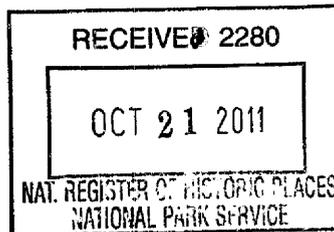


United States Department of the Interior
National Park Service



875

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any 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 certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

1. Name of Property

historic name Kirby Jail and Town Hall
other names/site number 48HO1025

2. Location

street & number 120 East 4th Street not for publication
city or town Kirby vicinity
state Wyoming code WY county Hot Springs code 017 zip code 82430

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,
I hereby certify that this X 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 X meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:
 national statewide X local
Mary M. Hopkins 10/20/2011
Signature of certifying official/Title Date
Wyoming SHPO
State or Federal agency/bureau or Tribal Government

In my opinion, the property meets does not meet the National Register criteria.
Signature of commenting official Date
Title State or Federal agency/bureau or Tribal Government

4. National Park Service Certification

I hereby certify that this property is:
 entered in the National Register determined eligible for the National Register
 determined not eligible for the National Register removed from the National Register
 other (explain:)
Susan McClelland 12/06/11
Signature of the Keeper Date of Action

Kirby Jail and Town Hall
 Name of Property

Hot Springs County, WY
 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
		district
		site
		structure
		object
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

0

6. Function or Use

Historic Functions
 (Enter categories from instructions.)

Government: Correctional facility

Government: City hall

Current Functions
 (Enter categories from instructions.)

Vacant

7. Description

Architectural Classification
 (Enter categories from instructions.)

No style

Materials
 (Enter categories from instructions.)

foundation: Concrete

walls: Other

roof: Asphalt

other: _____

Kirby Jail and Town Hall
Name of Property

Hot Springs County, WY
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Narrative Description

(Describe the historic and current physical appearance of the property. Explain contributing and noncontributing resources if necessary. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, setting, size, and significant features.)

Summary Paragraph

The small Town of Kirby is located on a sagebrush/greasewood flat in north-central Wyoming, about midway between the larger towns of Worland and Thermopolis. US Highway 20 connects the three towns, although Kirby is located a quarter of a mile from the highway on a paved secondary road. A short distance to the east the Big Horn River flows, and beyond that is a high barren bluff where bighorn sheep once roamed. Another high ridge rises west of the highway and runs to the north. To the south is a lower ridge that shelters the fertile Owl Creek Valley. Kirby would be considered by many a "town out in nowhere." Many residents are retired or commute to Thermopolis to work. The only viable businesses in Kirby are Butch's Place, a bar/eatery that serves "famous" hamburgers to patrons from Thermopolis and Worland, and Wyoming Whiskey, which bills itself as Wyoming's first legal distillery. Modern homes with carefully kept lawns are intermingled in town with older homes and old commercial buildings. Most of the latter buildings are in poor condition. Along with the old schoolhouse—now the post office and town hall—the jail and town hall functioned as a focal point for the community. It is situated at the north side of town, north of Butch's Place and some privately owned buildings. The jail and town hall is surrounded by empty lots. Directly east is a foundation of a building believed to have been a brothel.

Narrative Description

The jail and town hall is a simple rectangular block that measures 20 feet on its front and rear and 24 feet on the sides. It is capped with a slightly sloping composition roof, punctuated at the rear with a block chimney. The building's exterior walls and parapets are rock-faced gypsum blocks with block copings and concrete foundations. The wall height at the building's front is 13 feet, 5 inches; the rear-wall height is 11 feet, 4 inches. Gypsum block parapets extend along the sidewalls. Due to vandalism and long-term neglect, the building had been in need of repairs. To address this, the Town of Kirby, with the assistance of a volunteer committee, raised funds for a stabilization project, undertaken by Worland contractor Jerry Keinlen. The rear wall has been reinforced by replacing missing blocks, and the side walls have been braced by installing metal plates secured with steel cable. The roof has been waterproofed.

