

IN THE DISTRICT COURT OF ELLIS COUNTY, KANSAS

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In the Matter of
HENRY E. HERRMAN, ESQ., deceased,

Case No. 01-C-142

WRITTEN EULOGY AND MEMORIAL

MAY IT PLEASE THE COURT AND MEMBERS OF THE BAR:

This written eulogy and memorial to Henry E. Herrman, a deceased member of the Ellis County Bar Association, is presented in open court and to the public for the purpose of saluting posthumously the late Henry E. Herrman, a distinguished member of the Ellis County Bar Association, who died on February 1, 2001. This written eulogy and memorial is presented in conformity with the long-standing practice of this bar association to memorialize a brief history of the life of one of our fellows, assign it a case number, and file it as a permanent record of the District Court, Ellis County, Kansas.

Henry E. Herrman was born March 2, 1930, in Salina, Kansas, the son of Henry F. Herrman and Margaret I. Herrman, formerly Margaret I. Schaefer. Henry's father, Henry F. Herrman, was a long-time attorney in Hays, Kansas, who died in 1978 at the age of 88 years after having practiced law for more than 60 years in Rush County and Ellis County, Kansas. Henry E. Herrman's mother was the daughter of J. M. Schaefer, an early-day abstracter and realtor in Rush County and Ellis County, Kansas. Henry F. Herrman was the son of Peter and

Katherine Herrman, Liebenthal, Kansas. Three of Henry E. Herrman's grandparents were of Volga-German descent, and his Grandmother Schaefer was of Irish descent, her maiden name being Magrane, whose family moved to Ellis County, Kansas, from Ireland in the early years of the 20th century.

Henry E. Herrman was one of three children. His sister, Mary Frances Dewitt, died in 1977, and a brother, Gregory J. Herrman, died on May 3, 1995. Henry E. Herrman was the sole remaining member of the Herrman family, the male members of which all practiced law in the city of Hays, Kansas.

Henry E. Herrman graduated from Maur Hill High School in Atchison, in 1948. He later earned a bachelor's degree from Loras Collage in Dubuque, Iowa, in 1952. He then served in the United States Army for a period of two years.

Henry E. Herrman attended law school at the University of Kansas School of Law following his discharge from the Army Counter-Intelligence Corps. He graduated from that institution in May, 1957, and was promptly admitted to the Kansas Bar Association. Mr. Herrman began his law career at the law firm Boyer, Hondros & Donaldson, Wichita, Kansas, one of whose early-day partners, George Hondros, also shared a personal acquaintanceship with Henry F. Herrman, Henry's father. Mr. Herrman worked one year for that law firm before accepting employment as house counsel for DX Sunray Oil Company, Tulsa, Oklahoma. After working for Sunray Oil in Tulsa, Oklahoma, and

meeting his future wife, Carolyn S. Simpson, who survives him, Henry joined Panhandle Eastern Pipeline Company, Liberal, Kansas, where he grew his family from three to seven members. While practicing law in Liberal, Henry was tragically stricken with multiple sclerosis. Because of the rapid onset of the disease, Henry was forced into early retirement, returning with his family to Hays, Kansas. In Hays, Henry steadfastly continued an honorable, though necessarily limited, law practice. Henry lived out the remainder of his life at 3104 Tam O'Shanter, Hays, Kansas, where, together with his wife Carolyn, provided a stable, principled home in which he raised his five closely-knit children.

Henry E. Herrman is survived by his wife, of the home; two sons, Henry, Los Angeles, California, and John, Manila, Philippines; three daughters, Pat Hartman, Tulsa, Oklahoma, Margaret Herrman, Columbus, Ohio, and Judy Kilpatrick, Kensington, Maryland; and five grandchildren.

Henry E. Herrman was preceded in death by his father, Henry F. Herrman, his mother, Margaret I. Herrman, his sister, Mary Frances DeWitt, and his brother, Gregory J. Herrman.

Henry E. Herrman was an ardent Republican, contrary to the political persuasion of his late brother, Gregory J. Herrman, which made for a lively debate on almost a daily basis between Henry and his brother, Gregory. Henry E. Herrman did not come by his political persuasion lightly. His father and mother were both ardent Republicans, his father having served in the House of

Representatives for Ellis County during his legal career in the city of Hays, and his mother was an active precinct worker for the Republican Party almost until her death in Ellis County. It is safe for this scrivener to state that the members of the Herrman family did not take their politics lightly.

