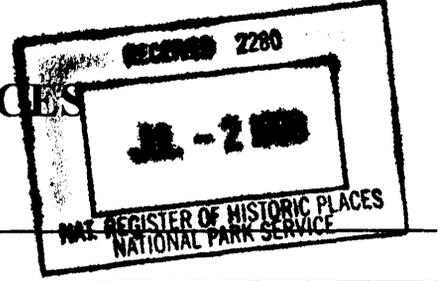


946

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES REGISTRATION FORM



1. Name of Property

historic name: Fallon County Jail
other name/site number: O'Fallon County Museum

2. Location

street & number: 723 South Main not for publication: n/a
city/town: Baker vicinity: n/a
state: Montana code: MT county: Fallon code: 025 zip code: 59313

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1986, 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.

Signature of certifying official/Title

Date

Montana State Historic Preservation Office

State or Federal agency or bureau

(_ See continuation sheet for additional comments.)

In my opinion, the property meets does not meet the National Register criteria.

Signature of commenting or other official

Date

State or Federal agency and bureau

4. National Park Service Certification

I, hereby certify that this property is:

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

Signature of the Keeper

Date of Action

Don H. Beall 7-31-98

5. Classification

Ownership of Property: Public-Local	Number of Resources within Property	
	Contributing	Noncontributing
Category of Property: Building	<u> 1 </u>	<u> 1 </u> building(s)
Number of contributing resources previously listed in the National Register: n/a	<u> </u>	<u> </u> sites
	<u> </u>	<u> </u> structures
	<u> </u>	<u> </u> objects
Name of related multiple property listing: n/a	<u> 1 </u>	<u> 1 </u> TOTAL

6. Function or Use

Historic Functions:

GOVERNMENT/Correctional Facility

Current Functions:

RECREATION AND CULTURE/Museum

7. Description

Architectural Classification:

LATE 19TH & EARLY 20TH CENTURY
AMERICAN MOVEMENTS:
Craftsman

Materials:

foundation: Concrete
walls: Concrete
roof: Wood Shingle
other: Clapboard; Brick

Narrative Description

The Fallon County Jail shares a city block with the Fallon County Courthouse (1976) in the southern portion of Baker, Montana. The area is primarily residential. Just a few blocks to the east is Lake Baker, created by the Chicago, Milwaukee, St. Paul and Pacific Railroad in 1908. The building's first floor was occupied by the county sheriff; its entrance faces east to Main Street. The second floor served as the county jail; its entrance faces Fallon Avenue. A recently moved-in homestead house is located adjacent to the jail.

The Fallon County Jail is a two story Craftsman Style building of poured concrete construction. The building is square, measuring 26 feet on each side. It was constructed in 1916, just one year after the original Fallon County Courthouse. The courthouse, which sat in the middle of the north side of the block, was also designed in the Craftsman Style. It was demolished to make way for a new courthouse in 1976.

The Craftsman philosophy for concrete construction---simplicity of design, plain straight lines, and unbroken wall surfaces---are found in the building. The severity of the concrete walls is relieved by a very rough-textured stucco on three sides. A smooth, concrete belt course encircles the building at the first floor window sill level. Sills at each of the second floor windows are also of smooth concrete. The second floor windows extend to the roof line. The wood shingled, hipped roof has wide overhangs; the soffits are enclosed with double-beaded boards. A single, brick chimney is located in the center of the south wall and a galvanized ventilator rises near the center of the roof.

Small, gable-front porches protect entrance doors on all four sides of the building. The porch on the east side served as the entrance to the sheriff's residence; it is open. The porch roof has gable returns and is supported by two round doric columns. Within the gable, "half-timbering" creates three panels filled with exposed aggregate. The north-facing porch provided access to the stairway leading to the second floor jail. This porch originally matched the east one, but was replaced at an unknown date. (A shadow the original porch is visible in the concrete wall.) It has a plain, gable front and exposed rafter tails, and is enclosed with clapboard siding. The roof structure of the

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west porch is identical in design to the east porch. It protected the back entrance to the sheriff's residence. The lower portion is sided with clapboards. At an unknown date, the exterior stairway to the basement, on the building's south side, was enclosed. The front-facing gable roof is covered with asphalt shingles. The walls are sided with clapboards.

