

Record of criminals convicted and sentenced to death penalty

While executions by state authority were legal in Kansas from 1861-1907, the State Legislature imposed tighter regulations on the process with Senate Bill 18 (1872). The act provided the time of execution to be ordered by the governor and required the Governor's Office keep records of all death sentences and copies of all death warrants. In 1876, the Osborne County District Court convicted Henrietta Cook of first degree murder and sentenced her to death by hanging. This entry from the governor's record of death sentences includes transcripts of the criminal docket, verdict, and order to the county sheriff. Kansas governors between 1872-1907 refused to issue execution orders, as required by law, effectively banning state authorized executions during that period. Though Kansas has never executed a woman, several women have been sentenced to death in Kansas.

Creator: Kansas. Governor

Date: June 21, 1876

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Record of criminals convicted and sentenced to death penalty

15 RECORD OF CRIMINALS CONVICTED					15 AND SENTENCED TO DEATH PENALTY.				
NAME OF CONVICT.	IN WHAT COURT CONVICTED.	IN WHAT COUNTY CONVICTED.	AT WHAT TERM CONVICTED.	FOR THE MURDER OF WHOM.	DATE OF WARRANT.	DATE OF FILING.	DATE OF GOVERNOR'S ORDER OF EXECUTION.	DATE OF EXECUTION.	REMARKS.
Hurrietta Cook	Fiftieth Judicial District of Kansas	Bolton County	June Term 1876	Hiram Cook	June 21 st 1876	July 18 th 1876			
<p>The State of Kansas, Plaintiff vs. Hurrietta Cook, Defendant.</p> <p>Now on this 13th day of June A.D. 1876 the information filed in this case which of the court the defendant then and if shown prepared to information filed And the court ordered the clerk to prepare and maliciously killed and now she would acquit herself of said as charged in said information, a continuance of this cause and by the court and due deliberation by her attorney agreed to admit said therein. — Whereupon the court adjourned pursuant to</p> <p>and special panels if they had any this term. Whereupon the following Quigley, Daniel Probst, Jit Dunning, the infliction of death was too the court discharged said jurors the defendant excepted. — Whereupon truly try the cause, and a true maid Willis Dwyer, Andrew Storer, S. C. McKeate, J. D. Post, E. P. Rathbun & made a statement of the case to the called and sworn. And also the and were ordered to sit and remain the witness stand. — And then the the jury in regard to their conduct adjourned till tomorrow morning continued the examination of witnesses 1 o'clock P.M. pursuant to adjournment adjourned till half past seven o'clock and continued the examination</p>					<p>this cause came on for hearing on the motion of Defendant to quash motion after argument of counsel the court observed to which ruling then duly excepted. — And thereupon the court asked the defendant against her. For answer her attorney entered a plea of not guilty. Had the information filed herein charging her with having on murdered one Hiram Cook, — and being asked by the court charge, said that she was not guilty in manner and form — Whereupon the defendant by her attorney moved for supported said motion by affidavits. After arguments by by the court, said motion was granted. Whereupon the State affidavits to be used as the deposition of the persons mentioned journaled till one o'clock P.M. of that day. adjournment and the court asked the jurors both of the regular reasons to offer why they should not serve as jurors at named jurors answered: Gregory H. Lolley, Jennie M. Hill, Abe Smith and J. M. Bradley, thought and believed that severe punishment for murder in the first degree. Whereupon from further attendance upon this court to which order the following jury was empaneled and sworn, to wit and gone according to the law and the evidence, George B. Hayden, Storer, B. C. Osborne, W. F. Keeney, Josiah Probst, J. R. Nelson, J. E. Palmer. — And thereupon the county attorney, R. A. Hayes jury. — And thereupon the witnesses on the part of the State were witnesses on the part of the defense were called and sworn outside the court room until they were examined upon Plaintiff introduced witnesses, afterwards the court charged while absent from the court room, and thereupon the court at 8 o'clock. — Court met pursuant to adjournment and and thereupon adjourned till one o'clock P.M. — Court met at and the examination of witnesses continued, and the court tomorrow morning. — The court met pursuant to adjournment of witnesses on behalf of the State, and thereupon adjourned till one o'clock</p>				



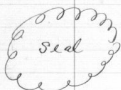
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RECORD OF CRIMINALS CONVICTED

NAME OF CONVICT.	IN WHAT COURT CONVICTED.	IN WHAT COUNTY CONVICTED.	AT WHAT TERM CONVICTED.	FOR THE NUMBER OF WHOM.

