

Father and son practice law in the county for 100 years

By Karen Krien

karenk@nwkans.com

John Kite will retire this month after practicing law in Cheyenne County for 50 years. His father, Edward E. Kite, was also a lawyer for 50 years. Together, they provided 100 years of law to the county.

On Saturday, an open house will be held from 2 to 4 p.m. at the office of Kite and Day, 112 W. Washington, St. Francis.

John's father was a District Judge during his early years so was gone for weeks at a time. His mother, Ruby, was not only the head of the house but was both mother and father. Besides John, there was his brother, Wendell, and sister, Doris. John said Mom conducted herself with the patience of Job.

The Kite kids grew up in a happy home and the United Meth-

odist Church. The church, located south of the present Methodist parsonage, was a beautiful, old church with 25 steps to the main entry. The east front had four large pillars. John said his father referred to his mother as the "fifth pillar" of the church because of her commitments.

Her church life revolved around the Sunday school department where she served as superintendent, teacher and youth leader. She was an integral part of the women's groups at the local and district levels.

The family routinely sat in the third or fourth pew from the rear and to the left-hand side of the sanctuary.

"Mom was never quick to anger," John said. "But I do remember, while squirming in the pew one Sunday, there was a thump on the leg.

"I rolled my eyes and I said, 'One more thump and you're going home.'"

As a youth, John enjoyed sports, scouting, playing the trombone and participating in piano recitals. He also sang in several vocal groups. As a member of the boys trio, he said he never forgot being marched out on the stage three different times to sing. Each time, the boys ended in convulsions of laughter.

"The trio was finally deleted from the program," he said.

John was busy in those days, working at different jobs. He pumped rationed gas at Carmichael's Skelly station on the hill; "jerked" sodas and malts at Thompson's Drug Store, and later, as an employee of Cooper's Rexall Drug.

At Cooper's, he said, I made John's guaranteed fresh peach ice cream with peaches "fresh" from a can.

At times, he accompanied his dad in traveling through the District. During the war years, the speed limit was 35 miles per hour. John was allowed to drive part of the time but his dad would occasionally look at the speedometer, telling him that he must be getting close to 40 miles per hour and to "slow down — the limit is 35."

John didn't grow up wanting to be a lawyer — he wanted to be a doctor, following in the footsteps of Dr. J.H.A. Peck. In fact, Dr. Peck let him sit on the stairs of the hospital (the old hospital which was located on the corner of Spencer and Scott streets) to observe him during surgery.

His career choice changed when he was drafted into the Army in 1951. He attended the United States Army Counter Intelligence Corps (CIC) school in Baltimore and was assigned as an investigative agent.

"This was the turning point of my life," he said. "I chose to follow my father into the practice of law."

He received his undergraduate degree in 1954, and a Juris Doctor in 1957 from the University of Kansas, then returned to St. Francis to begin his law practice. Two years later, he was elected Cheyenne County Attorney and serve in that position for 12 years.

Memorable

Memorable events in his career include the estates of Wilhelmina Neitzel and Garnette and Ethylene Greene.

"It was my privilege to be the scrivener of their wills," he said.

As the executor, Mrs. Neitzel bequeathed her estate, one-third each, to the Peace Lutheran Church and the Cheyenne County Hospital. It was with the funds to the hospital that the Cheyenne County Clinic was built.

She also gave one-sixth of her estate to the ABC Preschool.

The remaining one-sixth was gifted to the St. Francis Public Library. This became the seed money for the construction of the present library building.

Mr. and Mrs. Greene left their estate in a "trust" and established a fund for scholarships. In 2007, 18 Cheyenne County seniors received scholarships in the amount of \$25,500.

Gut-wrenching

"The most gut-wrenching experience as a county attorney was the prosecution of Tolly Bolyard for the double murders of father and son, Fritz and Larry Kehlbeck, respectively, from the Bird City community," Mr. Kite said.



JOHN KITE looks over some of the paperwork on his desk. He has been practicing law for 50 years in Cheyenne County.