Windows in the building are double-hung with one-over-one sash. All the second floor windows have their original steel bars in-place. In 1986, steel bars were also added to all the first floor window openings.

The Fallon County Jail included first floor living space for the sheriff and his family. This floor contained a living room, dining room, kitchen, bathroom, and two bedrooms. The woodwork is plain and the floors are hardwood.

The second floor jail was divided into three rooms---two for women prisoners and one for men. The men's room contained four steel cells set away from the building's walls. Each cell accommodated four prisoners; cell doors were operable from outside by a pulley system. Each cell had its own toilet, and a shower was located in one corner of the larger room. The steel doors at the foot of the stairs and to the cell block room remain. The cells were removed in 1976.

Lambert House (non-contributing building)

Located just to the north of the Fallon County Jail is the homestead house of Amos and Cordia Lambert. Originally constructed in 1907 in the Lame Jones community, the O'Fallon County Museum moved the building to the Fallon County Jail site in 1987. The 14 x 28 foot wood frame house is used to interpret the homestead history of the area.

8. Statement of Significance

Applicable National Register Criteria: A & C

Areas of Significance: Architecture; Politics/Government

Criteria Considerations (Exceptions): n/a

Period(s) of Significance: 1916-1948

Significant Person(s): n/a

Significant Dates: 1916

Cultural Affiliation: European-American

Architect/Builder: Link & Haire/Henry F. Griesy

Narrative Statement of Significance

Statement of Significance

A Montana Supreme Court decision in 1915 upholding the election of Baker as the seat of Fallon County ended, in part, one of the state's most acrimonious county seat battles. Upon the court's decision, the county commissioners took immediate steps to construct a county courthouse (demolished) and county jail to insure Baker's claim went unchallenged. The construction of these buildings tangibly portrayed Baker as the "permanent" seat of Fallon County. The commissioners also knew that tax paying voters were not as apt to support moving the county seat once they had made such a substantial investment. For its association with Montana's county splitting craze, the Fallon County Jail is eligible for listing in the National Register of Historic Places under Criterion A.

The Fallon County Jail is also eligible under Criterion C as a representative example of Montana's homestead county jails. Designed by Montana's most prolific architectural firm, Link & Haire, the building incorporates Craftsman ideals of honesty and simplicity expressed in concrete and stucco.

Historical Background

"Boosting for a Bigger, Better and Busier Baker" ¹

Montana's "county splitting" craze during the 1910s nearly doubled the number of county governments --- from 28 in 1910 to 54 in 1920. The Progressive Movement in Montana brought about the means for the change when it affected the passage of a legislative bill in 1911 establishing petition-and-election as an alternative to legislative creation of counties.² Every small town that could muster the minimum \$4 million taxable valuation for a new county began setting its sights on county seat status.

Custer County encompassed most of southeastern Montana, including what was later to become Fallon, Wibaux, Carter, Prairie, Rosebud, and Powder River counties, into the first decade of the twentieth century. Completion of the Chicago, Milwaukee, St. Paul and Pacific's railroad line through the area in 1908 brought an influx of homesteaders and agitation for closer county services. About 1909 or 1910, county splitters proposed a new county of Burt to be taken from Custer County's eastern extremes.³ Few opposed the idea of a new county, but the pretenders to county seat status, among them Ekalaka, Baker, Wibaux, and Ismay, spent the next five years in pitched battle. In the end, only Ismay surrendered; Baker became county seat of Fallon County in 1914, Wibaux became county seat of Wibaux County (created from portions of Fallon and Dawson County) in 1914, and Ekalaka became county seat of Carter County (created from portions of Fallon County) in 1917.⁴

¹ *Baker Sentinel*, June 1, 1916.

