

Magnolia Messenger

THE FRIENDS OF MAGNOLIA CEMETERY
NEWSLETTER

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"Remove not the ancient Landmark"

Spring 2016

The End of the Massons

For six days in December of 1907, the largest crowd ever assembled within a Mobile courtroom listened intently as one of the city's most prominent citizens was denounced as insane, physically and mentally abusive to his wife and only child, and a chronic womanizer with "lewd women."

Jurors and spectators alike were moved to tears when they heard the testimony. The Mobile Register reported that "waves of commendatory applause---clapping of hands and stamping of feet -- swept the great crowd. So unexpected and spontaneous was the outburst that it came as a surprise to the court and continued unchecked."



JAMES H. MASSON
President of the First National Bank from 1870 to 1906.

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*James Henry Masson, Sr.
Successful in public –
abusive in private.*

to organize a new bank. \$200,000 was raised as capital and the bank's charter was issued on October 18, 1865. The bank's first president was Charles W. Gazzam, owner of a local foundry and a native of Pennsylvania. By January of the following year the bank had increased its capital to an impressive \$300,000 and in 1867 the bank had named J. H. Masson as director.

James Henry Masson

James Henry Masson had been born in rural Tennessee in 1835, the son of a French immigrant. He moved to Nashville and went to work for a wholesale produce store. For reasons not entirely clear, he not only was able to avoid military service but managed to build a nice fortune from obtaining goods and selling them to the military. What few friends he had called him Jim.

And what was the scandalous case that brought these crowds? It was the trial brought by one J. Henry Masson, Jr. to contest the will of his late father who had been the longest serving president of Mobile's oldest and most prestigious bank, The First National.

The Banker

Mobile's First National Bank had a long and storied history for its nearly 120 year existence. May of 1865 would seem an odd time to start a new bank in a Southern city. Confederate currency was suddenly worthless and cotton crops nearly non-existent.

But that was the year that some of Mobile's most prominent men got together in the Battle House Hotel

In 1866 Masson headed south. Although it is pure speculation, perhaps he was not enjoying facing his neighbors who had lost loved ones or seen battle while he was making money. In any event, he ended up in Mobile where he went into the brokerage business with Alfred Batre. Just why he chose Mobile or how he came to know Mr. Batre is not clear, but he was successful enough that the new First National Bank named him a director before electing him president on January 11, 1870.



First National Bank on St. Francis Street in the 1870's. Masson would be that institution's longest serving president.

Mr. Masson was listed as bank president as well as a partner in the coffee importing firm of Taylor & Co. in Mobile's city directories well into the 1870's. In that decade he also took a wife.

The First Mrs. Masson

Mary Lee Oliver was born in 1855 in Portland, a small community in Dallas County, Ala. Her grandfather Samuel White Oliver had been a Virginian by birth and orphaned at the age of two. He ended up with a law degree in 1820 and married the sister of his law partner in 1824. The couple lived in Conecuh County at first and here Samuel was elected a state representative and had the distinction of serving as speaker of the house, and later attorney general. A biographer would describe Oliver as "one of the most popular men in the state of Alabama."



Mary Lee Oliver Masson

A bride at 17

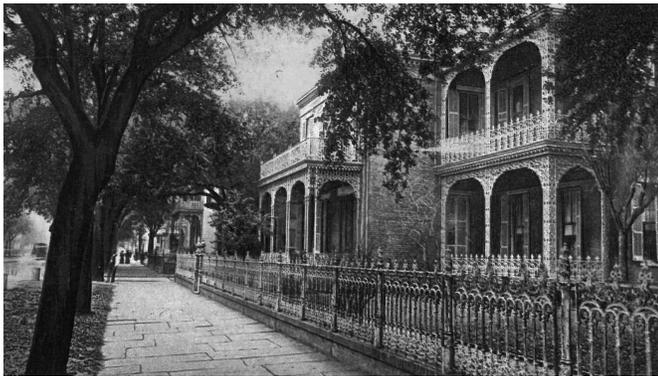
The Olivers moved to Dallas County in 1837 and the following year Samuel ran for governor, losing to Arthur Bagby. His land holdings eventually reached 2,000 acres and covered parts of two counties. The couple had five children, the second of whom was Henry Hunter Oliver.

Henry Oliver went north for his education, starting at Yale and finishing at Princeton with a law degree in 1853. That same year he returned to Dallas County to look after the family's holdings and married Mildred George. The couple had one child, Mary Lee Oliver, born on the 4th of January, 1855. Rural Alabama in the 1850's could be an unhealthy place, and Mary Lee was an orphan at the age of 7. She would be raised by her maternal grandmother.

