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Research Tip: Solving a Baseball Law Mystery: Unusual Databases for Lawyers

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DID YOU KNOW?

Research Tip: Solving a Baseball Law Mystery: Unusual Databases for Lawyers

By Robert M. Jarvis

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In 1913, the Kansas City Court of Appeals ruled that spectators who are hit by foul balls cannot sue for their injuries because such occurrences are an inherent part of the game of baseball. *See Crane v. Kansas City Baseball & Exhibition Co.*, 153 S.W. 1076 (Mo. Ct. App. 1913). This decision is the basis for today's "baseball rule," a defense recognized in nearly every jurisdiction.

The plaintiff in *Crane* was a man—or maybe a woman—named S.J. Crane. His or her full name does not appear in the decision, and neither do any identifying facts. Indeed, in a law review article, Professor J. Gordon Hylton remarked on "the paucity of details in the court's opinion." J. Gordon Hylton, *A Foul Ball in the Courtroom: The Baseball Spectator Injury as a Case of First Impression*, 38 *Tulsa L. Rev.* 485, 494 n. 46 (2003).

Last summer, I set out to find S.J. Crane. To do so, I used a host of non-legal databases. Knowing that they exist, what they contain, and how to access them is useful information that every lawyer should possess.

On the Trail of S.J. Crane

I began my hunt by hiring a local researcher to retrieve the case file from the Missouri State Archives (www.sos.mo.gov/archives). Every state has its own archive, and case files make up a large portion of their holdings. In addition, the United States operates the National Archives (www.archives.gov), which serves as the repository for federal case files. Finding a local researcher is easy—the Association of Professional Genealogists (www.apgen.org) maintains a list of members who are available for hire.

Unfortunately, the *Crane* case file shed no light on S.J. Crane. As such, I next looked through old city directories. At one time, nearly every city had its own annual directory, which served as a registry of local businesses and individuals. Copies are available on Ancestry.com, a site that contains 16 billion historical records. By searching through Kansas City's directories, I located two individuals named S.J. Crane who lived near Association Park (the Blues' stadium) at the time of the mishap: a plumber named Samuel J. Crane and a laborer named Stephen J. Crane.

Next, I turned to two of my favorite websites: FindAGrave.com and Newspapers.com. The former contains information on 170 million graves, while the latter reproduces more than 425 million pages from newspapers dating back to the 1700s. Through these sites I learned a great deal about Samuel and Stephen. And while I could not definitely rule out either one of them, I was able to come closer to solving the mystery than any previous researcher.

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Second to the Finish Line: Charles A. Edling

Lastly, I wanted to compare Crane's case to another early Kansas City decision that, had things worked out just a little bit differently, would now be the source of the baseball rule: *Edling v. Kansas City Baseball & Exhibition Co.*, 168 S.W. 908 (Mo. Ct. App. 1914).

Charles A. Edling was a Kansas City attorney whose nose was broken by a foul ball two months before Crane's rib was fractured. But because Edling insisted on a jury trial, while Crane opted for a bench trial, Crane's lawsuit got to the finish line first.

Edling does not have an obituary on Newspapers.com. But on HeinOnline (heinonline.org), I found a detailed memorial in the February 1925 issue of the *Kansas City Bar Bulletin*. Unlike Lexis and Westlaw, which focus on contemporary materials, HeinOnline concentrates on historical items. Thus, in its 160 million pages, users will find the complete run of 2,600 different bar journals and law reviews, as well as a wide range of foreign and domestic cases, statutes, and treatises. Also included is the *Martindale-Hubbell Law Directory* back to 1870, for whenever one needs to look up a past attorney or law firm.

For Further Research

Of course, the foregoing represents just a small fraction of the databases that might prove helpful when researching an unusual legal issue. Others can be found by consulting such works as Carole A. Levitt & Mark E. Rosch, *The Cybersleuth's Guide to the Internet* (14th ed. 2017), and Randolph Hock, *The Extreme Searcher's Internet Handbook* (4th ed. 2013).