

HISTORY OF GRAY COUNTY

Gray County, Kansas

Written by Juanita Trebilcock

*Consultants: D. W. Barton, Ingalls, Kansas, first cattleman in Western Kansas.
Terrence Byrne/Burns, Ingalls, Kansas, one of the first residents in Gray County.
Charles S. Sturtevant, Cimarron, Kansas, Editor of the Jacksonian Newspaper and Head of
Cimarron Chamber of Commerce.*

** Additional information added about certain people mentioned in this story*

The Santa Fe Railroad laid out the city of Cimarron in about 1874. Many of the earliest settlers were from the eastern part of the state. Those settlers are all gone now. The few who are still living have moved away from Cimarron. The oldest settler now living in Cimarron is Harry Brice, a lawyer there. (See story "Reminiscences of Harry Brice")

The first buildings built in Cimarron were on Main Street's present location, in the first block north of the railroad track. They were constructed of lumber but have since been torn down, and new brick buildings were built in their place. There are not any of the first buildings standing at this time.

Cimarron was named for the old Cimarron Crossing, which is about six miles west of the town. The Cimarron Crossing, which is located at the end of the present river bridge at Ingalls, is the original crossing used by the Spaniards and the Indians, as well as the caravans. Later, crossings were made for several miles on either side of the original crossing. At the time Cimarron was founded, it was the nearest town to the old Crossing.

Perhaps many people wonder why a crossing on the Arkansas was called Cimarron. Old-timers say it is because the first water, in those early days, to be found southwest of the Arkansas River on the Santa Fe Trail was the Cimarron River.

So the crossing on the Arkansas was called Cimarron, signifying that the next crucial watering place would be on the Cimarron River, and they would be crossing into the Cimarron Country.

Cimarron grew quite rapidly after it was founded, and at the time Gray County was formed, Cimarron was the largest town in the county.

The county of Gray was organized in 1887, at which time a temporary county seat was established in Cimarron. An election was held in January of 1888 to select a town for the permanent county seat. Three towns, Ingalls, Montezuma, and Cimarron, were rivals in the election.

An eastern man named Asa T. Soule (*See story "Soule Canal in Gray County"*), who backed the founding of Ingalls, persuaded Montezuma to drop out of the race by building a railroad from Dodge City across southwestern Kansas. However, the railroad was constructed only as far as Montezuma, and construction ceased until about 1911 when the Santa Fe Railroad took it over and completed it for a branch line.

When Montezuma was eliminated, only Cimarron and Ingalls were left to participate in the race. When the ballots were counted after the election, it was found that Ingalls had won and was legally the county seat of Gray County.

Cimarron would not give up the county records, so Ingalls hired gunmen from Dodge City to come out, and they, with a few Ingalls men, loaded in a wagon and went to Cimarron to steal the records. They had the documents in the wagon ready to leave before Cimarron awoke to the fact that something unusual was happening. The cry went out, "Ingalls is stealing the county records," and a fight ensued. One man named J. W. English from Cimarron was killed, and several others were wounded. However, the Ingalls men got away with the records, and the county seat was established in Ingalls.

At that time, a law stated that if a petition was signed by a necessary two-thirds of the county voters, a new election could be called every five years to determine the county seat's location. So, in the winter of 1892, a petition was circulated by Cimarron men, and the necessary numbers of names were signed. The election was called in January of 1893, and this time Cimarron won the election. The county records were moved back to Cimarron.

Ingalls had a lawyer from Garden City, named Henry Mason* (*who was later a Justice of the Supreme Court*) carry their complaint to the Kansas Supreme Court, asking that the election be discredited on the charge that the petition was fraudulent.

The charge was carried along for two years before a decision was finally given. In the meantime, the county buildings in Ingalls had been bought by a Cimarron man and sold by him with the understanding that they were to be moved out of town. When the decision was handed down two years later in favor of Ingalls, the town had dwindled in size, and there was no place for county offices. Meanwhile, Cimarron had started a new courthouse. So the county seat was not changed again, and Cimarron is now the county seat of Gray County.

Many changes have been made in the town of Cimarron since it was first founded. Many lovely homes have been built. There are now places of amusement and forms of entertainment. Times and ways have changed, but the business is much the same, and Cimarron is the center of a thriving farming district.

Additional Information
HENRY FREEMAN MASON



HENRY FREEMAN MASON

Photograph provided by Grand Lodge of Kansas A.F. & A.M.

HENRY FREEMAN MASON, son of Lemuel B. Mason (1818-1864) and Lucy Hall (1824-1895), was born on 17 Feb 1860 in Racine County, Wisconsin. In his infancy, his parents moved to Madison, Wisconsin, where he grew to manhood.

In 1891, Henry Mason was married to ELIZABETH WILKINSON, daughter of Mr. and Mrs. Levi Wilkinson of Garden City. She was born in December of 1869 in Illinois. Elizabeth died eighteen years after her marriage to Henry Mason, on 27 Mar 1909 at the Stormont Hospital in Topeka, Kansas.

Henry married LUCY STACY GREENE, daughter of Albert Robinson Greene (1842-1918) and Julia Anna Coblentz (1849-1930), on 16 Jul 1910 in Oregon. Lucy was born on 8 Dec 1879 in Douglas County, Kansas, and died on 29 Aug 1945 in Portland, Multnomah County, Oregon. Newspaper findings reveal she took her own life and was buried at Idlewilde Cemetery in Hood River County, Oregon.

There were not any children by either marriage.

Henry Mason graduated from the University of Wisconsin and began working as a reporter for the Black River Falls, Wisconsin newspaper, studying law in his spare time.

