

A hanging in Kansas

This newspaper article published in the Topeka State Journal illustrates the confusion surrounding the history of state death penalty laws in Kansas. The article concerns the possible execution, under federal law, of a convict at the federal penitentiary at Leavenworth. The article claims that should this execution proceed "Kansas will see its first legal hanging in its history as a state." The article concludes by saying "that there never has been a hanging under state law in Kansas." In fact, between 1862-1888 there were nine legal executions in Kansas under state law, three under military law, and two under federal law. The state repealed its capital punishment law in 1907.

Creator: Topeka State Journal Company

Date: February 18, 1916

Callnumber: K 343.2 Clipp. V. 1 pg. 10

KSHS Identifier: DaRT ID: 208827

Item Identifier: 208827

www.kansasmemory.org/item/208827

KANSAS
HISTORICAL
SOCIETY



Topeka Journal
February 18, 1916

A HANGING IN KANSAS

State Anti-Death Penalty Law Not Apply in Prison Murder Case.

Leavenworth, Kan., Feb. 18.—If the United States government convicts J. S. Jones, a convict serving a term in the federal prison here of killing Henry Schmidt, another prisoner, Kansas will see its first legal hanging in its history as a state. Jones will be arraigned on a murder charge before a United States commissioner next Thursday. He attacked and stabbed Schmidt because the latter had spilled salt on bread Jones was eating.

The crime was committed on government land and the federal statute provides hanging and no other penalty for such cases. If Jones is convicted the federal judge before whom he is tried will have no alternative but to sentence him to hang. Such a sentence would be carried out at the penitentiary by the United States marshal's offices.

The case recalls the fact that there never has been a hanging under state law in Kansas.