On June 28, 1872 the 17 year old Mary Lee Oliver married James Henry Masson, twenty years her senior in Mobile's Christ Church. The marriage would be a disaster for all involved. The 1873 city directory reflects that the couple was residing on the east side of St. Joseph Street, two doors south of St. Louis Street with Masson's occupation listed as a principal in the coffee importing firm as well as president of the First National Bank. And that year the couple's only child was born: James Henry Masson, Jr.

A Government Street Mansion

Within three years the couple had moved to a large brick house on the north east corner of Government and Claiborne streets fronted with cast iron galleries. The two story mansion contained double parlors, a library, dining room, four bedrooms, a service wing and a stable to the rear. The property shared its prominent block with the Government Street Presbyterian Church.



The former Masson home on the northeastern corner of Government and Claiborne streets. Behind the iron lace a mother and son suffered with a madman. In 1921 the house and its sad memories vanished for a car dealership. Most Mobilians will recall the building as the former home of the Mobile Press Register.

By the time of the 1880 census, life would appear to have been good for the pair and their 7 year old son. The census taker noted that the address was also occupied by "a housemaid, dining room servant and cook." Masson's bank had moved to 68-70 St. Francis Street, east of Royal Street. At the time, this was bankers' row – Central Trust Co. was at #62, Leinkauf Banking Co. was at #72 and the Union Savings Bank was located at #74 St. Francis Street. The First National was the biggest of the group.

During Masson's presidency the bank survived the financial uncertainties of the 1870's, and showed deposits in excess of \$700,000 by 1885 and over \$1 million by the end of that decade. In the nineties the nation suffered a stock market crash in 1893

and the bank survived it. Weather that decade also brought the city some challenges with the severest hurricane ever recorded striking in October of 1893 and a record breaking six inches of snowfall two years later. Despite the national trends and local weather oddities, the First National Bank entered the 20th century with over \$2 million in deposits.

Young Henry was sent to prep school at Lawrenceville, which today ranks as the second most expensive boarding school in the nation. After graduation in 1893 he made the short five mile trip to Princeton to attend college where he graduated in 1897. Just why he graduated from high school at the age of 20 and then college at the age of 24 may be attributed to what went on behind those brick walls on Government Street.

The summer before his graduation, Mary Lee Masson left her Government Street home and filed for divorce. Such a move was scandalous at the time, but Mobilians would eventually come to know that she had more than one good reason to get out. The only question was why didn't she leave sooner?

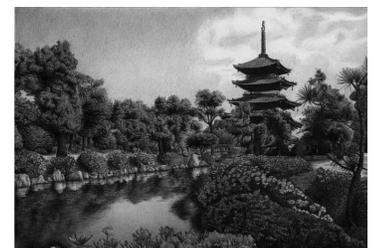
While the divorce proceedings were being filed, Masson moved onto the second floor of a house at 13 North Joachim Street – ironically right next door to another church: St. Francis Street Methodist. In 1898 with the divorce final he purchased a mansion at 453 Government Street and extensively remodeled it. The house was just within view of his former home. But Mary Lee Masson was no longer there. She had moved to New York to be near her son, and as far from her ex-husband as possible.

Masson Remarries

James Henry Masson remained a bachelor for seven years. In 1904 he began dating a young widow, Frances Davis, a resident of Harford County, Maryland. A sister in Mobile – Mrs. Hardwick Hopper – was apparently her link to the city and to the man who would become her second husband. Mrs. Wilson's first husband, ironically named Henry, had been a Maryland physician who had died in 1900.

Mrs. Wilson married Mr. Masson in Maryland a few months later. The groom was pushing 70 while the blushing bride was 38. The couple returned to Mobile and moved into 453 Government Street. Mr. Masson resigned from the First National Bank citing ill health on May 18, 1904.

In the summer of 1905 the couple embarked on round the world travels. According to Frances Masson's passport application the 39 year old had "brown eyes, a fair complexion and a round face." Her husband's application noted that he stood 5'6 with "a high forehead, prominent nose, small chin and very bald." The application stated that the couple was departing for Cairo, Egypt among other ports.



The records do not reflect how much of scenic Kyoto the elder Masson enjoyed before taking his last breath.