Two wood one-over-one double-hung windows flank the front door. Two smaller wood windows with iron security straps are placed high on the side walls toward the rear of the building, one on the east and one on the west. All of these original windows have been sealed to prevent weather damage. The single-leaf, solid-wood front door, which had been damaged by vandals, has been replaced with a replica. The doorway featured a single-light transom, which former long-term resident Dorothie Hruska described as painted and portrayed with pansies in purple, yellow, blue, peach and pink, with the name "Kirby" lettered in gold. Broken by vandals, this, too, has been replicated. A 36-inch-square concrete stoop is centered in front of the doorway. The front door opens into a small open office area, behind which is located a free-standing cell structure. Consisting of two steel-strapped cells, this was fabricated by the Pauly Jail Building Company of St. Louis and was installed with the building's original construction. The interior walls and ceiling are painted plaster; the floor is concrete. A long bench is situated along the east wall, and a heating stove stands alongside the west wall.

All of the necessary stabilization has not changed the appearance of the building to any extent. The Kirby Jail and Town Hall appears today much as it did when originally built. It displays a high degree of integrity of design, workmanship, location, materials, feeling and association. Although the setting has changed somewhat with the installation of chain link fence around the building, the jail and town hall retains a feeling of isolation from the rest of the town's buildings and functions as an important landmark for the small town.

Kirby Jail and Town Hall
Name of Property

Hot Springs County, WY
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8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- 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 is 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 old or achieving significance within the past 50 years.

Areas of Significance

(Enter categories from instructions.)

Politics/Government

Period of Significance

1915-1975

Significant Dates

1915

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

Architect/Builder

Enders, Pete

Hainsworth, I.

Period of Significance (justification)

The period of significance extends from 1915, the year that the Kirby Jail and Town Hall was built, until 1975, the year that the building ceased to function as a jail and town hall.

Criteria Considerations (explanation, if necessary)

The continued use of the Kirby Jail and Town Hall until 1975 provides the logical end for the period of significance. The property achieved its historical significance during a long period prior to fifty years ago and the use, association, and

Kirby Jail and Town Hall

Name of Property

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history of the jail continued until it ceased operation and the town hall was moved to a different building; therefore, an argument for exceptional significance is not needed.

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance and applicable criteria.)

Built in 1915, the Kirby Jail and Town Hall is a locally prominent building that is eligible for listing in the National Register under Criterion A for its integral role in the development of the Kirby town government. The Town of Kirby was established by overwhelming popular vote in 1915. Three months later the townspeople voted to construct the first town building—a jail, which would also serve as the town hall. As it turned out, this would be the only building erected by the town. Kirby's heyday proved short-lived, and this small community soon settled into a prolonged decline that began with the Great Depression and continued through the 1940s and 1950s. The jail has been used—naturally enough—to incarcerate prisoners, and also as the town hall. The building functioned as the town's polling place for local and national elections. A small, single-pen structure built with minimal ornamentation, the Kirby Jail and Town Hall is a modestly scaled building. But then Kirby is a modestly scaled town. The jail and town hall all is similar in scale and construction to the elementary school built in 1913 by the school district and to other, privately owned buildings in town. In this, it forms an integral part of the small-town fabric of Kirby. The jail is also similar in scale to other small-town jails in Wyoming. The aspect that distinguishes this building among its peers is its relatively well-preserved state. And the aspect that distinguishes the jail and town hall historically is the fact that it is the only town government building erected in Kirby—the sole representative of town-level government in this small town. As such, it deserves to be listed in the National Register of Historic Places for its local significance.

Narrative Statement of Significance (Provide at least one paragraph for each area of significance.)

The Kirby Jail and Town Hall is significant in the area of politics/government. This property was the only building constructed by the town; it functioned as the center of the community and the seat of government. In addition to operating as a jail, the building served as the polling location and the office of the Town Marshall, one of the few town government positions. The jail and town hall represents the governmental entity of the Town of Kirby.

Developmental history/additional historic context information (if appropriate)

Although the Town of Kirby is named for Kris Kirby, a cowboy who ran cattle in the area, the Nelson and Wight families played the significant roles in the development of the community. John Nelson, a Swedish emigrant, took up a homestead on the site in circa 1892 when it was part of Big Horn County. By purchases and other means, Nelson added to his holdings. When his brother Ed came to the area in 1917, they added stone and timber claims to the ranch. Before the turn of the 20th century, J.B. Wight filed a desert claim along the river below Kirby. The Wights built the first house in Kirby, started a store, J.B. Wight served as town marshal and mayor, and Mrs. Wight served as the town's first post-mistress.

