

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 12th.

The October Douglas County Bar Association Brown Bag CLE program will be on Thursday, October 18, 2012, from 12:00 p.m. to 12:50 p.m. in the Jury Assembly Room in the Judicial and Law Enforcement Center. Curtis Barnhill will present *An*

Overview of the Affordable Care Act. Handout material can be downloaded from the [DCBA website](#).

October 23th Workshop on Searching the Local Opinions Database

Are you aware that there is a database of memorandum decisions written by local judges? Do you know where it is? Do you know how to search it? If the answer to any of these questions is "No," then you should consider attending the "Workshop on Searching the Local Opinions Database" being held in the Law Library on Tuesday, October 23rd at noon. No registration is required, just show up and learn.

2012 Kansas Sentencing Guidelines Desk Reference Manual

The 2012 Kansas Sentencing Guidelines Desk Reference Manual is not scheduled for publication until January 2013. The Library will get a copy as soon after publication as possible.

Current Art Gallery Exhibition

The October/November 2012 Law Library and Division IV art gallery exhibitions pho-

tography by Susan Wolfe. Susan is the Administrative Assistant in Division IV.

The exhibitions will run through the end of November 2012. Contact information for Ms. Wolfe is available in the Library.

The December 2012/January 2013 exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are scheduled to be artwork from [The Dream Rocket Project](#). More information on these exhibitions will be in the December 2012 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:

ABA Child Law Practice: Helping Lawyers Help Kids, v. 31:9 (Sep. 2012).

Criminal Procedure, 5th, 2012 Pocket Part.

Juvenile Justice Update, v. 18:4 (Aug./Sept. 2012).

Kansas Court of Appeals Reports. Second Series, v.42.

Lawyer's Guide to Kansas Evidence, 5th ed., 2012 Supplement.

Search and Seizure Bulletin, v. 49:7 (July 2012) and v.49:8 (Aug. 2012)..

West's Kansas Legislative Service, 2012:4.

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.

September's entry was:

A form for patrons to give feedback to the Library is available on-line through the Library's website and at <http://dcll.wufoo.com/forms/z7x3k7/>.

This Month In Legal History

October 29, 1913 - Colonel John Knox Rankin, survivor of Quantrill's Raid, dies from injuries inflicted by a disgruntled customer.



John Knox Rankin was born in Cass County, Indiana, on November 3, 1837¹, to the Reverend Robert Henderson and Eliza R. (nee Lowry) Rankin. He was reportedly related through his mother to

John C. Calhoun, noted American politician and Vice-President under both John Quincy Adams and Andrew Jackson, and to Sam Houston, one of the men most responsible for Texas' independence from Mexico and its subsequent joining the Union as the 28th state. John's father died when he was three, and his mother raised him. He began his higher education at Wabash College in Crawfordsville, Indiana, but transferred to Iberia College in Iberia, Ohio, where he graduated in the winter of 1858/1859.

Rankin's family were known as being strongly abolitionist, "...all his people being anti-slavery workers," so it is no surprise that he attended Iberia College, as it was a school that was open to all, regardless of race or gender. Soon after he graduated, Rankin set out for Kansas Territory, arriving in Lawrence, the headquarters of the Free State movement in the Territory, on May 1, 1859. Kansas had been the scene of significant violence since 1854 between Free State and proslavery forces contending over the issue of whether it would come into the Union as a free or slave state. By the time Rankin arrived in 1859, the Free State cause had triumphed and the violence had all but ceased. He soon became doorkeeper for the 1859 session of the Kansas Territorial Council, the legislative body of the Territory, and the next year was made the enrolling clerk. Kansas entered the Union as a Free State on January 29, 1861, and Rankin was appointed engrossing clerk of the House of Representatives for the first session of the Kansas State Legislature that spring. After the Civil War broke out back east in April 1861, military units began forming in Kansas. On May 14, 1861, Rankin enlisted in the newly forming Second Kansas Volunteer Infantry. The Regiment was mustered into service on June 10th, and Rankin was made a second lieutenant and assigned to Company C. The Second Kansas Volunteer Infantry, including Rankin and his Company C, took part in the Battle of Wilson's Creek near Springfield, Missouri, on August 10, 1861. Beginning that October, the Second Kansas Volunteer Infantry was reorganized into a cavalry unit under the name of the Second Kansas Volunteer Cavalry. Rankin was assigned as a second lieutenant to Company H². In the spring of 1862, a battalion of men, including Rankin, was detached from the Second Kansas and assigned to the artillery service in a brigade under General Robert B. Mitchell. General Mitchell had been Adjutant General of Kansas for a short