Research does not yet reveal where the couple spent the next two years but his will was prepared in Mobile and dated November 1, 1906. The couple was traveling again in the following year and the Mobile Register

of September 10, 1907 reported Masson's "sudden death" in Kyoto, Japan. Funeral arrangements would be announced at a later date according to the article.

No announcement of a funeral in Mobile ever appeared. His remains were not sent to his home city of over 40 years but rather to a Baltimore funeral home where they sat unclaimed for several days. Frances Masson finally instructed the mortician to bury him in the same rural Maryland cemetery where his predecessor, Dr. Wilson had been buried seven years earlier. And, whether anyone besides the mortician and the gravedigger witnessed the burial has been lost to time.

Where was Frances Masson that September as her husband languished in that mortuary? In Mobile's Probate Court filing her late husband's will which left her his entire estate with just \$2,500 to go to his only child. The news of the contents of the will hit the newspapers soon after.

Young Henry Returns

In the September 25, 1907 edition of the Register its readers learned that "Mr. James H. Masson, Jr. of New York reached Mobile yesterday and is a guest at the Cawthon Hotel. His visit to his old home was occasioned by the recent death of his father in Japan. Though by the terms of his father's will Mr. Masson



James Henry Masson, Jr. arrived in Mobile in September of 1907 and his arrival at the new Cawthon Hotel rated mention in the Mobile Register.

is practically disinherited, he says that his visit to Mobile has no connection with this fact."

Exactly one month after that article was printed Mobilians woke up to this headline: "Action Springs Sensation in Probate Court – Young James Henry Masson Seeking to

Break His Father's Will."

"Young Mr. Masson came to this city to ascertain conditions under which his father died and the contest of the will is claimed to be the result." His petition claimed that the will filed was invalid, that his stepmother "procured the making of said document by the use of undue influence" and that it had been "signed under the influence, control and duress used by Frances D. Masson."

Mobile's courts seemed to move a lot quicker back in 1907 because the case came to trial within two months. In December a crowded courtroom heard testimony from many of the city's most prominent citizens as well as an array of the Massons' former servants.

Henry's attorney in the battle would be Ned Robinson, the youngest president of the Mobile Bar Association in its long history.

The Trial Begins – A Who's Who of Witnesses

Defending Frances Masson was **Gregory Little Smith** who had handled Mary Lee Masson's divorce in 1896. Smith called cotton factor **David R. Burgess**, banker **Edward J. Buck**

and railroad executive **Henry Tacon**. Each testified that they had known Masson for many years and considered him a good businessman but under cross examination they stated they never discussed family matters with him or if he brought the subject up they became uncomfortable. Mr. Burgess explained that he "would not permit it."



The Mobile County Courthouse as it would have appeared when the trial of the new century was taking place within its stout walls. The building was destroyed in 1955 for a replacement which later received the same treatment..

Edward L. Russell of the Mobile and Ohio Railroad lived next door to Masson after his divorce and previously knew him as a member of the railroad's board of directors. He termed him "sane on business matters but queer and had eccentricities, refusing to help his son in any way." Masson had boasted he could make "the best cocktail on earth" and Russell said he had to admit, "he could make a good one!"

When Masson remarried Russell said it was a full six months before he made any effort to introduce him to the new Mrs. Masson. Another witness recalled Masson as so antisocial that he would duck into a shop to avoid talking to someone approaching him on the street.

Cotton merchant **Winston Jones** stated that young Henry "had treated his father badly" but then added "Mr. Masson at times was very mean." **Alfred Proskauer**, a teller at the Leinkauf Bank "could not recall having said Masson was "nutty" but testified his behavior was "very erratic at times." **Marvin Discher**, a teller at Masson's own bank said that his boss "lost his temper and swore 2-3 times a week."

Attorney **Daniel Perrin Bestor** testified that he had acted as Masson's attorney in the past and written several wills for him. Under cross examination Bestor stated that he had told Masson that he "had no friends in Mobile simply because he did not deserve any as all he cared for was people for their money and what he could get out of them." He said that when he confronted Masson on the number of women he had cavorted with Masson saw nothing wrong "as he had always paid them very well." Mr. Bestor concluded that "he behaved like a coward but was not crazy...a very queer man."

Physician **Rivers A. Rush** stated that "in conversation women

were usually his theme.” **John T. Schley**, a broker, “saw many peculiarities in him... he was very peculiar and not excited about discussing his son.”

The defense attorneys contemptuously told the jury that young Masson had filed his notice to contest the will “before the grass had grown over the grave of Mr. Masson.” Ned Robinson quickly reminded the courtroom that his widow had filed “the notice to probate in Mobile before the body of Mr. Masson had even been brought back to this country for interment.”