Times staff photo by Karen Krien

"Kansas Bureau of Investigation agents, Alvin Dewey and Clarence Duntz, were assigned to assist the sheriff and Mr. Kite in the murder investigation by gathering evidence, securing the crime scene and interviewing witnesses," he said.

These two agents were also involved in solving the homicides of the Herbert Clutter family in Holcomb. That case was the inspiration for Truman Capote's book, "In Cold Blood."

Later, the two agents helped Sheriff Edward Schultz and Mr. Kite in solving the Stuart Jewelry burglary which was committed by Rufus Suggs, Plez Dilly and others.

Changes

Mr. Kite said the most notable changes in the practice of law have been from manual typewriters and full keyboard adding machines to the present day use of electronic instruments.

"No carbon paper today!" he said.

Appointments

Mr. Kite has been admitted to practice before the U.S. Supreme Court; U.S. Court of Appeals, Tenth Circuit; U.S. District Court, District of Kansas, and all state courts in Kansas. He is also a member of the Northwest Kansas, Kansas and American Bar associations.

His civic and state leadership is significant as he has served on boards of the Citizens State Bank, Cheyenne County Hospital, United Methodist Church, St. Francis Library, St. Francis Chamber of Commerce and ABC Preschool.

The Governor appointed him to four-year terms on the Kansas Arts Commission Advisory Council, the Kansas Arts Commission and the Kansas Crippled Children's Commission. He has also been a Webelo leader, scoutmaster, a member of the Metropolitan Opera Guild, the Masonic Lodge and Shrine. He served 30 years as city attorney for Bird City as well as attorney for the St. Francis Board of Education for many years.

Community involvement

Mr. Kite and his wife, Elaine (Raile), worked as a team to support and improve the community. Mrs. Kite, as Pride chairman, led the way for the restoration and preservation of Sawhill Park, including the band shell. The city earned a first place award in the state program. The park was rededicated in 1978 with Governor Robert Bennett present.

The Kites were also responsible for Fourth of July fireworks displays for a number of years.

"Because of her passion for teaching and love of children,

Elaine has taught Sunday school for 27 years at the United Methodist Church," Mr. Kite said. "She cleverly involved me as a teacher, also, with her puppet projects, and as co-editor of 'The Jesus Post,' a newspaper published by the students."

City beautification projects include:

- Razing Judge Kite's office and Angel's Cafe which was followed by the erection of the Kite and Day office

- Razing of Dr. Peck's hospital which became a lot for the Kite's to raise a huge garden with much of the produce being given away on Sundays. Later, Ervin and Edith Rogers built on the lot.

- Clearing off the gingerbread house where the Kite children were born, now the home of Kenneth and Janette Roberson.

- Clearing off the Edith Gawith house, now the home of Sparky and Eilene Nolan.

- Later, remodeling the Victorian building occupied by the Cheyenne County Development Corporation.

Partner

Michael J. Day joined the Kite law practice in 1974. Subsequently, they formed the partnership of Kite & Day, L.L.P., a legal partnership for 33 years.

Family

Son, Greg, continues to practice law in Wichita, a total of 25 years to date. Daughter, Mindy, a paralegal for 10 years, is married to Hadley Bradbury. They reside in Overland Park where Mindy enjoys being a stay-at-home mom with sons Collin and Chase.

Public Notice

City ordinance for parked vehicles

Published in The Saint Francis Herald, St. Francis, Kansas, Thursday, June 14, 2007. (24)

ORDINANCE NO. 541

AN ORDINANCE AMENDING ARTICLE 5 OF CHAPTER 14 OF THE 2003 CODE OF THE CITY OF ST. FRANCIS, KANSAS, REDUCING THE WEIGHT LIMIT ON VEHICLES ALLOWED TO PARK ON CITY RIGHT OF WAYS FROM 25,000 POUNDS TO 10,500 POUNDS; ELIMINATING THE FOUR HOUR TEMPORARY PARKING EXCEPTION AND PROVIDING PROCEDURES FOR SECURING A PERMIT ALLOWING PARKING OF OVERWEIGHT VEHICLES IN AN AUTHORIZED AREA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. FRANCIS, KANSAS, that Article 5 of Chapter 14 of the 2003 Code of the City of St. Francis, Kansas, be amended to read as follows:

