

United States Department of the Interior
National Park Service

NATIONAL REGISTER
LISTED

National Register of Historic Places Registration Form

NOV 04 2009

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A) Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-9000a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

Historic name Gray County Courthouse (Old)
Other name/site number 069-0950-0001

2. Location

Street & number 117 S. Main not for publication
City or town Cimarron vicinity
State Kansas Code KS County Gray Code 069 Zip code 67835

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. I recommend that this property be considered significant nationally statewide locally. (See continuation sheet for additional comments.)

Patricia Zolner DSHPO 9-18-09
Signature of certifying official/Title Date
Kansas State Historical Society

State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (See continuation sheet for additional Comments.)

Signature of commenting official /Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is

Signature of the Keeper

Date of Action

- entered in the National Register. _____
 See continuation sheet.
- determined eligible for the National Register _____
 See continuation sheet.
- determined not eligible for the National Register _____
- removed from the National Register _____
- other, (explain:) _____

Gray County Courthouse (Old)
Name of Property

Gray County, Kansas
County and State

5. Classification

Ownership of Property
(Check as many boxes as apply)

- private
- public-local
- public-State
- public-Federal

Category of Property
(Check only one box)

- building(s)
- district
- site
- structure
- object

Number of Resources within Property
(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
1		buildings
		sites
		structures
		objects
1		total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing.)

N/A

Number of contributing resources previously listed in the National Register

N/A

6. Function or Use

Historic Functions
(Enter Categories from instructions)

GOVERNMENT/courthouse

DOMESTIC/multiple dwelling

COMMERCE/TRADE/department store

COMMERCE/TRADE/specialty store

SOCIAL/meeting hall

Current Functions
(Enter categories from instructions)

COMMERCE/TRADE/specialty store

HEALTH CARE/clinic

VACANT/NOT IN USE

7. Description

Architectural Classification
(Enter categories from instructions)

LATE VICTORIAN/Italianate

Materials
(Enter categories from instructions)

Foundation: Brick

Walls: Brick

Roof: Asphalt

Other: Metal

Narrative Description
(Describe the historic and current condition of the property on one or more continuation sheets.)

Gray County Courthouse (Old)
Name of Property

Gray County, Kansas
County and State

8. Statement of Significance

Applicable National Register Criteria
(Mark "X" in one or more boxes for the criteria qualifying the property for National Register)

- A** Property is associated with events that have made a significant contribution to the broad patterns of our history
- B** Property is associated with the lives of persons significant in our past.
- C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D** Property has yielded, or likely to yield, information important in prehistory or history.

Criteria Considerations
(Mark "x" in all the boxes that apply.)

Property is:

- A** owned by a religious institution or used for religious purposes.
- B** removed from its original location.
- C** a birthplace or grave.
- D** a cemetery.
- E** a reconstructed building, object, or structure.
- F** a commemorative property.
- G** less than 50 years of age or achieved significance within the past 50 years

Narrative Statement of Significance
(Explain the significance of the property on one or more continuation sheets.)

Areas of Significance
(Enter categories from instructions)

COMMUNITY PLANNING AND DEVELOPMENT

EXPLORATION/SETTLEMENT

Period of Significance

1886-1889

Significant Dates

1889

Significant Person
(Complete if Criterion B is marked above)

Cultural Affiliation

Architect/Builder

Unknown

9. Major Bibliographical References

Bibliography
(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

- Previous documentation on file (NPS):**
- preliminary determination of individual listing (36 CFR 67) has been requested
 - previously listed in the National Register
 - previously determined eligible by the National Register
 - designated a National Historic Landmark
 - recorded by Historic American Buildings Survey # _____
 - recorded by Historic American Engineering Record # _____

Primary location of additional data:

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other

Name of repository:

Kansas Historical Society

Gray County Courthouse (Old)
Name of Property

Gray County, Kansas
County and State

10. Geographical Data

Acreeage of Property less than one acre

UTM References
(Place additional UTM references on a continuation sheet.)