The defense contended that J. H. Masson had never planned to leave much of anything to his son and blamed this on young Henry having sided with his mother during the divorce proceedings and confronting him about hiding assets when it was time to make a settlement.

Mary Lee Masson Takes the Stand

The first Mrs. Masson testified that she had married Masson when she was 17 and had their son fourteen months later. Her grandmother who had raised her lived with them but when she “went to assist me Mr. Masson cursed her, ordering her from his house. She never again entered it.”

Her husband “said he did not desire any children, saying women who had large families were no better than pigs... and he did not wish to be kept awake by them or costing him money” and she said this had been repeated many times in front of their servants.

When young Henry was 4 or 5 years old, “his father amused himself while in a rage, by choking him, then hitting him with a cane, slipper or anything handy. He gave the boy a knife and told him to stick it into any boy if he got into a fight. He would not let our son attend Sunday school saying decent people did not allow their children to go as those institutions were for paupers only.”

Masson had presented his young son with a pony, “but beat the pony and the boy with his walking cane anytime the boy returned from a ride if he had fallen off.” Mrs. Masson recalled a Sunday when young Henry was riding her horse down Government Street and her husband stepped out and beat the animal severely with his walking stick.

Young Henry enjoyed both baseball and tennis but his father would not allow him to attend a game or play either sport, “and punished him severely every time he went to a game.” When he left for prep school his mother was forbidden “to send him any trinkets or room adornments.”

Merry Christmas?

Mrs. Masson described a cold, wet Christmas day in 1891. While at dinner “Mr. Masson flew into a rage, sprang at our son, choking him, beating him with his fists and swearing terribly.” He then ordered both mother and son out of the house in a driving rainstorm but later told Mrs. Masson to stay, “as I was his wife, but the boy must go as he was no son of his anyway.”

Mrs. Masson went on to describe their last Christmas dinner before she left him. Masson “flew into a rage at the boy while he carved the turkey and rushed at him with the knife and ran him from the house.”

Besides wielding a walking cane and a knife, the bank president

also had a pistol which he “flourished in the dining room and bragged about his ability to shoot and threatened he would shoot any objectionable visitor to his house.” She testified that he went out into the back yard and shot continually at the gates for target practice until the police came and told him to stop. It was 2:30 in the morning.

While they had lived together she testified that her husband “objected to visitors, did not want to entertain in his house and was not social.” She said that she had heard him advise their son “to ignore Southern people and cultivate only Northern people who might be useful to him.”

Over the years she testified that her husband “was repeatedly cruel to me, beating and choking me, both in public and private... beating my face until it was black.” A coachman would later testify that Mr. Masson had once so loudly cursed his wife as they rode past Christ Church that she had requested he stop the coach so that she could walk home on foot.

The Divorce

Mary Lee Masson explained that she finally realized she could no longer live with her husband’s cruelty and left him in June of 1896. As she walked out the door he loudly told the servants not to dare feed her horse.

During the couple’s months of separation, Mary Lee Masson had returned to the house to retrieve some books. While she was there her husband arrived and begged for her to return, “pleaded for my forgiveness and love.” When she told him that “your treatment of our son will determine my friendship, he cursed the boy, denied his parentage and hoped Henry would be killed on the next railroad trip he took.”

Mrs. Masson testified that during that visit she confronted him about knowing he had spent much of the summer with another woman and had her photograph. He simply laughed about it. She also stated that she learned he had numerous affairs during their marriage thanks to the investigation of her divorce attorney. Mr. Smith promptly objected to the statement.

When Mary Lee Masson was cross examined by Smith she tired of the repetition and to the crowd’s delight said to her former divorce attorney “Why Mr. Smith you know all about these things!”

The Servants Testify

Although at least two of the Massons’ former household employees were deceased, many others came forward to corroborate Mary Lee Masson’s statements.

Jennie Jordan who had worked for the family for seven years testified “that Mr. Masson in her presence would beat Henry and the pony with his walking cane and told him he was like a frog and had no sense. He always cursed the boy... was cross and severe with everyone, and all the servants had to ‘jump around to please him.’ And he had told her that if “it wasn’t for the stain of blood on his hands he would kill the coachman.”

She also recalled his flying into frequent rages and firing the staff, only to race after them in his buggy “and beg us to come back.”