The little settlement saw further growth due to industry expansion. A couple of stage lines, those of Junkins & Pardee and W.L. Hanner, set up stables for their runs from Thermopolis north through the Big Horn Basin. Meanwhile, enormous seams of coal were mined a few miles west of Kirby, spawning the nearby towns of Gebo and Crosby. Gebo was named for Sam Gebo, who had mined in Montana and had taken over the claims of local men. He was joined by financiers Alfred Sully and Rufus Ireland, his son-in-law. In 1907 the Chicago Burlington & Quincy Railroad extended tracks to Kirby. This benefitted both the town and the railroad. The town prospered with a direct rail link to outside markets, and the railroad could tap the enormous coal reserves in the region. The railroad complex became a major factor in the construction and operation of the line southwest through the formidable Wind River Canyon. A large force of locating engineers stayed in Kirby while they surveyed the line to the south. Quarters were established for two section gangs, and a wool warehouse was built, along with a roundhouse, coal tipple, weigh station, stockyard, and water tower. The location of the roundhouse at Kirby assured the town of a core population of workmen. When the railroad began building into the Big Horn Basin, C.S. Kelly made arrangements with the rail company for stage travel from the railhead to Thermopolis. He was joined by Albert Kline, and by 1908 a five-passenger taxi was running from Kirby to Thermopolis.

John Nelson continued to influence the growth of Kirby. He sold property to the railroad, to other individuals, and eventually to the town itself. He also built a two-story, twenty-room hotel and hired Aden Johnson to manage it. Nelson built a large ice house, and he and Johnson also built a baseball field. The Wights built a store, later taken over by J.A.

Kirby Jail and Town Hall

Name of Property

Hot Springs County, WY

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Swenson. And Johnson opened a public hall and saloon, which he ran in conjunction with the hotel; he also operated a mercantile store.

In 1909 Kirby was struck a crippling blow. Early one April morning a fire started in Swenson's store. By 7 a.m. almost every business building in town had gone up in smoke. Destroyed were the hotel, the public hall, the saloon, and Swenson's old store building as well as the new one into which he was planning to move his merchandise that day. Undaunted, the merchants rebuilt and the town continued to grow. Other successful merchants were Ferko [Firko] and Tatarko, who gradually bought out Johnson's mercantile business and were in business until 1941.

Sheep and cattlemen came to Kirby and stayed while they shipped their stock; miners came over from Gebo and Crosby, as there were no saloons in their towns; farm families from the surrounding area came to do their shopping. With affiliations that included European, Eastern European, Asian, African-American, and Hispanic cultures, Kirby became a melting pot, typical of mining and railroad towns of the era. Baseball, dancing, and hunting were among the activities that comprised the lives of Kirby residents, and the town supported a Delphinian Society, Woodmen of America, the Kirby Commercial Club, and church organizations without actual church buildings.

Kirby also offered a one-room schoolhouse. Elected to the first school board were J.R. Kirby and B.H. Morrison, both from Gebo, and L.R. Kirby of Crosby. Because of the relatively small population of the three small towns, the school was situated midway among them. But it was a long walk over the hills for smaller children, and Kirby soon opened its own school—in a boxcar. Mrs. Lillian Dana was the teacher. After Hot Springs County was organized in 1911, a more permanent school was built by Pete Enders using gypsum block, in wide use at that time.

In July 1915 a ballot was held in Kirby, and voters approved the incorporation of the town by a 61 to 1 margin. Elected the first mayor the following month was Aden Johnson. Councilmen were John Nelson, J.B. Wight, Carl C. Bremer [Bramer/Brewer], and John A. Stewart. Phillip Horr served as temporary town clerk, a job soon taken over by A.E. Engstrom. Police judge was Phillip Horr; the marshal was E.H. Jenkins. By then Kirby had become a "rough and tough town," according to John Nelson's relative, Sig. In September 1915 Johnson's store was robbed for the second time.

With all its growth, Kirby was not far behind in the jail business. As early as 1908, Captain H.E. Smith had been appointed as justice of the peace, and B.H. Morrison had been made constable. The town needed a jail. At a town meeting on September 6, 1915, a committee was formed to determine the cost for locating and constructing a concrete building, 24 x 20 feet, to function as the jail and also serve as the town hall. On October 4 the townspeople voted to construct the building. The contractor for the school, Pete Enders, was contracted to furnish and lay gypsum blocks similar to those used on the school. Enders was also to plaster the building. He had 20 days to complete the work, for which he would be paid \$275. I. Hainsworth was awarded the contract for the carpentry for \$328.50. The town purchased Lot 13 of Block 7 from John and Carrie Nelson on November 4 for \$400, and the jail building was completed later that month. On December 6 the jail cells were ordered from the Pauly Jail Building Company. They cost \$164.81, freight was \$38.87, and drayage was \$2.00. The town paid \$3.00 to have the jail painted white.