1

1	4	3	8	1	3	0	0	4	1	8	5	0	0	0
Zone		Easting						Northing						

2

Zone		Easting						Northing						

3

Zone		Easting						Northing						

4

Zone		Easting						Northing						

See continuation sheet

Verbal Boundary Description
(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification
(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

Name/title Christy Davis

Organization Davis Preservation Date 3/18/2009

Street & number 909 1/2 Kansas Ave, Suite 7 Telephone 785-234-5053

City or town Topeka State Kansas Zip code 66612

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

- A USGS map (7.5 or 15 minute series) indicating the property's location.
- A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items

(Check with SHPO or FPO for any additional items)

Property Owner

Name Audrey and Curtis Campbell

Street & number 222 S. Main St. Telephone 620-855-3414

City or town Cimarron State Kansas Zip code 67835

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16) U.S.C. 470 et seq.)

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503

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Gray County Courthouse (Old)
Gray County, Kansas

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Narrative Description

Setting

The Old Gray County Courthouse is located at 117 South Main Street in downtown Cimarron, Gray County, Kansas (population 1934). The building is located on the west side of Main Street, south of Highway 50 and north of the Atchison, Topeka and Santa Fe Rail Line, both of which follow the path of the Santa Fe Trail. Cimarron, which is 19 miles west of Dodge City, marks the crossroads where the Santa Fe Trail split into two branches, a main route to La Junta, Colorado and a more perilous southern route known as the Cimarron Route.

Exterior

The Old Gray County Courthouse is a two-story brick building with rectangular massing and a flat roof that slopes gently from east to west. The front elevation, which faces east toward Main Street, is symmetrical. The exterior reveals the building's interior layout, with two main storefronts divided by a central stair leading to a hallway that provides circulation for the second floor. On the north and south, the building has party walls, historically shared with two-story buildings on both sides. Today, there is a two-story building to the north and a one-story building to the south. The rear (west) elevation faces the alley. Unfortunately, a post-1970 sandblasting affected the integrity of the exterior brick.

The front (east) elevation is 56' wide. On the first floor, there are two cast-iron storefronts. The floor level of the stores are one step up from sidewalk level, with the fluted cast-iron columns resting on a grated-iron base. The storefronts are recessed from the sidewalk plane, angling back to follow the outline of the iron grating and historic wood kickplates. Each of these centered entrances houses an aluminum storefront door, flanked by plate-glass windows with aluminum frames. Between the storefront windows and covered transoms on both storefronts are metal shed awnings that stretch the width of the transoms, from the outer piers to the center bay. These awnings have punched-metal scalloped aprons. The storefronts flank a center stair bay with aluminum storefront door and transom. The transom houses the logos of the Masons and the Order of the Eastern Star.

The second floor is divided into five bays - two bays above each storefront, and a centered bay above the stair door. The bays are separated by brick pilasters. Each bay houses a single 1/1 double-hung wood window with cast-iron sill and lintel. Above the windows, between the piers, is brick corbelling. The building is topped by a dentilled sheet-metal cornice. There are two eave brackets in the cornice at the location of each pier.

The north elevation is concealed by the adjacent two-story building. The second-floor of the south elevation is exposed. Where it was formerly covered by a two-story building, it is parged. On the west end of the south elevation, there are three partially enclosed window openings. These windows open to the kitchen on the southwest corner. Two chimneys pierce the south end of the roof.

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The principal feature on the rear (west) elevation is a cantilevered enclosed sleeping porch that rests on three brick piers. The multi-pane windows and exposed rafter tails indicate that the addition dates to the 1920s. An exposed stair descends from porch to the ground. Overall, there are four window openings. The porch is sheathed with masonite siding. The first floor of the building's original west elevation is visible. There are two man doors and four window openings.

Interior – First Floor

The first floor was originally divided into two 28' storefronts. After 1922, each of these storefronts was subdivided into two separate stores, entered from one exterior entrance. The north half of the first floor is occupied by a dentist's office on the north and thrift shop on the south. The south storefront houses a hair salon on the north and a vacant store on the south. Below is a description of each of these four spaces, from north to south.

