

United States Department of the Interior
National Park Service

**National Register
Listed
January 5, 2018**

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 Pottawatomie County Courthouse

Other names/site number KHRI #149-5770-00002 (courthouse) 149-375 (Jail)

Name of related Multiple Property Listing Historic County Courthouses of Kansas

2. Location

Street & number 106 Main Street

City or town Westmoreland

State Kansas Code KS County Pottawatomie Code 149 Zip code 66549

not for publication

vicinity

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 Applicable National Register Criteria: x A B x C D

See file.

Signature of certifying official/Title Patrick Zollner, Deputy SHPO

Date

Kansas State Historical Society

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:)

Signature of the Keeper

Date of Action

Pottawatomie County Courthouse
Name of Property

Pottawatomie County, KS
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5. Classification

Ownership of Property

(Check as many boxes as apply.)

<input type="checkbox"/>	private
<input checked="" type="checkbox"/>	public - Local
<input type="checkbox"/>	public - State
<input type="checkbox"/>	public - Federal

Category of Property

(Check only **one** box.)

<input checked="" type="checkbox"/>	building(s)
<input type="checkbox"/>	district
<input type="checkbox"/>	site
<input type="checkbox"/>	structure
<input type="checkbox"/>	object

Number of Resources within Property

(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
2	0	buildings
		sites
		structures
1	2	objects
3	2	Total

Number of contributing resources previously listed in the National Register

none

6. Function or Use

Historic Functions

(Enter categories from instructions.)

Government: Courthouse

Government: Correctional Facility

Current Functions

(Enter categories from instructions.)

Government: Government Office

Vacant:/ Not in Use

7. Description

Architectural Classification

(Enter categories from instructions.)

LATE VICTORIAN: Italianate

Materials

(Enter categories from instructions.)

foundation: Stone

walls: Stone

roof: Metal

other:

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Narrative Description

Summary

The Pottawatomie County Courthouse was constructed in 1884 on a block designated the Courthouse Square at the west end of Westmoreland's downtown business district. Designed by a local citizens' committee and constructed by Manhattan contractor Hulsey and Moses, the two-story limestone building was a simple rectangular form with a metal shallow hipped roof distinguished by tall corbelled brick chimneys at each corner (the chimneys were later removed). Distinguishing features, including tooled corner quoins and tall windows with arched hoods with projecting keystones along with the roof form and wide overhanging eaves, are characteristic of the Italianate style. The second oldest extant courthouse in the state, the Pottawatomie County Courthouse reflects the Late Victorian style in its simplest form, a style that distinguishes this courthouse from the popular elaborate Richardsonian Romanesque designs seen in the monumental courthouse designs built in nearby Riley and Geary counties around the turn of the century.

One block west of Westmoreland's business district, the courthouse was located on a city block donated to the County for that purpose. The Courthouse sits in the center of the block and is raised above grade with stone retaining walls along two sides of the site. The original 60' x 70' building is five bays wide on each side; each bay defined by a single window on each floor. The building retains its original wood windows which are tall 2/2 double-hung sashes with arched top. Arched window hoods are finely tooled with a dimpled body and fluted margins. The hoods have projecting keystones and label stops, the former being an identifying characteristic of the York Rite of the Masons. The building entrances were at the center bay on the north and south sides, also an arched opening with stone surround correspond to a wide central corridor through the building.

Five projecting bays reflect additions to the Courthouse, the last occurring in 1976. All except the last addition were built during the building's period of significance. A concerted effort was made with each addition to match the detailing of the original building down to the tooled detailing on limestone quoins and window hoods. All but the 1976 addition and a small undated one-story shed bay, have a hipped roof intersecting with the original building.