² Dave Walter, "Counties that Might Have Been," *Montana* (September-October 1986): 31-32.

³ *Fallon County Times*, Special Edition, November 8, 1989; *The Ekalaka Eagle*, July 25, 1913.

⁴ *The Revised Codes of Montana of 1921* (San Francisco: Bancroft-Whitney, 1921).

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The town of Ismay first lay claim as the county seat of the newly proposed Burt County, but Baker immediately challenged Ismay's claim. Burt County joined the list of more than 50 proposed Montana counties that were never created. In 1911, proposals for Fallon County surfaced, but again division efforts foundered. Custer County felt too much of its land was included and residents of the extreme southeastern part of Custer County also objected because they wanted to be included in the new county. Responding to the opposition, the proposed boundaries for Fallon County were redrawn, and the necessary signatures obtained by petition for an election. The Custer County Commissioners refused the petition until ordered to do so by the Montana Supreme Court. Finally in July 1913, they called a special election for November to consider county division, the location of the county seat, and election of county officers. On July 25, 1913, *The Ekalaka Eagle* with more humor than it was to show later proclaimed "the battle bloomin' begins bloody, or rather the bloomin' battle begins bloody, No! We mean, the bloody bloomin' battle begins."⁵

Ekalaka and Baker mounted heated campaigns that reached a fevered pitch by the first of November. Editors of the local newspapers devoted their entire front pages to the battle. Baker argued that its location on the railroad made it the natural choice; Ekalaka countered that it was more centrally placed. The papers made charges of lying, illegal registration, and attempts to buy the election. The mudslinging degenerated to the personal level in the final days of the campaign when the *Baker Sentinel* questioned the motive of a large landowner throwing his support to Ekalaka. It suggested a payback of "under-valuation [of his property] and tax dodging."⁶

The campaign also brought an unusual but not surprising alliance between Wibaux, north of Baker, and Ekalaka. In an unveiled attempt to draw votes from Baker, in late September, the small town of Dennis (between Baker and Wibaux) entered the county seat contest backed by Wibaux. In exchange for Dennis playing the spoiler, the *Baker Sentinel* said, Ekalaka agreed to support the election of a county assessor from Wibaux. The assessor, if elected, would then raise the assessed valuation of land around Wibaux sufficient to permit creation of Wibaux County.⁷

The Wibaux-Baker antagonism dated to the 1913 Montana Legislative session. In an attempt to bypass the petition-and-election process, Wibaux supporters had a bill introduced in the Legislature creating Wibaux County with Wibaux as the county seat. Several other new counties were proposed under what became known as the "Wibaux plan." Baker, believing that if the bill became law, it would lose any chance of obtaining county seat status, rushed a delegation to the Legislature but failed to have the bill defeated. "[K]nowing full well that the proper way to down anything everlastingly in Montana is to blame it on [The Anaconda Company]," Baker supporters portrayed the new counties as a way for the Anaconda Company to gain control of the Legislature. Whether buying into Baker's argument or not, Governor Stewart vetoed the bill. Defeated on the state level, Wibaux then fought Baker's attempts to obtain enough signatures on a petition bringing the creation of Fallon County to a vote. When the Montana Supreme Court ruled against Wibaux, Wibaux-supporters came to the realization "that county seat honors were a long ways off for Wibaux, [and] they started to put them just as far away from Baker." Thus, came the alliance with Ekalaka.⁸

Nearly 80 percent of eligible voters turned out to cast their votes in the election; Fallon County was created and Ekalaka won the county seat by 18 votes. Dennis' entry into the contest served its intended purpose, pulling 169 votes which otherwise likely would have gone to Baker. Because no town received a plurality of votes, another county seat election was required. Baker again challenged Ekalaka in November 1914. This time, Wibaux was out of the picture, having successfully created Wibaux County during the interim. When the

⁵ *Fallon County Times*, Special Edition, November 8, 1989.

