

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 11th.

There will be a joint meeting of the Kansas Chapters of Inns of Court, Wichita-Topeka-Overland Park-Lawrence, on Thursday, May

17, 2012, at The Oread. All area attorneys are welcome. The guest speaker will be Mark Morris, Courts and Crime Reporter for the Kansas City Star and co-author of [*Fatal Error*](#). For more information, e-mail the Inn at InnAdmin@innsofcourt.org.

The May DCBA Brown Bag CLE will be on Thursday the 17th from noon to 12:50 p.m. in the Jury Assembly Room of the Judicial and Law Enforcement Center. Jody Anne McDonald will present *Don't Let Stress Take You – or a Colleague – Down*. Handouts are [available on the DCBA web-site](#).

Prepaid Printing/Copying Accounts

It has become evident that the version of software that supports the prepaid printing/copying accounts in the Library is not compatible with the new computers. This is requiring the Law Library to purchase and install an upgrade to the software. Until this has been accomplished, paying for printing from the new library workstations will remain on the honors system, and copying will require cash to use the coin-op device attached to the printer/copier. When the upgraded software is installed and operational, those attorneys with prepaid accounts will

be notified by e-mail that the system is working again. Thank you for your patience during this upgrade.

Legal Essay Contest Results

The winner in the fifth annual Douglas County Legal Essay Contest is Daniel Cronk. He will receive a \$750.00 prize for his winning essay. Mr. Cronk is a senior at Veritas Christian School.

The contest was co-sponsored by the Douglas County Law Library and the Douglas County Bar Association, and was open to all high school seniors who attended a high school in Douglas County. The topic for the 2012 contest was "Mirror, Mirror on the Wall: Discuss and analyze why the American justice system is or is not the fairest in the world." The judges chose to award only one prize this year.

Mr. Cronk was invited to the Law Day luncheon on May 1. In addition, his name and school have been inscribed on a plaque on permanent display in the Law Library, and a copy of his essay will be kept in the Law Library and posted on the Law Library's website.

2011 K.S.A. Supplements Received

After a long wait, the Library has finally received its shipment of the Kansas Statutes Annotated Supplements for 2011. Publication and distribution of the supplements usually occur in January of the year following the legislative session, but this year's supplements were significantly delayed.

Dean Burkhead Memorial

The transcript of the April 20, 2012, court session memorializing the late Dean Burkhead has been added to the Douglas County Bar Association Archives. Through an

agreement with the Bar Association, the Law Library is the official repository for the archives. Material in the archives is available for viewing and research when library staff members are present in the Library.

An inventory of the DCBA Archives is available in the Law Library and on the [Douglas County Bar Association Archives page](#) on the Library's website.

Reels of Justice Film Series on Hiatus

As reported in the March Newsletter, the Reels of Justice Film Series is on hiatus due to the Lawrence Public Library Auditorium being unavailable for use during the current 18 million dollar renovation of the library. As a result, the previously scheduled May screening of [The Rainmaker](#) is postponed until the project is completed, which will likely be sometime in 2014.

Current Art Gallery Exhibition

The April/May 2012 Law Library and Division IV art gallery exhibitions are painting by Joanna Ward. Mrs. Ward is the wife of long-time district court bailiff Darrell Ward.

The exhibitions will run through the end of May 2012. All of the pieces are for sale and may be purchased directly from the artist. Contact information for Mrs. Ward is available in the Library.

The June/July 2012 exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are scheduled to be artwork by Karen Roberts. More information on these exhibitions will be in the June 2012 E-Mail Newsletter.

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

sult 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:

ABA Child Law Practice: Helping Lawyers Help Kids, v. 31:3 (Mar. 2012) and v. 31:4 (Apr. 2012).

AALL Spectrum, v. 16:6 (Apr. 2012).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 293:3/v. 46:5 (Mar. 2012), and v. 293:4/v. 47:1 (Apr. 2012).

Criminal Evidentiary Foundations, 2nd edition, 2012 Cumulative Supplement.

Juvenile Justice Update, v. 18:2 (Apr./May 2012).

Kansas Statutes Annotated, 2011 Supplements.

Search and Seizure Bulletin, v. 49:3 (Mar. 2012).

Supreme Court Bulletin, v. 39:9 - v. 33:5 (Jul. 2009 - Mar. 2011), v. 33:7 - v. 34:3 (May 2011 - Jan. 2012).

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.

April's entry was:

The Law Library has a new MacBook Pro laptop for the use of our patrons while in the Library.

This Month In Legal History

May 17, 1910 - Deputy Sheriff Woods is shot in the calf by Charles Trude.