The building functioned as the primary offices of county government until 1994 when most administrative functions were moved one block northwest into the grade school that was renovated for that purpose. The Courthouse continued to serve the court functions until a new Justice Center was built immediately north of the courthouse in 2012. The second-floor courtroom is intact in the Courthouse and retains a high degree of architectural integrity. Although covered by a suspended ceiling, the original ornate pressed-metal ceiling is extant. Plaster walls are lined with beadboard wainscoting and wood trim and the hardwood oak floor is exposed the courtroom gallery. Built-in wood features including the judge's dais, witness stand, court reporter's desk and jury area all remain as do wood pews in the gallery. Even with the building additions and upgrades, and remodelings with contemporary finishes throughout the years, the original building form is distinguishable. It retains its limestone facade with distinctive detailing and its historic wood windows – features that were duplicated on the various additions. On the interior, the basic plan configuration and courtroom are intact. Extant significant features include the open wood staircase and numerous historic vaults.

In addition to the Courthouse, the Old Jail ca.1885 is located immediately west of the Courthouse. The jail served the County until ca.1970 when a new jail was constructed. The one-story limestone building is an L-shaped footprint and a distinctive metal pan-tile roof. It is a contributing building on the Courthouse site. The limestone retaining wall extant along the perimeter sidewalks on the south and east sides of the block is a contributing object on the nominated property. A memorial plaza and two stone memorial/monuments are located at the southeast corner of the Courthouse Square. The memorials took their current configuration in modern times outside the period of significance and therefore, are non-contributing objects.

Elaboration

Setting

The Courthouse was constructed on a full block at the west end of the business district on land donated for that purpose. The block measured 240' by 320' defined as Block 42 - the Courthouse Square in the Rachel Armer Addition to the town site of Westmoreland. It was bounded on the south by Main Street, on the west by First Street, on the east by Second Street, and on the north by Armer Street. The Justice Center was constructed approximately 60' north of the courthouse, its site encompassing the south half of Block 43 north of the Courthouse Square. Upon its completion in 2012, Armer Street was vacated. Figure 3 illustrates the boundary for the nominated property is a 240' x 240' parcel which extends 45'

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north of the Courthouse north facade and retains the original east, west, and south boundaries as defined by the bordering streets.

The Courthouse Square is elevated above the street level with a limestone retaining wall at the perimeter sidewalk on the south and east sides; the west side slopes gradually to the sidewalk (Photos 1-3). A grass lawn surrounds the building on the south, east and west with mature trees and foundation shrubbery. On-street angled parking is provided on these three sides of the block. On the north, a circle drive is located northwest of the Courthouse for the Justice Center with a concrete walk/drive running E/W between the two buildings. The wide concrete strip is flanked by a grass strip that extends to each building. See Figure 1 and Photos 1-5 for current views of site.

Additional Resources

The limestone retaining wall bordering the south and east sides of the Courthouse Square is a contributing object in the nomination. There is one additional building and two monuments that are also included on the nominated site. Immediately west of the Courthouse is a one-story limestone jail built ca. 1885 that houses two cells and a cage with a ceiling and floor made of ¼" chrome steel plate, which was constructed by Hall Safe and Lock Company.¹ By 1928, the jail was enlarged to provide a toilet. The building is an L-shaped footprint measuring approximately 20' x 32' x 11' with an open hipped entry bay with corner column at the intersection of the ell. Later used for storage, the windows have been boarded and the building reportedly has water damage and mold. The Old Jail Building is a contributing building; a primary distinguishing characteristic is its intersecting hipped roof that features a metal pan tiles and roof crest. See Photos 4, 8, and 9.

At the southeast corner of the Courthouse Square is a war memorial – a squat square obelisk with bronze plates listing Pottawatomie County Veterans that served during the Korean and Vietnam Conflicts. A circular stone kneewall surrounds the memorial framing a small plaza; the wall serves as seating area. A flagpole is located southeast of the monument and southwest of the monument is a Potawatomi County stone map. At the southeast corner of the square, this memorial area is raised with the grade slightly above the top of the perimeter retaining wall. The corner is accessed by a set of concrete steps from the sidewalk along Main Street at an opening in the south retaining wall. See Figure 1 and Photos 1, 2, 6, and 7 for views of the wall and memorials. The plaza and memorials took their current form ca. 1990 outside the building's period of significance and therefore are non-contributing objects in this nomination.²

The Courthouse

The limestone used to build the Courthouse was quarried locally at Mount Ephraim and the cornerstone was laid on 23 April 1884. The wood framed structure has stone perimeter walls and stone bearing walls framing the N/S corridor through ground floor. The foundation is rubble stone and a shallow crawl space lies beneath the first floor. The roof framing consists of heavy timbered trusses that are 10' high and spaced 10' on center spanning the 60' width between the east and west walls.