⁶ See *Baker Sentinel* and *The Ekalaka Eagle* in the weeks leading up to the election. Especially, *Baker Sentinel*, November 14, 1913 and *The Ekalaka Eagle*, November 21, 1913.

⁷ *The Ekalaka Eagle*, September 26, 1913; *Baker Sentinel*, November 14, 1913.

⁸ *Baker Sentinel*, reprint from *Helena Independent*, December 19, 1913.

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votes were counted, Baker defeated Ekalaka by 62. Ekalaka, however, was not to concede the county seat so easily. An Ekalaka-supporter filed a suit in the district court under the corrupt practice act seeking an injunction restraining the commissioners from moving the county seat. The 19 pages of allegations included charges of supplying liquor to voters and illegal registration. The suit made its way to the Montana Supreme Court which, in July 1915, ruled against Ekalaka. It was the opinion of the court "that [it] is not alleged that the corrupt practices charged, operated to influence a sufficient number of votes to change the results of the election."⁹

Upon the court's decision, the county commissioners moved quickly to insure Baker's claim to county seat went unchallenged. The commissioners began investigating sites on which to build a courthouse and jail. The *Baker Sentinel* noted this was contrary to local voters wishes who wanted the commissioners to accept the offer of an unused school building "until such time as the county is able to build a desirable court house in a central location." Notwithstanding public opinion, by the end of August, the commissioners had retained the Billings architectural firm of Link & Haire to prepare plans for a new courthouse and jail on a donated block several blocks from the business district. The county commissioners entered into two contracts with Link & Haire: one for plans and specifications for a courthouse to cost less than \$10,000 and another for plans and specifications for a jail and heating plant to cost less than \$9,000.¹⁰ There was a political purpose in separating the projects. State law prohibited the commissioners from borrowing more than \$10,000 for any one project without the approval of the voters.¹¹ The commissioners clearly feared occupation of a temporary building would only continue perception of Baker as the "temporary" county seat. At the same time, a coalition of Ekalaka supporters and Baker supporters unhappy with the commissioners' site selection and decision to build a new building might have defeated a bond issue and again raised the question of Baker's claim to permanent county seat.

The commissioners opened bids for the courthouse and jail the first week of October 1915, and then spend several days modifying the plans and specifications for the courthouse to get the cost below \$10,000. In the end, they also deleted construction of a jail and a heating plant for the courthouse. County officers moved into the new wood-frame, two-story, Craftsman Style courthouse in February 1916. The *Baker Sentinel* noted "everybody is glad that Fallon County has come into her own."¹²

In April 1916, the Fallon County Commissioners approved the plans of Link & Haire for a new county jail and a heating plant for the courthouse and jail. All bids submitted for the project were rejected in May when they exceeded the \$10,000 limit. The Commissioners apparently directed the architects to modify their plans, and they again received bids in July on a one-story jail, a two-story jail, and plumbing and heating. The commissioners accepted local concrete contractor H.F. Griesy's \$5620 bid for a two-story jail and A.C. Jasperson's \$3,904 plumbing and heating bid. The Pauly Jail Building Company received the steel contract for \$4,220.¹³

⁹ *Baker Sentinel*, November 28, 1913 and December 19, 1913; *The Ekalaka Eagle*, November 13, 1914; November 20 and 27, 1914; *Baker Sentinel*, July 2 and 9, 1915.

¹⁰ Fallon County, *Commissioners' Proceedings*, August 20, 1915; *Baker Sentinel*, August 20 and September 15, 1915.

¹¹ *The Revised Codes of Montana of 1921*, Chapter 23, Section 4717 (San Francisco: Bancroft-Whitney Company, 1921).

¹² *The Fallonite*, February 3, 1916.

¹³ Fallon County, *Commissioners' Proceedings*, April 6, May 8, and July 7, 1916; *Fallon County Times*, June 15 and July 13, 1916; *R.L. Polk & Co's Miles City, Glendive, Forsyth & Ekalaka City Directory*, 1914 (Helena: R.L. Polk & Co., 1914).