As to his treatment of his wife she testified that she had seen him “abuse Mrs. Masson and heard her scream on several occasions.” After the separation she stated that she had witnessed him pacing the floor alone and cursing his wife and saying repeatedly “No matter what happens I’ll have my way.”



Masson’s coachman witnessed him beat his young son’s pony with a cat of nine tails. He later burned it.

Ms. Anderson was working for Mr. Masson when he met Frances Wilson and she said he had called her “his sweetheart” and boasted of buying her many “fine dresses.” Prior to that relationship, she stated that “Mr. Masson would send me out often for a woman to come down to the house and spend the night.” And then “Mr. Masson sent me down to the south part of town to entertain this particular woman to keep her from coming in and preventing him from seeing Mrs. Wilson.”

Ellen Paige, a former housekeeper testified that Mr. Masson had told her that he had married his second wife because “it was his duty to do so in view of the fact that she had stood by him in face

of all Mobile, and that she said she would not live in Mobile if he gave her all of Government Street.” She said that the newlyweds left on a two year wedding trip and upon their return she was fired.

Masson’s former coachman testified he had witnessed him beat Henry’s pony using a cat of nine tails which he promptly burned when his boss left the stables.

Living in Mobile Necessitated His Immorality

Three of the late Mr. Masson’s sisters were called to testify. Lottie Masson stated that “their father was a physical and mental wreck for five years before his death.” She termed him “insane” and noted that “he tried to burn everything he got his hands on.” Her brother Henry did not attend the funerals of either of their parents, she added.

His sister Pauline had not seen him since 1870 but said he had made his fortune in Nashville “during the war.” While working in a store there “an angry customer had hit him over the head with an iron bar.” Their French born father “was cruel to his family” and left for France “leaving his family destitute.” When he returned, “he did not know members of his own family... was cross, irritable and hard to manage. He set fire to the house and delighted in watching the roaring flames.”

She further testified that her own son “was insane and placed in an insane hospital in Kansas after attempting suicide.”

Masson’s youngest sister discussed his visit to her home in Maryland. He had told her and her husband – a minister-- that “he enjoyed the company of women, both respectable and notorious,” and while visiting them had received letters “from numerous women and regularly from one he called his mistress.” He attended church with her but “was constantly looking around the congregation and nudged her when good looking girls or women came in.”

She said that Masson had told her he tried to get his mistress “in society to hoodwink the people of Mobile” and later explained “the climate of Mobile made immorality a necessity.”

A Compelling Letter Brings Tears

A letter from Mary Lee Masson was read aloud by her son’s attorney, written as her divorce settlement was being finalized. Masson wanted her to sign away her “dower rights” to all of his real estate. She wrote, “before I do this, I should like to know what you propose doing for Henry... I would not ask anything for myself. My life is ruined past all hope. But the boy’s young life I must strive to protect. Are you not responsible for his birth? He did not come here by himself.

“Was it not you who placed him at college and spurred him on to going with a fashionable set? It was you who put him in his present position, and do you intend to change all his young life because of your own wrong doing? I do not ask that you support Henry in idleness or luxury but to carry out the plans you had formed for him.

“If you wish it I will give him up to you. Dear as he is to me being the only thing left to me, the only human creature I can call my own, for his own good I can resign him. Oh, let me plead with you not to wreck another young life. Atone through the son for the wrong done the mother. Henry shall never know that I have written unless you force me to tell him.

“Write me a proper paper saying that you will support Henry through this, his last year of college and afterwards pay his expenses while he is studying law or until he has a position through which he can support himself. Add that at your death you will properly provide for him as your son and heir and I will sign my name to any document whatsoever.

“It would not do of course to let Henry know of the existence of such a paper, as I propose he must always think that he owes all to your fatherly affection and generosity, and be dutiful and grateful to you in consequence. I must have this assurance before I sign my name to any document and without that your property titles will not be good.”

As the letter was being read a reporter noted that “Mr. Robinson moved jurors and spectators to tears – nearly every woman in the house was industriously using their handkerchiefs.”

A Christmas Present for Henry

Mobilians opened their Christmas Eve issue of the Mobile Register and found this headline: “Jurors Break Masson Will after Being out One Hour.” And the verdict of the jury: “We the jury find the within instrument of writing not to be the last will and testament of James H. Masson, deceased.”

At 11:35 PM on the previous night when the verdict was read the courtroom was nearly deserted and the major players in the case were not present. Young Henry was in the lobby and reportedly very confident of the verdict.