Charles Trude was born in January of 1881, probably in Cloud County, Kansas. His father was H.E. Trude and his mother was Sarah Trude, nee Netcatt. Sometime after Charles was born, the family moved to a farm in Wabaunsee County, Kansas. By 1905, Charles had apparently married, since on March 16th of that year, Marshal Henry Folkes of Wamego, Kansas, tried to arrest him on the charge of beating his wife. Trude asked the marshal if he had a warrant for his arrest. When the marshal said "no", Trude pulled two revolvers from his pockets, and with one in each hand, told the marshal to move on. A few weeks later, Trude jumped into a wagon that was being driven down a street in St. Marys, a town in Pottawatomie County, Kansas. The wagon was driven by an N.E. McPherson, and Trude proceeded to beat McPherson over the head and knock him out of the wagon. It was reported that Trude and McPherson both lived on an island in the Kansas River near St. Marys. McPherson filed charges, and on the evening of April 2, 1905, Night Marshall Dunn walked into a livery stable office in Wamego where Trude was waiting for a team of horses to be harnessed, pointed his revolver at Trude, and arrested him. Trude was locked in the city jail. The next morning, he broke a piece of metal from a tin bucket in his cell and fashioned a key that he

used to pick the lock on his cell door. He was trying to pick the lock on the outer door of the cell room when a guard saw him and gave the alarm. He was locked back in his cell, minus the improvised key. The next night, Trude set fire to the bed in his cell, probably hoping he could make an escape during the confusion, but when the night guard gave the alarm, Night Marshall Dunn came and put out the fire without letting Trude escape. Trude was bound over to the district court for assault with intent to kill, and his bond was set at \$5,000, which he failed to give. At the trial on April 7th, he was sentenced to 90 days in the county jail in Westmorland, Kansas, and fined \$25 and costs. During his confinement, Trude asked Sheriff Orlando D. Hobbs for a chair to sit on in his cell, but the sheriff thought that he might use it for some other purpose and refused to give him one. The next time Sheriff Hobbs came in, he found Trude sitting on a chair in his cell. He had somehow pulled a chair up to the cell, took the chair apart, pulled the pieces through the bars, and then put the chair back together again inside his cell. On April 15, 1905, Trude told Sheriff Hobbs that he could unlock the cell door, or the outside jail door for that matter, with a wire. The sheriff did not believe that he could do so and gave him a piece of wire taken from a bale of hay, telling him to unlock the cell door. Trude quickly bent the wire and unlocked the door several times as fast as could be done with the regular key. The sheriff took the wire from him. Later that night, Trude managed to wrench some iron bars off the metal bunks in his cell, and heated them until they were red hot, presumably on a stove near the cell. The ceiling of his cell was made of two by fours driven full of iron spikes and covered by tin ceiling tiles. He was able to use the red hot iron bars to burn a seven by eleven inch hole through this material, and then crawl up above the ceiling. He then knocked the boards and shingles off the roof from under-

neath and escaped. The next morning, Trude went to the home of ex-Sheriff J. H. Cooper and wanted to borrow a gun from him, which was refused. Cooper notified Sheriff Hobbs, who telephoned local farmers and the surrounding towns, telling everyone to be on the lookout for Trude. When the empty cell was searched, the authorities found in his bed an inch and a half metal nut with a chair rail driven in the hole. It was speculated that Trude planned to use it as a weapon if he had needed it. A local man discovered that one of his horses was missing, a mare described as "an animal that was not in a condition for fast travel." It was assumed that Trude had taken her to use in his escape. The mare was found, and showed no evidence of having been ridden hard. It came to be generally known that Trude was hiding out on the island in the Kansas River near St. Marys, but he had been able to avoid capture by officers who had gone there from time to time looking for him. Around the first of June, Sheriff Hobbs enlisted the aid of an acquaintance of Trude's named Frank Wilber to try and capture the elusive fugitive. Sometime earlier, a ferry boat had broken loose from its moorings at Belvue, a town about seven miles upstream from St. Marys, and had washed down the river to the island where Trude was hiding. He had found the boat and was storing it on the island. Sheriff Hobbs and Wilber arranged that Wilber would tell Trude that the trustee of Belvue Township, who was a stranger to Trude, was willing to pay Trude \$10.00 for the return of the boat. Trude agreed that he would turn over the boat for the offered \$10.00, and Sheriff Hobbs was informed of this. It was agreed that Samuel M. Coffelt, also a stranger to Trude, would impersonate the Belvue trustee, and go with Wilber to Trude's house. On the morning of Sunday, June 4th, Wilber and Coffelt set out for Trude's house on the island. Sheriff Hobbs and Deputy William P. Myers also went to the island that morning and located