In 1886, when he was 26 years old, he moved to Kansas and made his home in Garden City. He

served as county attorney of Finney County for four years and as city attorney for two terms. Then a quarter-century of work on the bench of the Kansas Supreme Court kept him in Topeka. He was successful and popular throughout the southwest country. When he was elevated to the supreme bench, he quickly took the position as one of the outstanding justices.

Henry was always active in Republican politics, although his position on the bench tended to remove him from political campaigns and party councils' activity. Yet, his party loyalty was never questioned. He was an outstanding member of the Kansas House of Representatives in the sessions of 1899 and 1901 when he served as Chairman of the House of the Judiciary Committee. The following year he was nominated and elected to the supreme bench and took office in January of 1903.

Henry's 1924 passport reveals he traveled and was planning on more travels to England, Scotland, Ireland, France, Belgium, Switzerland, Italy, Germany, Austria, Holland, and Denmark.

He died on 4 May 1927 in Topeka, Shawnee County, Kansas, and buried at Topeka's Mount Hope Cemetery.

**Newspaper obituaries for
HENRY FREEMAN MASON & HIS WIVES**

ELIZABETH (WILKINSON) MASON

The Topeka (Kansas) State Journal – Monday, 29 Mar 1909

MRS. H. F. MASON IS DEAD AFTER BRIEF ILLNESS

WIFE OF SUPREME COURT JUSTICE LAID TO REST IN GARDEN CITY

Mrs. Elizabeth Mason, the wife of Judge Henry F. Mason of the Kansas Supreme Court, died at Stormont Hospital late Saturday afternoon following an operation Wednesday. She rallied from the operation, and her condition was thought to be favorable Thursday, the change coming Friday. She continued to sink until her death occurred Saturday afternoon, shortly after 3 o'clock.

Mrs. Mason has been a resident of Topeka since 1903, moving to this city shortly after Justice Mason was elevated to the supreme bench. Her personality was such that she formed a wide circle of warm friends.

At the bedside of Mrs. Mason at the time of her death, besides her Topeka friends and relatives were her father and mother, Mr. and Mrs. Levi Wilkerson of Garden City, her sister, Mrs. H. B. Holcomb, also of Garden City, and her brother, S. L. Wilkerson of Dodge City. Mrs. Mason moved to Garden City in the early part of the 1880s with her parents, who were among the first

settlers in that section of the state. There she married Henry F. Mason on Thanksgiving Day in 1891 and resided in that city until she moved to Topeka six years ago.

The married life of Justice and Mrs. Mason was a noticeably congenial and companionable one.

No funeral services were held in Topeka, the remains being taken to Garden City Sunday evening on the Santa Fe train, number 9, arriving on Monday morning. Justice Porter, L accompanied the funeral party, along with J. Graham, a Supreme Court reporter, and Judge William E. Hutchinson of Garden City, who came to Topeka following the announcement of Mrs. Mason's death.

The funeral was held at Garden City this afternoon.

All statehouse offices were closed at 3 p.m. and for the rest of the day out of respect for Mrs. Mason's memory.

HENRY FREEMAN MASON

The Topeka (Kansas) State Journal and the Emporia (Kansas) Gazette, 4 May 1917

JUSTICE MASON DEAD

Topeka, May 4th – Justice Henry F. Mason of the Kansas Supreme Court died this morning after an illness of several weeks.

He died while in a coma, during which he became gradually weaker since yesterday morning. He entered a hospital three weeks ago for treatment of tonsillar trouble from which he had suffered for more than a month. But his strength had been so impaired with a throat infection that complications of kidney and mastoid problems developed.

Justice Mason was 67 years old. If he had lived until next January 12th, he would have rounded out a quarter-century of service on the bench. Justice Mason's death removed from the Kansas Supreme Court one of the bench and bar's outstanding members. He had served on the Supreme Bench continuously since 1903. For almost a half-century, he had been a resident of Kansas. He had served as a member of the legislature, county attorney, and city attorney before being promoted to the Supreme bench.

His residence had been in Garden City since he came to Kansas. Although he officially lived in Topeka throughout the years as he served as a court justice, he never changed his place of legal residence and always voted and transacted legal business from his former hometown. He was the third oldest member of the Kansas Supreme Court in point of service, being preceded on the bench by Chief Justice Johnston and Justice Burch. Justice Mason had been an instructor at the Washburn University School of Law in Topeka since the school was established 23 years ago. He lectured there four times each week.

The six surviving members of the Supreme Court paid the first tribute to their associate's memory by adjourning for the day immediately after word of Justice Mason's death reached the statehouse.

Funeral services will be held at 3 p.m. on Friday at Grace Cathedral. The Rev. Theodore R. Ludlow of the Episcopal Church will deliver the eulogy. The Masonic Grand Lodge, of which Justice Mason was the grandmaster 18 years ago, will be in charge of the ceremonies.

Mrs. Mason has not decided whether burial will be in Topeka, where Justice Mason spent the most active years of his life, or at Garden City, where he rose to eminence in the profession of law and always maintained his residence, or at Madison, Wisconsin, where he grew to manhood. (*He was buried at Mount Hope Cemetery in Topeka, Kansas.*)

LUCY STACY (GREENE) MASON

The (Salem Oregon) Daily Capital Journal, 30 Aug 1945

KANSAS JUDGE'S WIDOW A SUICIDE

Portland, August 30th – Mrs. Lucy Mason, 57, widow of former Justice Henry F. Mason of the Kansas Supreme Court, died last night in her rooms at the quiet residential hotel, with two bullet wounds in her body.

City Detective Sergeant Dan Mitola said notes were found addressed to a niece, Miss Ann G. Keller of Portland, and a sister, Carolyn G. Jonson of Beaverton, Oregon.

On one note, she very carefully identified herself as the widow of the Kansas Court Justice. It then read, "Died of an overdose of sleeping powder." Also scratched out on the note was "Died of her own hand."