time in the spring of 1861, before taking command of the Second Kansas Infantry. He was severely wounded at Wilson's Creek, and after he recovered, he was promoted to brigadier general and given command of the brigade to which Rankin was detached. That brigade had orders to join the Army of the Ohio. Later in the year, the battalion of men from the Second Kansas was remounted as a cavalry unit with Lieutenant Rankin in command, and served as a bodyguard for General Mitchell in North Alabama, Tennessee, and Kentucky. General Mitchell, guarded by the cavalry unit led by Rankin, commanded a division in the Battle of Perryville, fought on October 8, 1862, in Kentucky. In late October, the Army of the Ohio was renamed the Army of the Cumberland, and at about that same time, the detachment of men from the Second Kansas was returned to that unit. Lieutenant Rankin did not rejoin his former unit, instead remaining with General Mitchell as his personal aide-de-camp. Rankin then participated in the Battle of Stones River, fought from December 31, 1862, to January 2, 1863, in Tennessee. Rankin was back in Lawrence in August of 1863³, and was there the morning of the 21st, 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. "Being out for an early walk when the attack was made, they started for home. Turning a corner they came upon two raiders attempting to shoot a man lying in a yard. They drew their revolvers and rushed toward the two horsemen. Just then four others came up behind them, and they all began shooting. John K. Rankin feels sure

he wounded one man severely for he saw him jump up in his saddle and then ride off in a hurry. How many shots were exchanged it is not known, but the Rankins had emptied their revolvers, and the six raiders had kept up a constant racket. One shot was deliberately aimed at William Rankin and would doubtless have ended his part in the affair, had not the bullet hit the muzzle of his own revolver which he fired at the same time. Just as their ammunition gave out the raiders somehow got parted from them, and the Rankins escaped unhurt." After burning the town, Quantrill and his men rode south, pursued by a number of men led by Senator James Lane, who had been a target for assassination by the raiders. Lane put Lieutenant Rankin in charge of a company of men, and Rankin and the other pursuers fought with the fleeing raiders. The raiders counterattacked, and were able to escape in the resulting confusion. Lieutenant Rankin was reported to have been so overcome with emotion and rage at the failure to capture Quantrill and his men that he wept with humiliation. Soon after the raid on Lawrence, Rankin resumed his duties on General Mitchell's staff, and participated in the Battle of Chickamauga, fought September 19 and 20, 1863, in Georgia. His enlistment in the army expired in early 1865, and on March 21, 1865, he married Laura Finney in Terryville, Connecticut. He brought his bride back to Lawrence, and in June of that year, Kansas Governor Samuel J. Crawford appointed Rankin as paymaster and inspector general of the Kansas militia with the rank of Colonel. He was elected to the Kansas House of Representatives for 1866, and then from 1867 to 1871 he served as postmaster of Lawrence. Colonel Rankin became mayor of Lawrence in 1874 and held that office for two years, until 1876. During his term as mayor, tragedy struck his family, with his wife Laura dying on May 12, 1875. During their marriage, she had borne Rankin two sons, Robert Crawford and Herbert

John. On September 5, 1878, Colonel Rankin married Augusta Fischer, who would bear him five children, Carl, Anna Laura, John Whistler, Alice Mary, and Gretchen Augusta. During the 1870s Colonel Rankin was involved in local railroading, being for a time quarter owner and treasurer of the Lawrence & Carbondale Railroad and treasurer of the Pleasant Hill & Lawrence Railroad. He was also a banker, having organized the Lawrence Savings Bank and for a number of years served as cashier and president there. In the early 1880s he became associated with the United States Pension Office, and served a second term in the Kansas House of Representatives in 1889. In 1890, Colonel Rankin was appointed as special allotment and distribution agent for the Office of Indian Affairs in the Interior Department. Over the next nineteen years, he made allotment of land to around 15,000 Indians in seven states. According to one source, "This work took him away from home much of his time. His services among the Indians through the West were especially conspicuous. Under Government license he traded at the various reservations with the Osage, Sac and Fox, Pottawatomie and Kickapoo tribes and as special agent his duties brought him into close relations with the Indians over much of the western United States, including Indian Territory, New Mexico, Arizona, Colorado, Washington, Montana and Nebraska. Colonel Rankin to a notable degree gained the confidence, love and respect of the Indians. The Indians found him a tried and true friend. His diplomacy and tact gave him a great power among the Indians in his task of selecting allotments, and the Indians never questioned his word or his decision." He retired from the Interior Department in 1908, came back to Lawrence, and became manager and half owner of the Griffin Ice Company and Cold Storage Plant there. In July 1913, a seventeen-member committee was formed to commemorate the fiftieth anniversary of Quantrill's Raid, and Colonel