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RECORD OF CRIMINALS CONVICTED					AND SENTENCED TO DEATH PENALTY.				
NAME OF CONVICT.	IN WHAT COURT CONVICTED.	IN WHAT COUNTY CONVICTED.	AT WHAT TERM CONVICTED.	FOR THE MURDER OF WHOM.	DATE OF WARRANT.	DATE OF FILING.	DATE OF GOVERNOR'S ORDER OF EXECUTION.	DATE OF EXECUTION.	REMARKS.
		Hanging at such time as may be			hereafter designated The above entry	by the Governor of the State, conforms to the facts in said action (Signed) Joel Holt Judge			
					State of Kansas } ss. Osborne County }	I Henry J. Dupkins, clerk of the District Court of the 15 th Judicial District of the State of Kansas, sitting within and for Osborne County, do hereby certify, that the above and foregoing and foregoing is a full true and complete copy of the judgment rendered in said court in the above entitled cause, as the same appears of record in my office.			
						Witness my hand and seal of said court affixed at Osborne City, this 8 th day of June 1876. (Signed) Henry Dupkins Clerk of the District Court.			
The State of Kansas,	To L. D. Howan, Sheriff of Osborne				County Kansas	Greeting:			
		had a trial in the District Court entitled, The State of Kansas vs. Tuesday, June 13 th 1876, upon the deliberation, immediately and look, Stephen mine, with the intent lease by reason of and from the of April A.D. 1876, at the said said trial was by jury of evidence in the case the instructions of a sworn bailiff and afterwards verdict into open court.				Whereas one Henrietta Cook, having of the County of Osborne, State of Kansas, in an action Henrietta Cook, at a term of said court commencing on charge of having wilfully, maliciously on purpose, of her Malice & aforethought, administered to Hiram to kill and murder said Hiram Cook, That said Hiram effect of said strychnine so administered did upon the 1 st day County of Osborne State of Kansas die, twelve lawful men of said county, after listening to the and arguments of counsel they retired under the charge to wit: the 20 th day of June 1876 returned the following			
The State of Kansas Plaintiff vs. Henrietta Cook Defendant	District Court Osborne County Kansas. On the Jury empanelled					in the above entitled action do find from the law and			



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18 RECORD OF CRIMINALS CONVICTED					19 AND SENTENCED TO DEATH PENALTY.				
NAME OF CONVICT.	IN WHAT COURT CONVICTED.	IS WHAT CRIME COMMITTED.	AT WHAT TIME CONVICTED.	FOR THE NUMBER OF YEARS.	DATE OF ARREST.	DATE OF TRIAL.	DATE OF ORIGINALLY ORDERED OF EXECUTION.	DATE OF EXECUTION.	REMARKS.
		the evidence the defendant Kewitts or Kewitts on purpose and Malice Murder in the first degree							look, guilty & killing one Hiram Cook, by means of strychnine as charged, in the information filed herein being (Signed) A.D. Osborne Foreman.
		day of June 1876. the defendant caused the jury to be sworn in guilty of Murder in the first And after being asked by the not be passed upon her answer of given was no sufficient cause to pronounce against her the							Afterwards to wit, on the 21 st was brought into open Court, and was informed by the said action had returned into open Court a verdict of degree as specified above. Court ordered she had anything to say why sentence should that she was not guilty, and asked for a new trial, but appearing by the Court why judgment should not Court thereupon sentenced her to suffer death by hanging as Sheriff of Osborne County, State of Kansas to safely convey to the Penitentiary of the State of Kansas at Lawrence, the Kansas Warden of the said Penitentiary and to be safely kept by fixed for the execution of the said convict by the as provided for by Chapter 166 of the Session Laws of This Order is made by the Court this 21 st day of June 1876.
		This therefore is to direct you the said convicted Kewitts Cook and to then deliver her to the Warden until the time may be Governor of said State of Kansas of Kansas for the Year 1876.							In testimony whereof I have hereunto set my hand and affixed the Seal of said Court at Osborn City in said County this 21 st day of June A.D. 1876
									(Signed) Henry J. Tompkins Clerk of the District Court Osborne County Kansas
									State of Kansas } ss. Osborne County } I hereby certify that the above and foregoing is a true full and complete copy of the execution commencing the Sheriff of said County to execute the body of Kewitts Cook in pursuance of the judgment of said Court.
									Witness my hand and Seal of said Court, affixed at Osborn City this 20 th day of June 1876 (Signed) H.J. Tompkins Clerk of Dist. Court