The building appears almost square but measures 60' x 70', each side having five bays defined by a single masonry opening in each bay, on each floor. A metal hipped roof features wide eaves and originally had tall corbelled chimneys at each corner (Figure 4). The chimneys were undoubtedly ventilation or heating flues which have been removed with modern system upgrades; round metal flues are now present on the north face of the roof. The existing roof is standing-seam steel installed in 2007. Except the last addition built in 1976, all of the projecting bays (additions) have intersecting hipped roofs with the same metal roofing. The 1976 addition at the SE corner has a flat/tapered roof with metal roofing to match the original building. The eaves are boxed with a simple 1x wood frieze below. The gutters are built into the eaves and fluted copper downspouts are extant. The roof and gutters are illustrated in Photos 4, 7, and 12.

The stone work is a defining characteristic with the walls being rock-faced limestone with beaded mortar joint. Corner quoins of dressed cut stone contrast the natural-faced stones on the body of the facade. The dressed stones have a subtle tooled pebble/ripple surface with perpendicular ribbed margins. The same tooled design is used on the water table and on the window sills and arched hoods. See Photos 11, 12, and 13. As seen in Photo 13, the arched hoods feature a projecting keystone and label stop that is recognized as a defining feature on buildings constructed by the York Rite of the Masons.³

¹ "News 35 Years Ago This Week." *Westmoreland Recorder*, 5 Aug 1920, 1; *Westmoreland Recorder*, 20 May 1886 (sidewalk laid from Courthouse to Jail).

² The area includes some memorial plaques that date to earlier periods and were moved to the current location in the 1980s and 1990s, outside the Courthouse's period of significance.

³ "About the Royal Arch Masonry." Grand Chapter of the Royal Arch Masons of Washington, accessed online on 20 August 2017 at <https://grandchapterofwashington.org/about-royal-arch-masonry/>.

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There were matching arched entrances in the center of the north and south facades of the original courthouse. See Figures 4 and 6 for views prior to 1928 addition of entry bay. The north entry retains its original masonry opening with arched lintel and projecting keystone and label stops (Photo 12). The north door retains a paneled wood jamb. A metal replacement unit fills the entire masonry opening with a single door, sidelight and infill panel at the arched transom. One early view of the building provides a glimpse of a fan-light transom at the south arched entry. In 1928 a two-story bay was added to the center of the south facade with a new central arched opening enclosing an alcove to the original building entrance (Figure 7 and Photo 11). The now recessed opening in the original building continues to serve as the entrance but it was likely modified with the addition. The existing opening is rectangular and accommodates a pair of single-light over two-panel doors; there is no evidence of the original arched opening or arched transom above the door.

The building and subsequent additions retain arched 2/2 double-hung windows that are tall and narrow – a characteristic of the Italianate style (Photos 12-13). Wood-framed 2/2 light glass storms have been installed at some windows, aligning with the divisions of the original windows. On the interior, the original door and window openings have deep pockets given the depth of the masonry walls. In most second-floor locations, paneled wood jambs are extant and visible as is original window trim (Photos 22-23).