Both the jail building and the cells were typical of their time. Extant jail buildings in the nearby towns of Thermopolis and Shoshoni are both approximately the same size and construction. The Kirby Jail also typified prison philosophy of the time. The cells were constructed using the Pennsylvania, or separate, system, in which prisoners were incarcerated separately. Whether they were subject to the silent system, there is no record. Sufficient light and air were available from the windows and door. Since there were no cooking facilities in the jail, feeding of prisoners had to be done commercially, adding to the economy of the town.

Among those who served as Kirby town marshal was Dave E. Yokum. His wife sat at home with their dog, noting who was in town and speculating to Dave whether there was likely to be trouble. Thermopolis businessman A.T. "Lefty" Graham recalled spending time at the town as a youth, trying to avoid the jail for misdemeanors. He recalled a "quite notorious establishment"—a house of prostitution—just east of the jail. This brothel, the foundations of which are still visible, was mentioned in the town minutes in May 1919, when the mayor suggested that madam Gertie Harris pay \$100 per month, regardless of the number of women plying their trade in the house. When Harris refused, ten of the women were arrested and presumably incarcerated in the jail. Another nearby brothel was operated by Helen Moffert. The working women made good money when the miners were paid and at shipping time for livestock. The miners typically stayed for about three days enjoying the ladies, gambling, and playing pool.

Kirby Jail and Town Hall
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The Town of Kirby, along with other communities throughout the nation, fell on hard times during the Great Depression. In September 1935 all of the remaining town lots in Kirby were offered for sale to satisfy taxes of \$408. There were no buyers. During the period the demand for coal slackened, and, after a fire damaged the mines, they were shut down by 1938. The town never really recovered from the closing of the mines. The town hall and jail continued to function as the seat of town government through the 1940s, 1950s, and 1960s, housing the occasional prisoner incarcerated for rowdiness or public drunkenness. Mrs. Nancy Deremedi, whose family moved to Kirby from Gebo in 1964, remembered one prisoner. "I think he had a little too much to drink," she recalled. "Some of the young folks slipped him food during his short stay for they felt sorry for him." Melvin Eaves was serving as marshal at the time.

A year later John Klos became marshal, and in 1975 the position was discontinued altogether. The jail and town hall has stood largely unoccupied since that time. The town hall has been transferred to the old school building and what few prisoners the town has jailed have been housed in nearby Thermopolis. \$10,000 was pledged by the Town of Kirby to rehabilitate the building. Four money-making projects have been sponsored by townspeople for the project, including a bake sale held by the Hot Springs County Pioneer Association. Sensitive rehabilitation, the Kirby Jail and Town Hall once again offers an opportunity for preservation and interpretation of this important aspect of local Wyoming history.

9. Major Bibliographical References

Bibliography (Cite the books, articles, and other sources used in preparing this form.)

Big Horn River (Thermopolis) *Pilot*, April 27, 1898.

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Fairburn, Dick, Hot Springs County Sheriff's Department. "Kirby Law Enforcement Officers." 1989.

Hall, Dick. "Kirby Town Tour Prompts Memories of Better Days." *Thermopolis Independent Record*, September 19, 2002.

Hruska, Dorothie Skoric. Oral interviews with Dorothy Milek, 2002-2003.

Hurley, Jessica. "The History of Kirby." Essay for Hot Springs County Historical Society. N.D.

King, Calvin. Oral interview with Dorothy Milek, June 13, 2003.

"Kirby Landmark Razed by Early Morning Fire." *Thermopolis Independent Record*, March 5, 1964.

"Kirby." *Thermopolis Independent - Magazine Supplement*, September 14, 1917.

Kirby, Town of. Minutes, 1915 - 2003.

Lippincott, Ruby. Oral interviews with Dorothy Milek, 2002-2003.

McMains, Mrs. R.I. Oral interview with Dorothy Milek, 1972.

Milek, Dorothy. *Hot Springs: A Wyoming County History*. Basin, Wyoming: Saddlebag Books, 1986.

"Minuets [sic] of Primary Election held of August 1915 preceding the Election to be held the Fourteenth Day of August 1915."