A small foyer provides access to the two spaces in the building's north half through wood doors on the angled foyer wall. A 1920s-1930s light fixture is mounted to a fiberboard ceiling. The northernmost space was a dentist's office by the 1950s. An angled interior door opens to a waiting room on the east. A door on the south end of the west wall of the waiting room opens to a hallway on the south and office on the north. The three doors on the hallway's north wall open to two exam rooms and a laboratory. Many of the finishes in this space, including wood trim, fiberboard ceilings, and turquoise cabinets, date to the 1950s.

The space south of the dentist's office is a thrift store. Most of the finishes in this space, including the paneled fiberboard ceilings and walls, and light fixtures, date to ca. 1940. The store occupies a large open space.

The third and fourth first-floor spaces are accessed via a single centered interior door and one of two interior anodized aluminum storefront doors. The third space houses a beauty salon. The majority of this space's finishes - including casework, wood trim, fixtures, and suspended acoustical tile ceilings - date to a recent remodel. The entrance opens to a large salon space with two operator stations. A hallway stretches along the north wall of the space, opens to three smaller spaces - including an office, restroom and storeroom.

The fourth space, which is vacant, wraps around the salon space to the south. Finishes in this space are historic, dating from the building's original construction and the 1920s. They include pressed-metal ceilings, baseboards, plaster perimeter walls, and historic pendant-type fluorescent light fixtures. The store is one large open space, which wraps around the adjacent salon space. There are two window openings and a door opening on the west wall.

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Interior – Second Floor

The second floor is vacant. The second-floor stair is accessed via the centered door on the building's front (east) elevation. The stair rises to a narrow hallway whose finishes – including pressed-metal ceilings and transomed wood doors – generally date to the building's original construction. There are three door openings on the north wall of the hallway, three doorways on the south wall, and a transomed exterior door on the west wall.

A pair of French doors on the east end of the south wall open to a lodge hall space, replete with simple carpeted raised platforms on its east and west ends. The room is lit by windows on the east wall and light fixtures dating from the 1920s and 1960s. Character-defining features in this space include wood trim, plaster walls and plaster ceilings. The floors are carpeted. The room is rectangular in shape, with an enclosed smaller rectangle (at the location of the stair) on the northeast corner whose two doors access vestment rooms. There are two paneled wood doors on the west wall.

The north half of the second floor has been converted to living space. Many original character-defining features – including wood trim, 4-paneled wood doors, pressed-metal ceilings – remain. Non-historic features include paneled walls and ca. 1960s cabinets in the kitchen. The living space follows the historic floorplan. There is a second living space in the southwest corner of the second floor. That the building has long been used for living space is evidenced by the existence in this space of kitchen cabinets that date to the 1920s. It is likely that the enclosure of the windows on the west elevation of the second floor dates to the time of the kitchen's construction, which likely dates to the construction of the west-projecting porch.

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Statement of Significance

Introduction

The Gray County Courthouse (1886-1887) is being nominated to the National Register of Historic Places under Criterion A in the areas of Community Planning and Development and Exploration/Settlement for its association with the history of early Cimarron history and settlement of Kansas, particularly its role in the 1889 Gray County Seat War. The building's Period of Significance stretches from the time of its construction in ca. 1886, through 1889, when it played a key role in the county seat war.

A Brief History of Cimarron

The Gray County Courthouse was one of the first permanent buildings in the town of Cimarron, whose 1878 platting coincided with the arrival of the Atchison, Topeka and Santa Fe Railway. The Kansas High Plains were the traditional home of the nomadic Comanches, Kiowas and Kiowa Apaches, who created centuries-long trading ties with the Spanish Southwest. In 1821, after Mexico gained independence from Spain, freighter William Becknell was the first Euro American trader to take advantage of the trade route that came to be known as the Santa Fe Trail. In the 1840s, an increasing number of wagon trains, including military suppliers during the Mexican War, followed the trail. Traffic only increased after 1848 when the U. S. gained control of Santa Fe. At the location of present-day Cimarron, the trail split into two branches – one that extended west to Bent's Fort and another more arduous route, known as the Cimarron Route, which angled southwest to Fort Union and Santa Fe.