The new courthouse was presented to commission in August 1884 but the interior was not yet complete. A description of the interior spaces in the new courthouse was provided in the local newspaper *The Westmoreland Recorder* in May 1885:

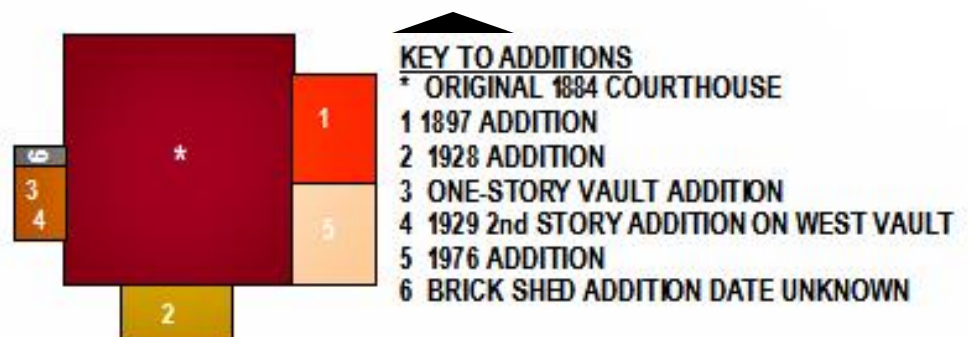
Entering the main entrances on the south, one finds himself in a broad hall confronted by a flight of stairs leading to the courtroom floor. On the left opens a door leading into the office of the register of deeds – one of the tastiest and neatest rooms in the building. A counter of convenient height divides the room leaving ample space behind for desks, safes, etc. A large vault for the record books opens from this room. This department as usual, is on the first floor, is finished off in hard pine.

Back of the register's office is a smaller room for the probate judge, also provided with a vault. Next in the rear with windows in both the west and north, is the office of the county superintendent. Across the hall is one of the largest and airiest rooms in the building, presided over by the genial and efficient county clerk. This room is well provided with desk room and a large vault. The treasurer's office fills up the remaining space on the east side and is like in finish to the rest of the lower floor.

Ascending the stairs, the first door at the top of the landing opens into the sheriff's office which has another opening into the courtroom. Turning to the right and passing along a short hallway, we enter the courtroom, a large well ventilated, splendidly lighted, and handsomely furnished room running the entire length of the building and opening on the east into the office of the clerk of the court and on the west into the jury room and sheriff's office. Across the east end extends the railing enclosing the bar and judge's bench. The finishing of all the upper floor is oak and is very handsome.⁴

The article closes noting that "the people of Pottawatomie County can be proud of their handsome courthouse, and proud of the enterprise which was built without expense to the county."⁵ While written shortly after completion in 1885, the basic plan configuration of offices and courtroom remains today. Primary alterations are detailed below.

Built in one of the smallest towns in the county after a contentious battle for the county seat, the simplicity of the Pottawatomie County's first permanent Courthouse was likely due to the limited budget of \$10,000 raised from private contributions and the absence of an architect on the project. By 1897, the courthouse was in need of additional secure storage and a two-story addition (22-1/2' x 29') was built off the northeast corner to house a vault for land records at a cost of



⁴ "The Courthouse," *Westmoreland Recorder*, 27 May 1885, 1.

⁵ Ibid.

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\$2,253.⁶ This was the first of five additions; the last occurring in 1976. In 1928 at a cost of \$12,129, the second addition (10' x 32') was built on the front/south side of the building to house public restrooms on the ground floor and a jury room with restrooms on the second floor. The first floor restrooms framed a recessed alcove to the original building entrance in the center of the south facade. A one-story addition was built on the west side for additional vault space (no date was found for this addition); in May 1929 a second story was constructed on the west vault to provide a vault for court records (off the second-floor courtroom).⁷ The final addition - a two-story 24' x 32' bay built at a cost of \$25,000 off the southeast corner - was built in 1976 to provide space for the county assessor on the first floor and a chamber for the district court judge with a meeting room on the second floor.⁸ A small one-story brick bay with a shed roof is located on the west side, north of the vault addition (date and function is unknown).

The building survived excavation of a 25' by 45' basement to install a heating plant (date unknown)⁹ and an attic fire in December 1927. Caused by a defective furnace, the fire charred the roof beams and burned a hole in the wood-framed roof. A large turnbuckle was installed in the east to west walls for stabilization. There was also a lightning strike in the late 1970s that resulted in several broken water lines and damage to the latest (1976) addition. There have been no significant alterations and little maintenance in recent years. Figure 5 provides a 1984 view of Courthouse at its 100th anniversary.