Rankin was asked to chair it and preside over the events. On August 21, 1913, 126 survivors of the raid met in Lawrence. To mark the event for posterity, a group photograph of the survivors was taken on Massachusetts Street. Just sixteen days later, on Saturday, September 6th, Colonel Rankin was working late at the ice house. The ice company had been doing a thriving business that summer, due to the weather being extremely hot, with temperatures well above 100 degrees. Because of the rush of business that summer, Rankin was there that evening at 11:00 p.m. when a man known as Howard Wynn⁴, an employee of the Lawrence Paper Mill who was around thirty years of age, called at the ice plant to purchase some ice. Upon receiving the ice from Colonel Rankin, Wynn made some comment about having been given short weight, pulled a knife, and advanced on Rankin. "Spot" Fearing, an employee of the ice company appeared and knocked Wynn to the floor. Wynn got up and struck at Rankin a second time. Fearing tried to strike Wynn again, but in the melee that followed, Rankin was knocked to the floor. He quickly rose back up and knocked Wynn unconscious with his cane. A doctor was called, but Wynn came to and left before he arrived. Rankin received no obvious physical injury, but he was taken home with concerns that the sever shock of the incident threatened a nervous breakdown in a man 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. He told officers that he "could not explain his actions unless it was that he was 'crazy drunk'." It was determined that Wynn was an alias he had been using in Lawrence, and that his name really was Wind. When Colonel Rankin found out that Wynn was in jail, he asked that the man be released from custody, which he was. Rankin remained confined to his home due to the attack. In early Octo-

ber, 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, 1913⁵, Colonel John Knox Rankin died. He was buried in the family plot in Oak Hill Cemetery in Lawrence. With the death of Rankin, Wynn was rearrested, and initially charged with murder. John J. Riling and H.H. Asher became Wynn's attorneys. Judge Charles A. Smart was set to preside at the trial, which began on the afternoon of December 4, 1913, in Douglas County District Court. Jury selection took up the afternoon of the 4th and most of the morning of the following day, December 5th. The panel was sworn in at 11:00 a.m., and the prosecution began its case. The first witness was Dr. J.C. Simmons, who had been Colonel Rankin's doctor for a number of years, who testified that he had died of a dilatation of the heart brought on by the attack made on him by Wynn. "Spot" Fearing then testified that in addition to having been there at the time of the attack on Colonel Rankin, Wynn had come by the ice plant earlier in the evening of the 6th. Wynn had shown Fearing three knives that he was trying to sell, including one with a blade four-and-a-half or five inches long. After most of the prosecution's evidence had been presented, the defendant's attorneys filed a demurrer, which Judge Smart refused to sustain. The prosecution rested its case 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 re-

garding 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. They could only convict him for manslaughter in the third or fourth degree, assault, or assault and battery. The jury went out around 6:00 p.m., and returned at 9:30 p.m. with a verdict of guilty of assault and battery. On December 17, 1913, Wynn was sentenced by Judge Smart to serve thirty days in jail and to pay court costs for his conviction of assault and battery on Colonel Rankin.

(1) 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.

(2) Rankin's Company was original named Company I, but as the reorganization progressed, it was re-named Company H.

(3) There are conflicting accounts as to the reason that John Rankin was in Lawrence on August 21, 1863. One account indicates he was there on a short furlough, while another indicates he was there as part of his staff duties for General Mitchell.

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

(5) The entry for Colonel Rankin in the on-line transcription of Connelley's *A Standard History of Kansas and Kansans* incorrectly notes that he died in 1915. All other accounts, including his gravestone and newspapers from the time record that he died in 1913.

From: [John Knox Rankin](#), *A Standard History of Kansas and Kansans*, written and compiled by William E. Connelley, 1918; 1900 U.S. Census, Douglas County, Kansas, 6/13/1900; Collections of the Kansas State Historical Society, Volume 12, [pp. 275-276](#); [Ohio Central College](#), Wikipedia website; [The 2nd Kansas Volunteer Infantry Regiment](#), Museum of the Kansas National Guard website; [The 2nd Kansas Volunteer Cavalry](#), Museum of the Kansas National Guard website; [Robert Byington Mitchell](#), Wikipedia 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 15](#) and [Chapter 16](#); [Past Mayors, 1857-1889](#),

Lawrence, Kansas, city website; Lawrence Daily World, v. 57: issue 215 (September 8, 1913), p.1; Case number 2142, Criminal Appearance Docket, Douglas County, Kansas, District Court; 1910 U.S. Census, Douglas County, Kansas, 4/21/1910; Lawrence Daily World, v. 57: issue 259 (October 29, 1913), pp.1 and 4; 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; 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 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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