

Douglas County Law Library E-Mail Newsletter



Vol. 8, No. 3; March 2011

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Julia V. Bellemere
Juanita Carlson
Hatem Chahine
Shaye L. Downing
Jon King
Jody Meyer
Branden Smith
Craig Stancliffe
Charles E. Whitman
Stephanie Wilson

Ballots will be sent out by postal mail on March 28, 2011, to eligible* attorneys who have paid their 2011 Law Library Registration Fee**. Ballots must be completed as per the instructions that will accompany them, and be received in the Law Library no later than the voting deadline of 5:00 PM on April 11, 2011.

Attorneys who are required to pay the 2011 Law Library fee but have not done so will be ineligible to vote. If you wish to vote and have not already paid your fees, please do so before March 28.

More information on the election will be in next month's Newsletter.

Meeting and Event Announcements

The Defense Bar meets the second Friday of the month. This month the meeting will be on the 11th.

Board of Trustees Election Update

The slate of candidates has been set for this spring's election of attorneys to fill the five attorney member positions on the Douglas County Law Library Board of Trustees. The candidates are:

*An attorney whose principal office, i.e.: main practice, is in Douglas County, or, if the practice is in another state, resides in Douglas County.

**Unless employed solely as a public defender by the State Board of Indigents' Defense Services, an attorney must pay the current year's annual Douglas County Law Library Registration Fee of \$25.00.

Current Art Gallery Exhibition

The February/March exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are photography by Don Stevanov.

The exhibitions will run through the end of March. All pieces are for sale and may be purchased directly from the artist. Contact information for Mr. Stevanov is available in the Library.

The April/May 2011 Law Library and Division IV exhibitions will be artwork by Sandy Craig McKenzie. More information on these exhibitions will be in the April 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. 15:4 (Feb. 2011).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v.291:3/v.44:4 (Jan. 2011).

Amistad, DVD.

Child Law Practice: Helping Lawyers Help Kids, v. 29:12 (Feb. 2011).

Kansas Administrative Regulations, 2010 Supplement.

Kansas Statutes Annotated, 2010 Supplements.

Kansas Trial Handbook, 2nd ed., 2011 Pocket Part.

Law Library Journal, v.103:1 (Winter 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.

February's entry was:

The Douglas County Law Library recycles all its newspaper, cardboard, and office paper.

This Month In Legal History

March 17, 1823 - Thaddeus Prentice, Jr., future sheriff of Douglas County, Kansas, is born in Jewett City, Connecticut.

Early on December 23, 1857, Thaddeus Prentice, Jr., and his younger brother, William, rode north the twelve miles from their home to Lawrence, Kansas, to join a group of other Free-State men who had been recruited by the Free State Safety Committee. The Committee had been organized to protect Free-State settlers from marauding pro-slavery forces in Kansas, and had recruited a group of sixty men to retrieve 250 muskets

and 75 sabers that had been taken in October 1856 from an emigrant wagon train by proslavery forces under orders of the then Territorial Governor John W. Geary. A Territorial election was scheduled for January 4, 1858, and the Free-State men believed they needed the weapons to insure that the election was a fair one. In the first Territorial election in March of 1855, thousands of proslavery Missourians had come over the border into Kansas, had taken control of polling places, voted, kept Free-State men from voting, and then went back home to Missouri after a "Bogus" proslavery legislature had been elected. The Free-State men did not want a repeat of this in the January 1858 election. The group that included the two Prentice brothers set off for Lecompton, the Territorial Capitol, to confront newly appointed Territorial Governor James W. Denver. When the group arrived on the edge of Lecompton, three men went in to see the Governor, leaving orders that if they did not return within two hours, the remainder of the party was to come into town. They did not want to use force against Governor Denver unless absolutely necessary. When they did not return before the two-hour time limit expired, Thaddeus Prentice led the remaining men into town. When 57 Free-State men entered his office demanding the weapons, Denver reluctantly agreed to turn them over, which he did. The men brought them back to Lawrence, arriving there late in the evening, and distributed them to the militia. Thaddeus Prentice, Jr., was the fourth son born to Thaddeus Prentice, Sr., and Almira



Thaddeus Prentice, Jr.