In the years following the Civil War, the Atchison, Topeka and Santa Fe (ATSF) Railway stretched west along the route of the Santa Fe Trail, platting new towns along the way. Cimarron was platted in 1878 by the Arkansas Valley Land and Town Company, a corporation that platted towns along the rail line. Early on, Cimarron was located in Foote County, which was established in 1873. Because it was never organized, Foote County, which had a population of only 411 in 1880, was tied administratively to nearby Ford and Finney Counties. Foote County was rendered defunct in 1881 with the establishment of Gray County, which combined Foote County and the southern half of Buffalo County.¹

When Gray County was organized in 1881, Cimarron was one of only three towns, including Mason and New Buffalo, that had post offices. In July 1884, a devastating tornado tore through the town, bringing national attention and spurring new investment in the community.² Between the time of the Gray County's establishment in 1881 and its formal organization in 1887, Cimarron saw many civic improvements. In 1885, the City Council commissioned the construction of wooden sidewalks.

¹ Kansas Counties, Kansas State Historical Society, <http://www.kshs.org/genealogists/places/counties.php?county=FT>, accessed 3/8/09.

² *Atchison Globe*, 28 July 1884; *New York Times*, 29 July 1884.

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They built the town's first waterworks in 1886.³ Among the private construction projects in the 1880s were the Cimarron Bank and Klaine's Hotel, also known as the New West or Cimarron Hotel.⁴ As the population of western Kansas expanded in the prosperous 1880s and Gray County was formally organized in 1887, Cimarron found itself vying with newer towns for county-seat designation (see "County Seat War" below). In 1889, Cimarron beat out Ingalls (est. 1888), the main contender, to become county seat.

Like many western Kansas towns, Cimarron never realized the high hopes of the boosters who gambled their lives on its success. By the time Cimarron was named county seat, Kansas was entering an economic bust. As early as 1886, the newspaper foreshadowed what was to come: "We are not suffering, but a little rain would be acceptable."⁵ Cimarron boosters scoffed at Eastern investors' plans to irrigate the region:

Notwithstanding the fact that the "Eureka Irrigating Ditch" is dry as a bone, they are trying to construct a dam across the river at a point just above Ingalls ... The ditch ain't worth a dam.⁶

The predictions were right. Indeed, the ditch was not "worth a dam." In 1887, the crops failed, and Gray County leaders were forced to appeal to the state for aid.⁷ The Cimarron Hotel was converted to a sanitarium.⁸

Hardships created unique opportunities for some. In 1895, when Cimarron's population was 663, the town elected a woman mayor.⁹ Progressive-Era pursuits followed. In 1904, Cimarron businessmen established a commercial club which organized a free fair, agitated for municipal water and lights and promoted the establishment of U. S. Highway 50 as the "New Santa Fe Trail."¹⁰

In 1910, Cimarron remained the county's only incorporated town, with a population of 587. The town reaped the benefits of record-high crop prices during World War I. By 1918, Cimarron boasted two banks, telephone service, a hotel, four churches and a grain elevator that was hailed as the "most important shipping point between Dodge City and Garden City."¹¹ The population grew to 1058 in 1920 – and 1499 in 1930.¹² Today, Cimarron has a population of 1934.

³ Elsie D. Wagner, *Cimarron: The Growth of a Town* (Cimarron: Elsie Wagner, 1976).

⁴ Nora Pat Small, National Register Nomination, Cimarron Hotel, Cimarron, Kansas.

⁵ *Jacksonian*, 27 August 1886.

⁶ *Ibid.*

⁷ *New York Times*, 23 January 1888.

⁸ Small.

⁹ Kansas Census, 1895.

¹⁰ Wagner.

¹¹ Frank Blackmar, ed. *Kansas: a cyclopaedia of state history, embracing events, institutions, industries, counties, cities, towns, prominent persons, etc.* (Chicago: Standard Pub. Co., 1912).