As the jury filed out of the courtroom, the jury foreman handed the judge a resolution noting in part, “We have been treated so nice that had it not have been so near Christmas we would have stayed a few days longer.”



The Masson Building on Dauphin Street. Once one of a number of real estate holdings owned by the demonic banker and sold off by his second wife.

Henry Masson's victory was short-lived. His stepmother continued the case in the state's supreme court and according to a news account "a confession of error" was made "allowing the contested will to be probated." Frances had gotten what she came after. Whether Mr. Masson got the "substantial and suitable tombstone" his will demanded is unknown.

Having professed no love for Mobile, the second Mrs. Masson returned to Baltimore where she acquired a third husband who, not surprisingly, was older and quite wealthy. The former Frances Masson would outlive him by decades.

the defunct Wall Street brokerage firm of Mills Brothers and Co."

The most interesting name in the list of his creditors was Mrs. Elizabeth Thaw whose son, Harry K. Thaw had shot architect Stanford White atop Madison Square Garden. The article noted that Masson and young Thaw were "acquainted."

Following the bankruptcy, Henry worked for other brokerage houses in New York and according to the 1930 census was living with his widowed mother on West 58th Street. How they filled their days is unknown, but they hopefully made up for the horrors both suffered in Mobile. Mary Lee Masson died in 1940 at the age of 86 and Henry had her buried within the Oliver lot at Magnolia Cemetery beneath a marker with the heading of "Mother."

And whatever became of Henry? He died on July 23, 1959 at a New York state mental hospital and is buried within its cemetery in Orange County in a numbered grave. In a case of bitter irony did he come to suffer from the same mental illness as his father and grandfather? Or perhaps he was suffering from Alzheimer's and there was no family left to look after him. Whatever the case, it was certainly a tragic end to a man with so tragic an upbringing.



James Henry Masson, Jr. spent his final years behind these walls some 70 miles northwest of New York City and is buried on its grounds. The building, long abandoned, burned to the ground in recent years.

Bankruptcy

Young Henry was working as a stockbroker for Mills Brothers and Co. with offices at 71 Wall Street. The 1907 New York Social Register listed him as living at 47 West 43rd Street and revealed that he belonged to several clubs including The University, The Badminton as well as a both a golf and country club. Henry was obviously enjoying living with "the fashionable set" his mother's letter had mentioned.



Henry Masson had his mother buried with her parents in the Oliver lot at Magnolia Cemetery in 1940. He rests under a number in New York's Hudson Valley.

On March 10, 1908, Henry's name appeared once more in the Mobile Register: "Masson is a Bankrupt," having filed a petition listing nearly \$600,000 in debts and "giving no assets." The news account explained that his predicament stemmed from "the entanglement of the affairs of

A sad footnote to the Masson case was the fate of Ned Robinson, the young attorney who swayed a packed courtroom to outbursts ranging from thunderous applause to tears. A year after he filed the suit for Henry he left the family dinner table and stepped into the bedroom where he put a bullet through his head. There was no note and no one who saw the young attorney earlier in the day had a clue why he would have done such a thing. He was 35 years old.

- Tom McGehee

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Spring 2016

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 PRESIDENT'S MESSAGE
 

*It is with great pleasure that we welcome **Clara Armbrrecht, Jane Dukes, Allen Ladd and William Ross Seifert** to our board of directors. At the same time I must thank our outgoing board members **Mimi Bell, Charles Christmas, Elizabeth DuPree, Margaret Vidmer Hutchison, William Rodgers and Virginia Snider**. As you can see from our board listing we are very fortunate to have these community leaders assisting us in our mission to maintain and preserve this historic place.*

*With the arrival of spring, Memorial Day can't be far away and that means it is time for our "**Avenue of Heroes**." We invite you to come down and see the beautiful sight of 75 American flags lining our main paths. A number were given to honor or memorialize a veteran. Many others were donated by the families of deceased veterans. In either event each flies from a pole marked with the veteran's name and so far these have come to the Friends from 32 different states. We have room for many more so keep this ongoing project in mind should you wish to honor or memorialize a veteran.*

And please don't forget the Friends. If you have not renewed your membership, please use the form included in this issue to do so. Or do you know someone who enjoys reading about Mobile's history? Please consider giving a gift of membership and newsletters like the one you are reading will be your gift to that person three times a year.

Need a unique present for someone who doesn't need a thing? Make a donation to the Friends in their honor. Your friend will be notified and your gift will go to a very worthy cause. Thanks for your consideration.

Remember none of our successes would be possible without your support.

Tom McGehee
President



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