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Architectural Significance

The Fallon County Commissioners retained the architectural firm of Link & Haire to design the Fallon County Jail (and the original Fallon County Courthouse which was demolished in the 1970s). The firm, with offices in all of Montana's larger cities, specialized in public buildings, and its designs are found throughout the state and the northwest. It was responsible for one-third of Montana's county courthouses. The Craftsman Style Fallon County Jail expresses the design adaptability of the firm with smaller buildings and limited budgets.

The Fallon County Jail instinctively called for a structural system repellent to escape and resistant to fire. Concrete was the logical choice of the architects. At the same time, the then popular Craftsman Style promoted concrete construction for the decorative quality found in its "severe simplicity of line." Concrete and stucco also met several other Craftsman ideals. First, it was durable and inexpensive (if not in initial costs over the long term it reduced maintenance expenses); concrete lent itself to simple designs, plain straight lines, and unbroken wall surfaces; and in areas, like the prairies of Montana---far from timber---it also was an indigenous material, fitting well within its environment.

Link & Haire took the concrete construction of the Fallon County Jail and added Craftsman features, which seems especially appropriate since the building also served as a residence. The stucco, with its extremely rough texture juxtaposed against the smooth belt course, second floor window sills, and broad windows, relieves the severe, cold appearance of the plain concrete walls. The two original porches follow the Craftsman philosophy that the only decoration be in a building's structural features. The wood porches contrast against the concrete walls, while at the same time, the exposed aggregate panels in the gable ends, echo the buildings structural material.

Current Use

The Fallon County Jail served the needs of the county until 1976. At that time, jail facilities were opened in the new Fallon County Courthouse. The county moved the old jail's cells to the new facility; they were replaced in 1984.

The Fallon County Jail became the O'Fallon County Museum in 1980. Today, the building's rooms are filled with displays depicting the history of the area.

9. Major Bibliographic References

See continuation sheet

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 -- Specify Repository:

10. Geographical Data

Acreage of Property: Less than one

UTM References:	Zone	Easting	Northing
	13	555750	5134100

Legal Location (Township, Range & Section(s)): SW1/4 Section 13, T7N, R59E, MPM

Verbal Boundary Description

From the southeast corner of Block 4, Savage Addition to the City of Baker, at the corner of Main Street and Lincoln Avenue, proceed north along the west side of Main Street a distance of 35 feet to the Point of Beginning of subject property, being the Southeast corner. Thence westerly, parallel to Lincoln Avenue 90 feet; thence northerly, parallel to Main Street 70 feet, thence easterly, parallel to Lincoln Avenue 90 feet; thence southerly along the west side of Main Street 70 feet to the Point of Beginning.

Boundary Justification

The Fallon County Jail shares Block 4 with several newer Fallon County and O'Fallon County Museum buildings. The boundary is drawn to exclude the newer buildings, including a concrete masonry unit building to the south and a moved-in homestead house to the north.

11. Form Prepared By

name/title: Lon Johnson	date: March 1998
organization: State Historic Preservation Office	telephone: 406-444-7742
street & number: 1410 8th Avenue	state: MT zip code: 59620
city or town: Helena	

Property Owner

name/title: Fallon County	telephone: 406-778-2883
street & number: P.O. Box 1134	state: MT zip code: 59313
city or town: Baker	

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Bibliographic References

Baker Sentinel, September 26, November 14, December 19, 1913; November 20 and 27, 1914; July 2 and 9, August 20, September 15, 1915; June 1, 1916

The Ekalaka Eagle, July 25, November 14, 21, and 28, December 19, 1913; November 13, 1914.

Fallon County, *Commissioners' Proceedings*, August 20, 1915; April 6, May 8, and July 7, 1916.

Fallon County Times, June 15, July 13, 1916, November 8, 1989.

The Fallonite, February 3, 1916.

R.L. Polk & Co's Miles City, Glendive, Forsyth & Ekalaka City Directory, 1914. Helena: R.L. Polk & Co., 1914.