Gordon Prentice. He spent his first eight years in the town of his birth, Jewett City, Connecticut, before moving with his family to Willimantic, Connecticut, where he grew to manhood. On March 25, 1846, he married Anna Louisa Ayer. They began a fam-

ily, and had two sons before they moved to Erie County, New York, in 1849. Prentice supposedly worked for a time as a sheriff in Erie County (1). During their time in Erie County, Thaddeus and Anna had three more children, two girls and a boy. In 1856, Prentice packed up his wife and five children and moved to Kansas, arriving in Lawrence on May 21, 1856 (2). The family was likely on their way to stay with Anna's sister, Joanna Gleason, who had come to Kansas in 1854, and was living in Willow Springs Township southwest of Lawrence. The day that the Prentices arrived in Lawrence was also the day that the town was sacked and partially burned by a group of between 400 and 600 proslavery men led by the proslavery Sheriff of Douglas County, Sam Jones. Lawrence was the headquarters of the Free-State movement that was seeking admission of the Territory to the Union as a state that did not allow slavery, and so was the object of significant animosity from those in the Territory who supported slavery. On May 21, that animosity significantly escalated the level of violence that had already been plaguing "Bleeding Kansas." It is not known how much of the goings on that day were witnessed by Thaddeus and his family, but, despite being unlucky enough to arrive in Lawrence on that particular day, and having received such an unfriendly welcome, Prentice settled his family near Brooklyn, a small settlement along the Santa Fe Trail in Douglas County south of Lawrence. He acquired some land and began farming. That winter, Thaddeus' younger brother, William, arrived in Kansas, and lived for some time with his older brother's family. Thaddeus Prentice was described as, "...an original character, who in appearance might be considered a companion piece to Jim Lane." Jim Lane was one of the leaders of the Free-state movement in Kansas, and was known at times to have a somewhat wild appearance, with his hair uncombed and standing straight up.

Thaddeus was said to have had, "...a rare faculty of getting news. If any mischief was brewing in his direction, he would somehow get wind of it by a sort of instinct, by a sort of sixth sense. Whenever he felt that there was something in the air of this kind, he would mount his horse and ride into Lawrence. Whenever the people saw the tall, gaunt figure of 'Thad. Prentice' coming down the street, they knew that it was 'tidings, my Lord, tidings.'" He had, "...many quaint expressions which came to seem like a part of him. If everything was favorable he would reply to the questions asked him, 'Oh, everything is lovely and the goose hangs high.'(3)" After the men from the Free State Safety Committee visited Territorial Governor Denver, the trouble in the Territory slowly calmed down as the Free-State cause began to win out over the proslavery faction, and Thaddeus devoted his time to farming and raising his children. He maintained a presence in Brooklyn, but for at least some of the time, his family lived in Lawrence, as shown by the United States Census record for Lawrence, dated June 18, 1860, in which his family is recorded as living there. On January 29, 1861, Kansas entered the Union as a Free State, and in April of that year, the civil war that had begun in Kansas broke out across the nation. In the summer of 1863, Thaddeus and most of his family were living on their farm at Brooklyn. His oldest son, Charles, was living and working in Lawrence. At dawn on August 21, 1863, William Clarke Quantrill, perhaps the most notorious Confederate guerilla commander in the American Civil War, and 400 of his men attacked Lawrence. They proceeded to pillage and burn the town, and one of the businesses they targeted was the Winchell & Burt wholesale house, where Charles Prentice was employed as a clerk. Charles occasionally spent the night in the business, and was sleeping there when the attack began. He crawled under the building, and when the raiders set it on fire, he crawled out and sur-

rendered. Mr. Burt, one of the owners of the business, was killed by the raiders, but Charles was spared. After four hours of destruction and bloodshed in which over 150 men and boys were killed, Quantrill and his men headed south out of town, burning houses as they went. When they reached Brooklyn, they stopped and began setting fire to the houses and other buildings in the small town. They had just begun to set fire to Thaddeus Prentice's house when a group of citizens under the command of Jim Lane caught up to them. The pursuers drove off the raiders, and thought they were able to save the Prentice house, few buildings around Brooklyn were saved. Sometime later, Thaddeus moved his family to a house on the east side of Connecticut Street in Lawrence. The move may have been precipitated by Thaddeus assuming the duties of City Marshal for Lawrence. In addition to being City Marshal, Thaddeus also served as Douglas County Sheriff, and from January 1864 to January 1866, as County Corner. On October 16, 1864, he enlisted as a private in Company M of the Third Regiment of the Kansas State Militia, but was mustered out of service only nine days later on October 27. Thaddeus Prentice, Jr., died at 2:00 AM on Friday, June 12, 1868, of a bronchial affection and disease of the lungs. He was buried that same day in Oak Hill Cemetery, near the final resting place of many victims of Quantrill's Raid. His law enforcement legacy was continued by his son Charles, who served as City Marshal of Lawrence from 1883 to 1886, and again from 1900 to 1905.

