinion, the damage and blood loss from such an injury would be fatal. In addition, they had discovered around five grains of morphine in Perkins' body, "a dose of morphine that is usually regarded as a fatal quantity." They avoided making a determination as to the cause of death. On September 16, 1908, depositions were taken

in a suit filed by Mutual Life to cancel their \$100,000 policy on Perkins' life. The company contended that the morphine was the cause of his death, which meant that it was suicide, so they therefore were not liable for payment. The Perkins family argued that the injuries to his chest had been the cause of his death, and that he was up on the roof to point out repairs he wanted made before he left on an extended vacation he had been planning. They contended that this vacation was evidence that he was not planning suicide, and since the injuries from the fall were the cause of his death, Mutual Life was obligated to pay on their policy. The legal wrangling continued until the first week of June 1911, when a \$375,000 compromise was reached with all the remaining insurance companies, resulting in all the lawsuits being dropped. The family continued to occupy Ufton Court, which around 1915 had its address changed from 1004 Elliott Street to 1004 Fourth Street as part of a city-wide change of street names. Previously, the east-west running streets had all been named for individuals, but the decision was made to change them to numbered streets with the numbers increasing towards the south. Perkins Family members lived in Ufton Court until the mid-1920s, when the house was sold to Alpha Tau Omega fraternity. The fraternity members began occupying the house in the fall of 1925. Clara Perkins died on July 9, 1927, and joined Lucius in the family plot in Oak Hill Cemetery. For a time during World War II, the former Perkins home served as a rooming house for employees at the Sunflower Ordinance Works in De Soto, Kansas, and was known as Victory Mansion. On April 13, 1944, a fire destroyed the building that housed the county poor farm, and the following day, the county commission voted to purchase the former Ufton Court to serve as a replacement. The building was renovated and opened on September 9, 1944, as the Douglas County Convalescent Hospital. Over the

years there were numerous additions added, but as time went on, problems with the building began showing up. On November 4, 1958, voters approved the construction of a new county nursing home, and two years later, voters approved the sale of the Douglas County Convalescent Hospital. It was purchased by the Medical Arts Center, who razed Lucius Perkins' Ufton Court in 1962 and replaced it with a parking lot.

¹ The man is identified in different newspapers as E.M. Hubbell, E.M Hubbel, or just Hubbard, with no initials.

From: [Lucius H. Perkins](#), A Standard History of Kansas and Kansans, written and compiled by William E. Connelley, Chicago : Lewis, 1918; [Francis M. Perkins](#), A Standard History of Kansas and Kansans, written and compiled by William E. Connelley, Chicago : Lewis, 1918; Otis G. Perkins, 1860 U.S. Census, Town of Raymond, Racine County, Wisconsin, 6/15/1860; Morris, Richard, 1880 U.S. Census, Lawrence, Douglas County, Kansas, 6/9/1880; Lawrence Daily World, v. 16, no. 75 (June 3, 1907), p.1; The Jeffersonian Gazette, v. 26, no. 43 (June 5, 1907), pp. 2-4; The Western Underwriter: a Weekly Newspaper of Insurance, Eleventh Year, no. 25 (June 20, 1907), [p. 14](#); The Insurance Field (Life Edition), v. 23, no. 23B (June 9, 1911), [p. 8](#); The Jeffersonian Gazette, v. 27, no. 2 (August 21, 1907), p. 1; Lawrence Daily World, v. 16, no. 144 (September 4, 1907), p. 1; Lawrence Daily World, v. 16, no. 151 (September 12, 1907), p. 2; Lawrence Daily World, v. 16, no. 170 (October 7, 1907), p. ; Lawrence Daily World, v. 16, no. 197 (November 6, 1907), p. 1; Lawrence Daily World, v. 17, no. 171 (September 17, 1908), p. 4; [The Douglas County Poor Farm](#), tauycreek.com website; and, Kansas Government Journal, v. 30, no. 10 (October 1944), [p. 16](#).

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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