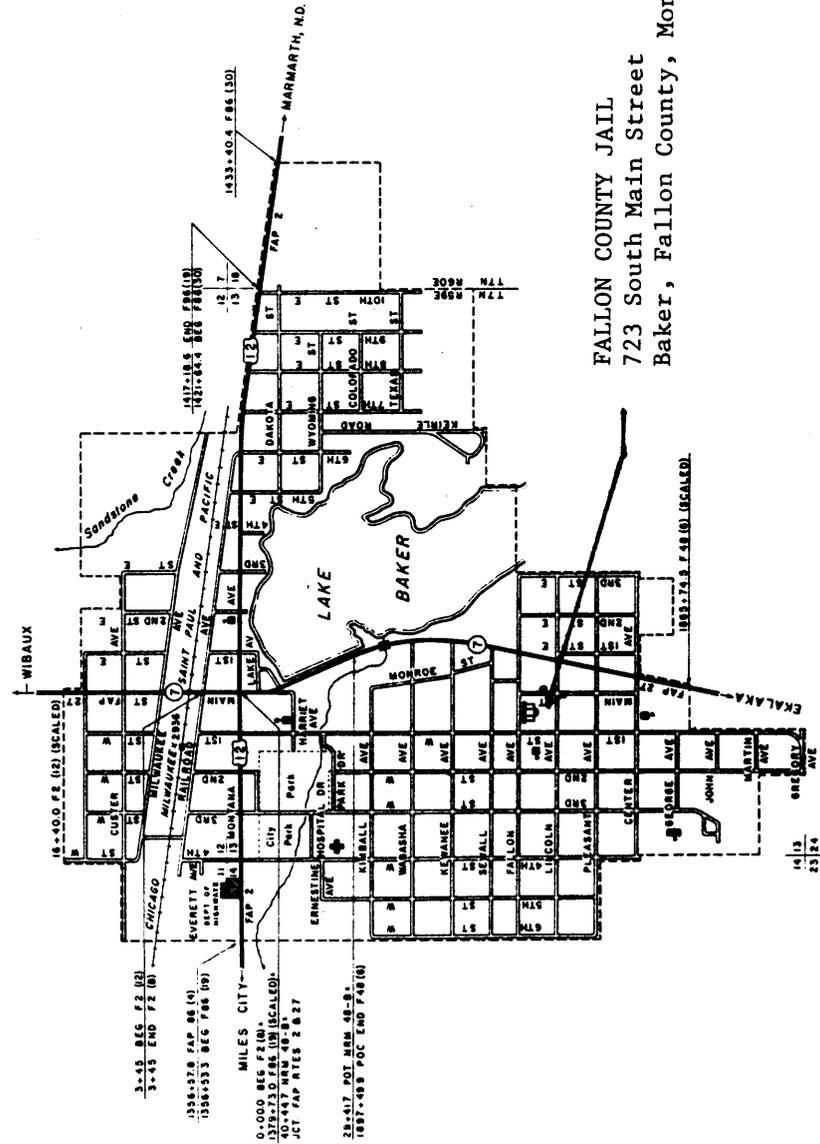
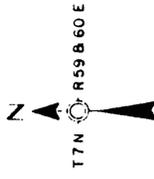
The Revised Codes of Montana of 1921. San Francisco: Bancroft-Whitney Company, 1921.

Stickley, Gustav. *Craftsman Homes: Architecture and Furnishings of the American Arts and Crafts Movement*. New York: Dover Publications, 1979.

Walter, Dave. "Counties that Might Have Been." *Montana* (September-October 1986): 31-32.