ARTICLE 5. OVERWEIGHT VEHICLES

14-501. PARKING OF OVERWEIGHT VEHICLES ON PUBLIC RIGHT OF WAY. No person shall park any vehicle exceeding 10,500 pounds in weight in or on public right-of-ways.

14-502. OVERWEIGHT VEHICLES; PROHIBITED PARKING; EXCEPTIONS. Overweight vehicles, defined as exceeding 10,500 pounds in weight and including combined gross weight of vehicles with trailers, shall be prohibited from parking on the streets or right-of-ways within the City of St. Francis, Kansas, with the following exceptions:

(a) Overweight vehicles incidental to the commercial enterprise shall be permitted on the premises of such commercial enterprise.

(b) Loading or unloading of moving vans or similar type vehicles used for moving of personal goods for a period of 24 hours or less.

(c) Obtaining a permit from the city council for overweight vehicle parking at a designated location and specific time. Said permit shall be issued at the sole discretion of the city council and shall be issued only after written application accompanied by the consents of the affected and adjoining property owners.

(d) Construction equipment and/or machinery employed in any public works project in the city parked at a site of and for the duration of such construction.

(e) Notwithstanding the specific prohibitions contained herein, the city council for the City of St. Francis, Kansas, reserves the right to designate areas for the parking of overweight vehicles in the City of St. Francis, Kansas, and such designation shall be posted at the designated location.

14-503. DETACHED COMMERCIAL TRAILERS. Commercial trailers, distinguished from recreational trailers, and utilized for commercial or business purposes and defined as any wheeled vehicle without motive power on its own, and designed to be drawn by a motor vehicle, shall not be parked detached from a towing vehicle on any public right-of-way within the city.

14-504. PENALTIES.

Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction for each offense, shall be punished with a fine of not more than \$500.00 nor less than \$25.00. Each day during or on which a violation occurs or continues after the notice has been served shall constitute an additional or separate offense.

14-505 FINDING OF CITY COUNCIL. The city council hereby finds that it has been determined that the vehicles in the categories described hereinbefore are causing and will cause serious damage to the streets of the City of St. Francis, Kansas.

This Article 5 of Chapter 14, as amended, of the St. Francis City Code, shall take effect and be enforced from and after its publication in the official city newspaper, The St. Francis Herald has provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 5TH DAY OF JUNE, 2007.

/s/ ROGER JENSEN, Mayor, pro-tem

ATTEST: /s/MARY P. LAMPE, City Clerk

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Father's Day Car Show
June 17. Antique, classic, original & restored cars, trucks & motorcycles.
Rolling Hills Wildlife Adventure, Salina, KS.
(785) 827-9488, www.rollinghillswildlife.com.

Country Stampede
June 21-24.
Four-Day Mega-Country music festival.
Tuttle Creek State Park, Manhattan, KS.
(800) 795-8091, www.countrystampede.com.

Women & Civil War Quilts
Exhibit through June 25 at the Schuyler Museum, Burlingame, KS.
Wed./Fri./Sun. 1-4 p.m., Sat. 10 a.m.-4 p.m.
5-year Anniversary Celebration June 24.
www.burlingamemuseum.org.

Old West Cowboy Days
June 30-July 1
Western music, reenactments, dutch oven cook-off, cattle drive, crafts.
Forest Park, Ottawa, KS.
(785) 242-1411, www.oldwestcowboyydays.com.

Emporia Street Festival
July 4. Emporia's 150th Anniversary.
Food, entertainment, fireworks in downtown Emporia, KS.
(800) 279-3730, (620) 342-1803, www.emporiakchamber.org.