¹² US Census, 1910, 1920, 1930.

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A. D. Wettick

A. D. Wettick was born in Switzerland in March 1846 and immigrated to the United States with his family the same year.¹³ Wettick had opened his general merchandise store on the Santa Fe Trail and railway at Cimarron by 1876, two years before the town was platted. As Cimarron's first and, for years, only business owner, Wettick did not leave the community's success to chance. In 1879, Wettick joined with three other pioneers to establish *The New West*, the town's first newspaper, to attract settlers and investors.¹⁴

Although he was devoted to Cimarron, Wettick, a savvy businessman, did not place all his eggs in one basket. He minimized his risk by betting on the future success of multiple communities, including Cimarron, Wettick and Buffalo Center. The town of Wettick, described in 1912 as a "hamlet in Gray County," was 6 miles east of Cimarron on the Santa Fe line.¹⁵ After establishing his store at Cimarron, Wettick founded the town of Buffalo Center with the intention of its becoming a seat of Buffalo County (established but never organized). The demise of Buffalo Center foreshadowed future events in Cimarron. Wettick built a sod building there, stocked it with goods from his Cimarron store, and created a mail drop. One day, a small gang of rowdy outlaws rode into town and staged a hold up, threatening the safety of the storekeeper and customers and pilfering stock. After attempts to find water failed, Wettick abandoned his sod store and Buffalo Center flopped. Gray and Finney Counties later subsumed Buffalo County.¹⁶

During the statewide real estate boom that flashed from 1885 until 1890, Wettick placed all his chips on Cimarron, positioning himself as a "real estate and loan agent".¹⁷ He commissioned one of the town's first permanent masonry buildings, a building known early on as the "Wettick Building," which apparently came to house the "Cimarron Bank."¹⁸ In 1886 or 1887, Wettick commissioned the building fated to become the Gray County Courthouse.

It may be argued that Wettick was widely successful before the bust, out-maneuvering New York millionaire Asa Soule, and achieving county-seat status for Cimarron. However, Wettick did not escape tarnishing his image in the process. As one of fifteen-known backers of the so-called

¹³ US Census, 1880.

¹⁴ Kansas State historical Society, First and Second Biennial Reports, vols 1-2 (Kansas: George Martin Publishing House, 1881).

¹⁵ Frank Blackmar, ed. Kansas: a cyclopedia of state history, embracing events, institutions, industries, counties, cities, towns, prominent persons, etc. Chicago: Standard Pub. Co., 1912.

¹⁶ Leola Howard Blanchard, *Conquest of Southwest Kansas* (Wichita: Wichita Eagle Press, 1931).

¹⁷ *Jacksonian* 10 February 1888.

¹⁸ Mentions of a "Wettick Building" found their way into the *Jacksonian* newspaper by 1886, when attorney E. N. Wicks moved into the building. Just four months later, the paper noted that Wicks' office was in the Cimarron Bank Building, which also housed the Valley Loan Company, "J. W. Wright's real estate office and *Jacksonian* printing office." A lithograph of the building indicates that this was not the same building as the one that became the Gray County Courthouse. *Jacksonian* 27 August 1886. *Jacksonian* 1 January 1887.

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"Equalization" or "Dark Lantern" Society, Wettick was charged with buying votes for Cimarron in the county-seat election (see "County Seat War" below).¹⁹ At the time his building was chosen to hold the county offices, Wettick was a member of the Board of County Commissioners of Gray County.²⁰

Although no materials documenting the effect of the 1890s bust on Wettick have been uncovered, the depression likely took a great toll on his business. The lease with the county for offices may have helped cushion the blow. Wettick stayed in Cimarron after drought and economic depression drove many others away. His long career extended into the Twentieth Century. In 1902, he chartered the Citizens' State Bank.²¹ In 1906, he entered a business partnership with one of the bank's other charter members, John A. Evans. The pair dissolved their partnership in 1909.²² In addition to tending to his business, Wettick also devoted time to community improvement, serving on the county board of health.²³