(1) In the article in *The Howland Quarterly*, it is noted that Prentice, "was a sheriff of Erie County...." The Erie County, New York, Sheriff Department's website lists those who have served as sheriff in the county, the list going back to 1823, and Prentice is not on the list. Assuming that when the article says he was "a" sheriff, it did not mean he was "the" sheriff, and assuming that the sheriff office's list is complete, then he probably served there either as a deputy or as undersheriff, and not as sheriff.

(2) Different sources give two different dates as to when Prentice and his family arrived in Lawrence. The entry for Prentice on the *Find a Grave* website reports their arrival in Douglas County as being in March 1856, and the *Descendants of Robert Prentice* page on the *PrenticeNet* website notes that Thaddeus, "moved to Lawrence, KS in Mar 1856." The article in *The Howland Quarterly*, notes he and his family arrived in Lawrence on May 21, 1856. Since the latter has more detail about Prentice than do the other two, it is assumed here to be the most accurate of the three.

(3) This is an interesting expression for a Free-State man to use. During the "Bleeding Kansas" era, a person being asked if they were, "sound on the goose" was a potentially deadly occurrence. Being "sound on the goose" meant that someone supported the proslavery cause, the "goose" being a euphemism for slavery. Men on both sides of the slavery issue were known to ask the question, so if a group of unknown men rode up to someone and asked the question, the person would be unsure how to answer. If the person did not give the men the answer that they wanted, that person could be in big, frequently fatal, trouble. The expression "Everything is lovely and the goose hangs high" was not uncommon during the latter half of the 19th Century. There is a reference to soldiers of the 137th New York Infantry Regiment singing the words as they marched past the body of a Confederate spy hanging from a tree. The man had been hanged after having been caught with incriminating documents in General Buford's camp immediately after the Battle of Gettysburg. There are reports that the expression was sometimes used by members of Jesse James' gang and other Confederate sympathizers after the Civil War. Why Thaddeus Prentice used that expression is open to speculation, but considering his political opinions, he might have used it as a commentary on the other "goose" expression, his meaning being that slavery in Kansas was dangling from a rope, as would be the unfortunate Confederate spy caught by General Buford some years later.

From: *The Howland Quarterly*, v. 60, no. 4 (December 1995), pp. 7-9; [Sheriffs of Erie County](#), Erie County, New York, Sheriff's Office website; [Thaddeus Prentice, Jr.](#), Find a Grave website; [Thaddeus Prentice Jr.](#), Descendants of Robert Prentice, PrenticeNet.com website; A History of Lawrence from the earliest settlement to the close of the rebellion, by Richard Cordley, E. F. Caldwell, Lawrence, Kansas, 1895, [Chapter 6](#); Final Report on the Battlefield at Gettysburg, New York Monuments Commission for the Battlefields of Gettysburg and Chattanooga, vol. 3, J.B. Lyons Co., Albany, 1900, p.

943; [Posting](#), U.S. Outlaws Forum, Genforum.genealogy.com website; United States Census, Douglas County, Kansas, 1860; *Quantrill and the Border Wars*, by William Elsey Connelley, The Torch Press, Cedar Rapids, IA, 1910, p. 398; A Standard History of Kansas and Kansans, written and compiled by William E. Connelley, Chicago : Lewis, 1918, Chapter 45, p. 1; William G. Cutler's History of the State of Kansas, Douglas County, Part 3, [County Organization and Official Roster](#); and, Marshals to Chiefs, unpublished manuscript, compiled by Christopher L. Mulvenon.

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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Editor: Kerry Altenbernd

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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>