Henry E. Herrman maintained a close relationship over the years with several of his classmates at the University of Kansas Law School. James R. Hanson, Esq., member of the firm of Boyer, Donaldson & Stewart, Wichita, Kansas, was one of them. Mr. Hanson told me that they first met when it was discovered that both their surnames started with the letter H. Mr. Harmon advised the scrivener of this memorial that it was during Henry's first year in law school that he must have experienced his first symptoms of multiple sclerosis, although not then recognized as such. In his second year of law school at Kansas University, he and five other law students rented Professor Charles Oldfather's large country home southwest of Lawrence for the year while Professor Oldfather went on sabbatical for that year. When that lease was completed, they rented another house for the following year, and from that time forward they remained in close touch. Until Henry's death, he and his "law school buddies" (as he affectionately referred to them) maintained regular contact, including occasional get-togethers, often coinciding with KU football games. Henry E. Herrman was an ardent sports fan and supported the University of Kansas athletic teams. To this scrivener, Mr. Hanson related one of his favorite stories that he likes to tell in connection with his relationship with

Henry E. Herrman. The story arose during an annual Kansas Bar Association meeting at the Broadview Hotel in Wichita, Kansas. As Henry and Mr. Hanson got into the elevator to go up or down a few floors, a group of rowdy, excited teenagers followed them on the elevator. Those unsuspecting teenagers were jumping and jiving around and giggling and jostling Henry in his wheelchair. As the elevator passed a floor on its way up or down, the elevator gave a shudder and a sharp lurch and then proceeded on. Henry, true to form, instantly looked up at Jim Hanson from the wheelchair, with his head cocked to one side, and said, "that's just the way that elevator acted when I had my accident." There was instant silence and the teenagers got off on the next floor. Reams could be written about Henry E. Herrman's practical jokes that he played on people, stories he told about different incidents which occurred during his lifetime or during the lifetime of his father, mother and his colorful brother, Gregory J. Herrman, whose reputation precedes this memorial with members of the Ellis County Bar Association.

A personal reference by the scrivener of this memorial if I were asked my impression of Henry E. Herrman. I first met Henry E. Herrman when he was a student at the Kansas University Law School when he spent an evening with his brother, Gregory J. Herrman, and myself during a flood on Big Creek in 1957. He was a perfect specimen of physical strength. I can still see him knee deep in flood water from the south edge of Hays, Kansas, when he assisted this scrivener securing some horses that I had stalled in the south end of town. My later

association was with him in Liberal, Kansas, when he served as my county campaign manager in an unsuccessful run that the undersigned made for Attorney General, and how his health began to fail, and then his remaining years here in Hays when he was relegated to a wheelchair and confined primarily to his home, with occasional trips to the local country club and other social events. The one thing that stands out in my mind, as I look back over the life of Henry E. Herrman, was in spite of the adversity that he faced, his sense of humor, respect for this profession and relationship with friends, church and family remained consistent. I never saw him depressed and when he had to be actually fed by his wife, Carolyn, at mealtime, he still remained the same. Both he and his brother, Gregory J. Herrman, had the Irish wit of the Magranes but bore a Volga-German name. Henry E. Herrman, throughout his life, carved a niche for himself. Although his contact with the legal profession in Ellis County was somewhat limited, I will never forget what the late Tim Linley, a prominent Kansas attorney, former member of the Kansas Corporation Commission from Cimarron, Kansas, and later Chief Counsel for Panhandle Eastern Pipeline Company, told me about Henry E. Herrman. His comment in short to me was that Henry E. Herrman was an outstanding student of the law and vigorous advocate on behalf of their company and he was proud to have Henry on his staff in spite of his physical impairment.

YOUR HONOR, I request this eulogy and memorial be filed in the appropriate case number in the clerk's office for perpetuity.

Respectfully submitted,

THOMAS C. BOONE
A member of the Ellis County Bar
Association

CERTIFICATE OF SERVICE

I, Thomas C. Boone, do hereby certify that October 1, 2001, I deposited in the United States mail, postage prepaid and properly addressed, a true and correct copy of the above and foregoing Written Eulogy and Memorial, by first-class mail, here at Hays, Kansas, to:

Carolyn Herrman
3104 Tam O'Shanter Drive
Hays, KS 67601

Henry A. Herrman
22240 Wyandotte St.
Canoga Park, CA 91303

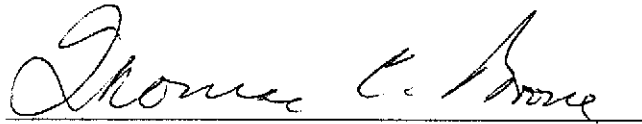
John Herrman
c/o Carolyn Herrman
3104 Tam O'Shanter Drive
Hays, KS 67601

Pat Hartman
1256 E. 26th St.
Tulsa, OK 74114

Margaret Herrman
255 E. Dunedin
Columbus, OH 43214

Judy Kilpatrick
11132 Dewey Rd.
Kensington, MD 20895

Ellis County Historical Society
100 W. 7th
Hays, KS 67601

A handwritten signature in cursive script that reads "Thomas C. Boone". The signature is written in black ink and is positioned above a horizontal line.

THOMAS C. BOONE

A member of the Ellis County Bar
Association