Wettick married Nancy E. Wettick (1857-) in 1880. Their marriage produced two children, John and Edith. John remained in Cimarron where he worked as a laborer on his father's farm in 1910 and was farming on his own in Gray County in 1925.²⁴

Gray County Courthouse and the County Seat War

In his 1939 history of Kansas, T. A. McNeal argued that the Gray County seat war "had wider ramifications and elements of almost romance that distinguished it from all the rest."²⁵

At the time Gray County was established in 1887, Cimarron was designated temporary county seat. But the town quickly had competition from nearby Ingalls. In an election on October 31, 1887, both towns claimed victory - and both cried foul. Cimarron boosters blamed Asa T. Soule, a New Yorker who made millions selling Hop Bitters, a patent formula promoted as a cure-all. Soule invested some of his millions to irrigate southwest Kansas for farming. The irrigation scheme built the town of Ingalls, the only other town in the county on the Santa Fe line. Soule was accused of buying votes for Ingalls by promising to build a railroad to Ensign and Montezuma. The Ingalls faction uncovered a plot to sell \$10,000 in bonds to buy the vote for Cimarron. While the issue was sorted

¹⁹ *State of Kansas vs. A. F. Malo* (Sheriff of Gray County).

²⁰ County Commission Minutes, 9 January 1888.

²¹ Wagner.

²² William Connelley, *A Standard History of Kansas and Kansans* (Chicago: Lewis Publishing Company, 1918).

²³ Sixteenth Annual Report of the State Board of Health of the State of Kansas (Topeka: State of Kansas, 1901), 62.

²⁴ Kansas Census, 1925.

²⁵ T. A. McNeal, *When Kansas Was Young* (Topeka: Capper Publications, 1939), 180-186.

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out, ballot boxes were "removed to the upper story of the Cimarron Bank" where armed guards protected them from tampering.²⁶

Amidst charges of "ballot-box stuffing," the election was reviewed by the Supreme Court, which declared Cimarron the winner after canvassing the votes. On November 15, 1887, the *Atchison Globe* declared that "Thus peaceably ended the most desperate county seat fight in Western Kansas."²⁷

With the county seat war seemingly settled, the Gray County Commission set out to lease space for county offices. Even before the county commission signed a formal lease with Wettick, some county officials occupied space in the building. By formal agreement, the county leased four rooms on the second floor. The County Attorney, District Clerk and Sheriff occupied the two front rooms. The other two rooms housed the County Clerk, County Treasurer and Register of Deeds. For use of the space, the county agreed to pay Wettick a considerable sum of \$720 per year - \$20/month for the first and second rooms and \$20/month each for the third and fourth rooms.

The building that would serve as Gray County's first courthouse was one of a few permanent masonry buildings constructed in Cimarron before the 1880s boom busted. Although the building's construction date is undocumented, the county's lease, dated January 9, 1888, identifies the building as "new."²⁸ Its construction coincided with that of other masonry buildings built during the boom. Although the name of the building's architect is unknown, it may have been the design of John Opp. Opp designed the stately Cimarron Hotel, another of the small community's first permanent masonry buildings, also constructed in 1886.²⁹

Despite the declarations, the county seat fight was not "peaceably ended." In the words of T. A. McNeal, "the bloody finale was postponed for more than a year." Almost exactly one year after the county commission signed the lease for Wettick's building, when the region's crumbling economy and protracted drought provoked acts of desperation, the building and city came under attack. On January 12, 1889, a wagon drove into Cimarron. When it pulled up to the courthouse, the ten to twelve Ingalls men concealed inside emerged. While some of the raiders guarded the door, others ascended the stairs to the second floor where they held up the county clerk and took the records. County Clerk A. T. Riley stalled but cooperated and, thereby, spared his life. Others were not as lucky. By the end of the bloody battle, Cimarron nurseryman J. W. English was dead. Jack Bliss and Ed Fairhurst would later die from their wounds.

²⁶ "An Excited County," *The New York Times*, 6 November 1887.

²⁷ *Atchison Globe*, 15 November 1887.