the boat. They dug a hole in the sand by the boat that was large enough for the two of them to hide in, leaving only small openings from which to look out. They got into the hole and waited for Trude to come. Wilber and Coffelt had some difficulty inducing Trude to go with them to the boat, but the \$10.00 he was to receive was too strong a temptation for him to resist. He finally loaded up his revolver and went with the two men to the boat. When they neared the boat, Wilber and Coffelt grabbed Trude and held his arms to his body to prevent him getting his gun. Sheriff Hobbs and Deputy Myers came out of their hole and handcuffed the fugitive. After Trude had been brought back to jail, some citizens expressed concern that it had taken the authorities so long to capture the man, but others pointed out that as long as he was behaving himself and stayed isolated on the island, it was just as well that he was not in custody until the jail had been repaired. Speculation was that Trude would probably be sent to the penitentiary for breaking jail. He was supposedly to be tried for this during the September term of court, but there is no information on when or if a trial was held. Trude's mother got 50 citizens of St. Mary's to sign a petition to the County Commissioners for his release. They alleged that he was a model citizen, and said that his presence was needed at home, as there was a large family dependent upon his labor for their support. He was not released. In September, probably on the 27th, W. H. Walden, who lived near the jail, heard pounding coming from the building. He reported this to Sheriff Hobbs, who investigated the noise. Hobbs found Trude outside his cell, ripping off the steel ceiling from the top of the corridor using a piece of the iron bedstead from his cell. Trude had made a key from a thin piece of steel he had taken from the bottom of his bunk and used it to unlock the cell door. He told the sheriff that he ought to be given special credit for being good for the

previous four months and making no attempt to escape during that time. On January 6, 1906, Trude was back in district court. The court took up his case again, and considered the money that he owed, a \$231.00 fine, \$8.00 for reimbursement for damages to the jail, and \$82.00 for the expenses incurred by the sheriff in re-capturing him. The court ordered that if Trude would promise to pay the Pottawatomie County Commission \$25.00 every quarter until his debt was paid off, then he would be released from jail immediately. The court warned that if he failed to make the agreed to payments on time, then he would be rearrested. Trude agreed to the arrangement, and he was set free. His first payment was to be made in April 1906. In December 1906, a newspaper article noted that he was continuing to pay his quarterly payments on time. In May of 1910, word came to the authorities in Douglas County, Kansas, that Trude was wanted by the police in Ionia Michigan. On May 17, 1910, Deputy Sheriff Ebb Woods went to Eudora, Kansas. Trude was in Eudora that day, and whether Deputy Woods knew this and went there looking for him, or just happened to run into him there is not known, but around 9:00 a.m., Deputy Woods attempted to arrest Trude. Deputy Woods pulled out a revolver and Trude did the same. Both men began firing, and before the shooting was over, they had exchanged five shots apiece and Deputy Woods had been wounded in the calf. Trude was arrested and put in the Douglas County Jail. On May 21st, the Douglas County Sheriff received a message from an official in St. Marys recounting Trude's various misdeeds there. The official was quoted as saying, "Most everyone here hopes he will get a life sentence or be hung if possible for what he did down in your country." On June 9th, Trude's father arrived in Lawrence to look into getting bond and a good lawyer for his son. On September 24, 1910, Trude appeared in district court and pled guilty as

charged to the shooting of Deputy Woods. He was sentenced to confinement and hard labor in the Kansas State Penitentiary for a term not less than one year and not more than ten years. He apparently had to serve the full sentence, as the name Charles E. Trude is recorded in the 1920 United States Census for Leavenworth County, Kansas, enumerated on January 12, 1920, as being an inmate in the Kansas State Penitentiary.

From: 1900 U.S. Census, Wabaunsee County, Kansas, 6/4/1900; 1880 U.S. Census, Cloud County, Nelson Township, Kansas, 6/16/1880; [Charlie Trude Family History](#), Kansas Family History section, Kansas Heritage Group website; Wamego Times, Apr. 6, 1905, pg. 3; Westmoreland Recorder, Sept. 28, 1905; Westmoreland Recorder, Dec. 20, 1906; Lawrence Daily World, May 17, 1910; Lawrence Daily World, June 9, 1910; Case number 1887, Criminal Appearance Docket, Douglas County, Kansas, District Court; and, 1920 U.S. Census, Leavenworth County, Kansas - Kansas State Penitentiary, 1/12/1920.

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, 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.

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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