Nelson, Sig. Oral interview with Dorothy Milek, 1972.

Phillips, Edie. "Kirby Residents Relate Jailhouse Memories." *Thermopolis Independent Record*, n.d.

Punteney, Donna. Oral interviews with Dorothy Milek, 2002-2003.

Kirby Jail and Town Hall
Name of Property

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Thermopolis Independent, Thermopolis Independent Record, Thermopolis Journal and Thermopolis Record, 1907-2003.

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 # _____
 recorded by Historic American Landscape Survey # _____

Primary location of additional data:

State Historic Preservation Office
 Other State agency
 Federal agency
 Local government
 University
 Other
Name of repository: _____

Historic Resources Survey Number (if assigned): _____

10. Geographical Data

Acreage of Property Less than one acre
(Do not include previously listed resource acreage.)

UTM References

(Place additional UTM references on a continuation sheet.)

1	<u>12</u>	<u>726820</u>	<u>4854090</u>	3	<u> </u>	<u> </u>	<u> </u>
	Zone	Easting	Northing		Zone	Easting	Northing
2	<u> </u>	<u> </u>	<u> </u>	4	<u> </u>	<u> </u>	<u> </u>
	Zone	Easting	Northing		Zone	Easting	Northing

Verbal Boundary Description (Describe the boundaries of the property.)

The Kirby Jail and Town Hall is located on Lots 13 and 14, Block/Section 7, Town of Kirby, Hot Springs County, Wyoming.

Boundary Justification (Explain why the boundaries were selected.)

The boundary includes the parcel historically associated with the Kirby Jail and Town Hall.

11. Form Prepared By

name/title Dorothy Milek
organization Hot Springs County Pioneer Association date February 10, 2011
street & number 836 Mondell Street telephone 307-864-3890
city or town Thermopolis state WY zip code 82430
e-mail _____

Additional Documentation

Submit the following items with the completed form:

- **Maps:** A USGS map (7.5 or 15 minute series) indicating the property's location.

Kirby Jail and Town Hall
Name of Property

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A **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.

- **Continuation Sheets**
- **Additional items:** (Check with the SHPO or FPO for any additional items.)

Photographs:

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map.

Name of Property: Kirby Jail and Town Hall
City or Vicinity: Kirby
County: Hot Springs **State:** Wyoming
Photographer: Richard Collier
Date Photographed: 8/23/2011
Description of Photograph(s) and number:

- 1 of 6: South elevation, view to north
- 2 of 6: South and east elevations, view to northeast
- 3 of 6: North and west elevations, view to southeast
- 4 of 6: East elevation, view to west
- 5 of 6: South and west elevations, view to northeast
- 6 of 6: South elevation, view to north

Property Owner:

(Complete this item at the request of the SHPO or FPO.)

name Town of Kirby
street & number 107 West 4th Street telephone 307-864-4030
city or town Kirby state WY zip code 82430

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. 460 et seq.).
Estimated Burden Statement: Public reporting burden for this form is estimated to average 18 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 Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.



8.23.2011

Photo 1 of 6

Kirby Jail + Town Hall

Located at 120 E. 4th St. in Kirby, Wyoming
Hot Springs County

View is North looking at (south) front of bldg.
Photographer: Richard Collier



8-23-2011

Kirby Jail + Town Hall

Located at 120 E 4th St. in Kirby, Wyoming

Hot Springs County

View is NW looking at (South) front + (East) side
of bldg.

Photographer: Richard Collier



8-23-2011

Kirby Jail + Town Hall

Located at 120 E 4th St. in Kirby, Wyoming

Hot Springs County

View is SE looking at (North) rear + (West) side
of bldg.

Photographer: Richard Collier



8-23-2011

Kirby Jail + Town Hall

Located at 120 E 4th St. in Kirby, Wyoming

Hot Springs, County

View is West looking at (East) side of bldg.

Photographer: Richard Collier



8-23-2011

Kirby Jail + Town Hall

Located at 120 E. 4th St. in Kirby, Wyoming

Hot Springs, Wyoming

View is NE looking at the (South) front + (west)
side of the building

Photographer: Richard G. Glier



8-23-2011

Photo 6 of 6

Kirby Jail & Town Hall

Located at 120 E 4th St. in Kirby, Wyoming

Hot Springs County

View is North looking at (South) front of building.

Photographer: Richard Collier