²⁸ "The Lease," County Commission Minutes, 9 January 1888.

²⁹ Small.

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Although they also suffered fatalities, the Ingalls men, rumored to have been led by Bat Masterson's brother James, managed to flee Cimarron with the records. A party of Cimarron men pursued the wagon, captured the raiders and retrieved the records. The captors relinquished their prisoners to the county sheriff, who set them free. The raiders included Neal Brown, G. W. Bolls and C. Reicheldeffer, who were severely wounded in the incident. It took a state militia to finally restore order.³⁰

Some accounts claim that over 1600 shots were fired in the melee. Among the buildings with bullet holes was the Gray County Courthouse. The commissioners continued to rent the building for county offices until the turn of the century. By 1915, the county had commissioned its own building, a 2-story brick courthouse with jail on the southwest corner of Main and Avenue D.³¹ The brick building was replaced by the present Neo-classical stone courthouse in 1927.

The old courthouse came to accommodate new uses. In 1915, there was a hardware store and furniture store on its ground floor. In the 1922 Sanborn map, the second floor was listed as a lodge hall. Signs in the transom window identify the building as a hall for the Masons and Order of the Eastern Star. Many of the community's citizens remember the building as the Western Auto store. Founded in Kansas City in 1909 as a mail-order auto parts store, Western Auto had more than 5000 retail stores at its peak. The store in Cimarron was one of 4000 private franchise stores in small cities. Sears Roebuck bought Western Auto in 1987.³² Cimarron's Western Auto store closed in the late 1980s. It was owned for decades by Wayne Beery (1916-1998). After Western Auto closed, Beery continued to operate a bicycle repair shop and fishing tackle shop there.

During the early and mid-Twentieth Century, part of the second floor was converted to apartments. Among the long-time occupants was Magistrate Judge Maurice Johnson (1913-1995), who lived in the building from the 1950s until the 1980s. However, the overall second floorplan was not modified. In fact, the large space historically used as a lodge hall is intact. Over time, the first floor has been subdivided. The north storefront houses a dentist's office and thrift shop. The south storefront houses a hair salon.

Summary

The Gray County Courthouse is one of the few remaining buildings that interpret the county seat wars that drew national attention to Kansas during the late Nineteenth Century. Although the first floor has changed over time, the second floor retains its integrity from the time of its original construction and the time of the Gray County Seat War.

³⁰ T. A. McNeal, *When Kansas Was Young* (Topeka: Capper Publications, 1939), 180-186. A man named Brooks also died. Some sources say the militia came from Larned – others say they came from Wichita.

³¹ 1915 Sanborn Map.

³² James Marchman, *The Last Western Flyer: The Western Auto Century* (James Marchman, 2004).

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Gray County, Kansas

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Gray County, Kansas*

Verbal Boundary Description

The nominated property lies on Lots 8 and 9 of Block 5, Original Town, Cimarron, Kansas.