LEGEND

- Corporate Boundary Line
 - Central Business District
 - Non-existent Dedicated Street
 - Railroad and Station
 - Elevation
 - Court House
 - Post Office
 - Hospitals
 - Elementary School
 - High School
- FEDERAL AID HIGHWAY SYSTEMS**
- FAI Federal Aid Interstate System
 - FAP Federal Aid Primary System
 - FAS Federal Aid Secondary System
 - Interstate Highway Route Marker
 - U.S. Highway Route Marker
 - State Highway Route Marker
 - Other Highway Route Marker
 - Projected Road
 - Graded and Drained Road
 - Gravel Road
 - Paved Road
 - Divided Road - Traffic Flag



FALLON COUNTY JAIL
 723 South Main Street
 Baker, Fallon County, Montana

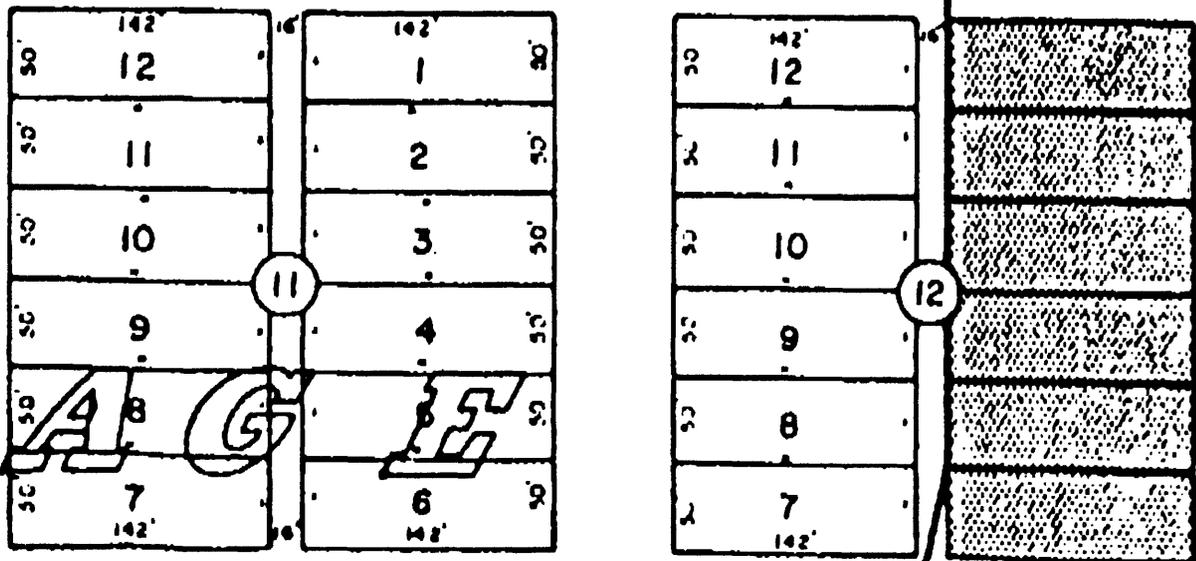
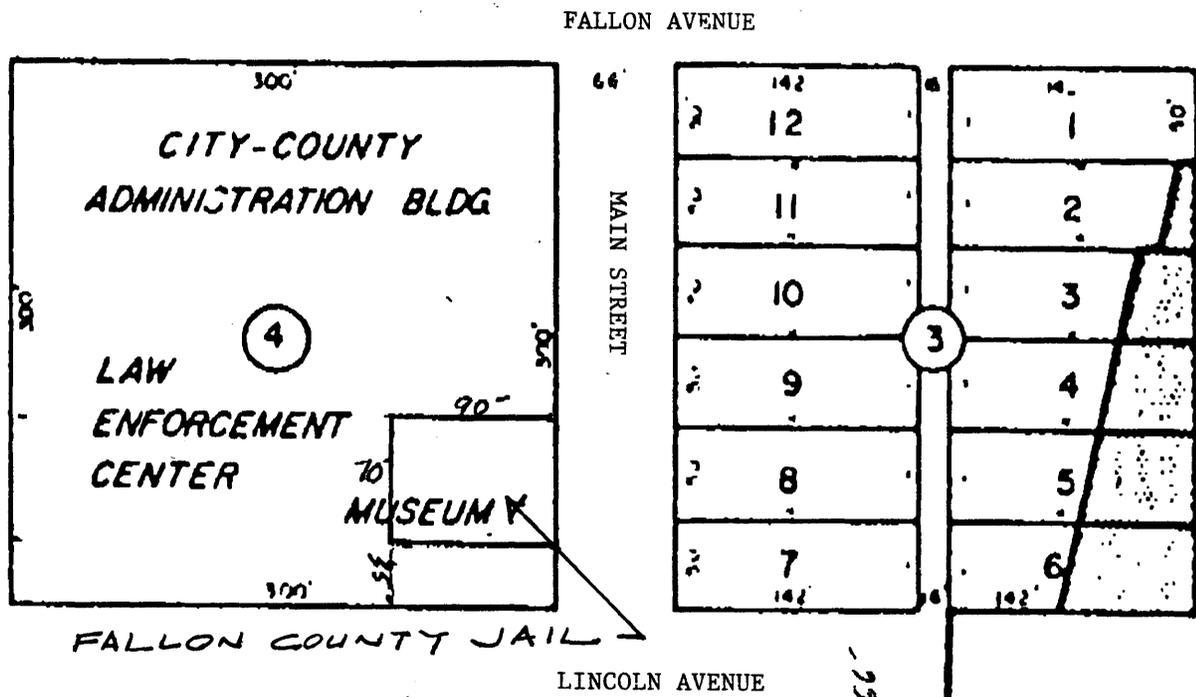
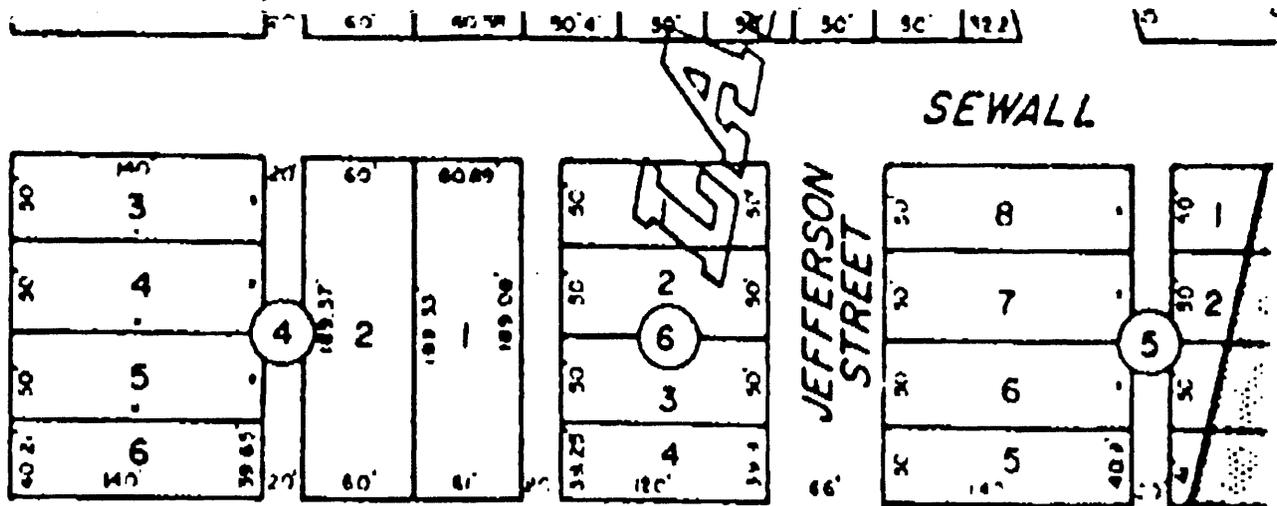
CITY PLAT
BAKER
 FALLON COUNTY
MONTANA

1970 CENSUS 2584



REVISED DEC 31, 1978

Copies of this map are available for a fee from the Department of Highways - Helena, Montana 59602



FALLON COUNTY JAIL, FALLON COUNTY, MONTANA
Boundary