Boundary Justification

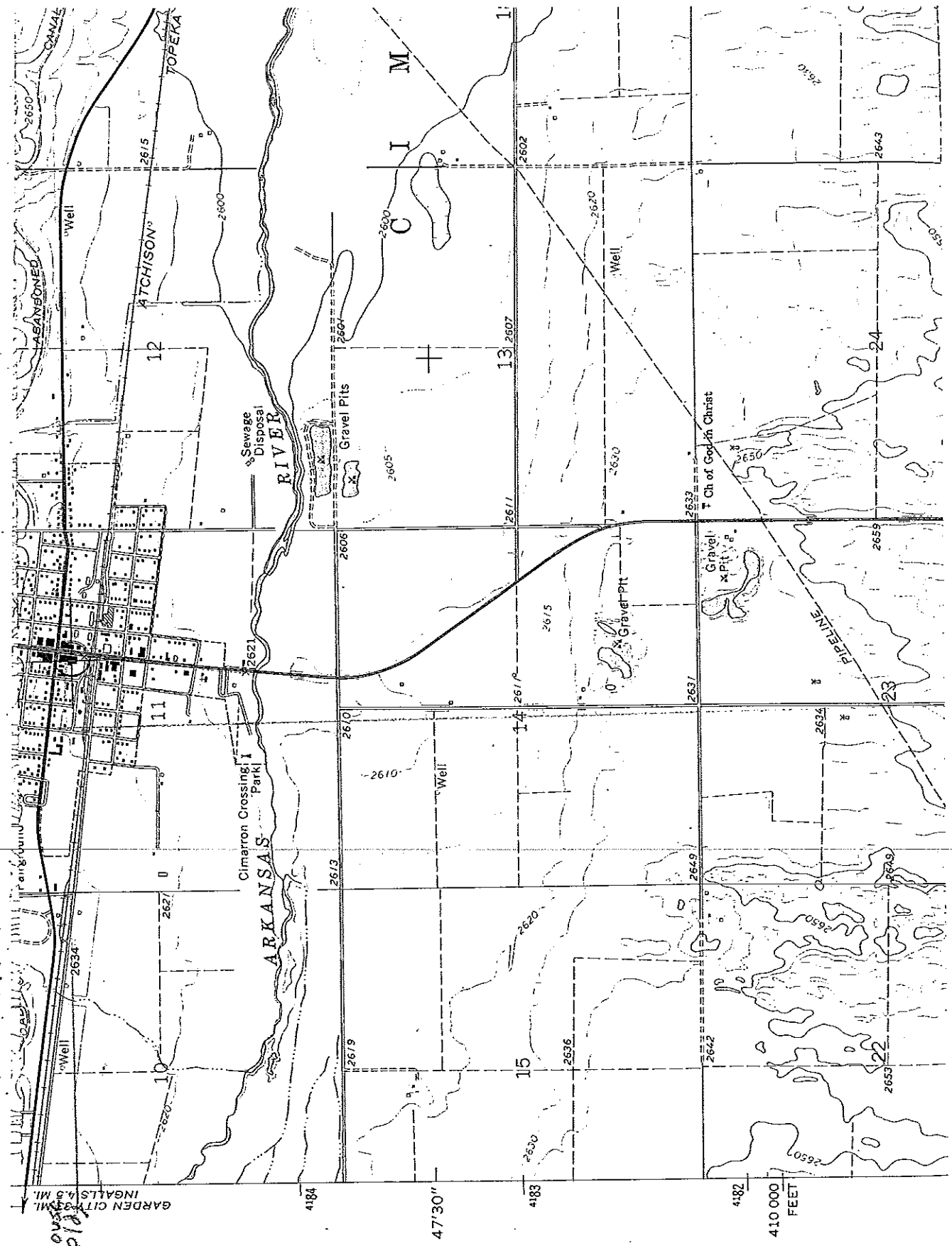
The boundary includes the lots on which the building sits. The building stretches north to south to cover the widths of Lots 8 and 9, east to the sidewalk, and west from the sidewalk plane approximately 100' towards the alley.

Photo Log

All photos were taken by Christy Davis on September 25, 2008.

1. Exterior, Front (East) Elevation, Looking Northwest.
2. Exterior, Front (East) Elevation, Close-up of North Storefront, Looking Southwest.
3. Interior, First Floor, Foyer inside North Storefront Door, Looking West toward Paneled doors to dentist office and thrift shop.
4. Interior, First Floor, Foyer inside North Storefront Door, Looking at fiberboard ceiling and 1920s light fixture.
5. Interior, First Floor, Laboratory in dentist's office.
6. Interior, First Floor, Overall View of thrift store, looking west.
7. Interior, First Floor, Overall View of salon, looking northwest.
8. Interior, First Floor, Overall View of vacant south store, looking east.
9. Interior, Second Floor, Overall View of corridor, looking west.
10. Interior, Second Floor, Kitchen in Southwest Corner, Looking southwest.
11. Interior, Second Floor, Overall View of Lodge space on east end, looking east.

Gray County Courthouse
 Gray County, KS
 418500 N
 381300 E
 Zone 14



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