There have been a variety of modern renovations and building upgrades through the years. The existing first-floor finishes include vinyl particle board, wood paneling, and sheetrock generally dating to ca.1960s-1970s remodelings over the original plaster (Photo 14). In 1999 a new heating system was installed in the courtroom. In 2005 central air-conditioning was installed in the courtroom and electrical upgrades were made. The existing suspended ceilings likely date to these upgrades as wiring, conduit and ducts are in place above the existing ceiling. The original pressed-metal ceiling is in place above the existing ceiling on the second floor and appears to be in fair to good condition (Photo 24). On the ground floor, plaster walls and ceilings are visible above the existing suspended ceiling but are in fair to poor condition.

The only known changes in the plan configuration of the building are the additions outlined above, the construction of partition walls in parts of the original building and the 1976 addition, and construction of a service counter in the central hallway at the southeast corner of the building in the treasurer's office. On the ground floor, most of the additions were small bays serving specific functions like vaults and restrooms. The basic configuration of offices flanking a wide central corridor with an open stair at the north end is intact and clearly discernible (Photo 14). Although a stair-lift has been installed, the open wood staircase with turned balusters and square newel posts is extant (Photo 14 and 18). In addition to the plan configuration, significant features include four historic vaults dating to at least three different construction dates (Photos 15, 16, 17 and 21).

The second-floor additions also include a vault, restrooms, a jury room and small court-related offices. The primary character-defining feature on the second floor is the courtroom with its original fixtures and finishes (Photos 19-21). That space is intact with the only known modifications being the installation of the suspended ceiling and building system upgrades. Although no longer in active use, the courtroom clearly conveys its original design and function with the original wood railing in place that separates the gallery from the bar. Built by a local carpenter, the historic courtroom furnishings are extant including the judge's dais, witness box, jury box, and stenographer desk as well as wood pews in the gallery. See Photos 19 and 20. On the west wall, the vault dating to the 1929 addition remains in place (Photo 21). Although covered elsewhere by carpet and tile, the original hardwood floors are exposed in the courtroom gallery on the second floor (Photo 20). Plaster walls are exposed with beadboard wood wainscoting and wood trim around the courtroom. The original ornate cast-iron steam radiators are in place throughout, covered by wood boxes in many locations but exposed in the courtroom (Photo 22).

Conclusion

The Pottawatomie County Courthouse is a rare example of an early 1880s courthouse in the state of Kansas. Designed by a citizen's committee and built with private donations at no cost to the county, the Courthouse is a modest building that has served the county for more than one hundred thirty years. With five additions spanning an eighty-year period, the original rectangular building remains discernible with each addition clearly defined as a bay projecting from the original building. That said, a remarkable feature is that these multiple additions (except the one-story brick bay) each repeated the notable stone detailing of the original building including arched hoods at the masonry openings with projecting keystones and label stops. Corner quoins, a water table and window sills and lintels all repeat the tooled stone detailing

⁶ Maurice Cordell, *Struggle for the County Seat*. Self-published, 2013, 81-82.

⁷ "Courthouse Addition." *Wamego Reporter*, 23 May 1929.

⁸ Cordell, 81.

⁹ Or an opening in an original basement was excavated to install a new gas boiler. The original building was likely heated with coal and probably had a coal chute from grade.

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with a pebbled surface with ribbed margins. The additions, except the 1976 bay with a flat roof and the one-story west bay with a shed roof, each have hipped roofs that intersect with the original building's hipped roof and have matching metal roofing (2007 replacement). The Courthouse retains the key exterior features that characterize its classification under the Italianate style. Although the interior has contemporary finishes throughout the first floor, it retains significant features including the original circulation pattern, multiple historic vaults, the original open wood staircase, and the second-floor courtroom which has a remarkable degree of historic integrity. The courtroom retains plaster walls with beadboard wainscoting and trim, wood floors, its ornate metal ceiling although the latter is above a suspended ceiling and the original built-in court accoutrements. The Pottawatomie Courthouse retains sufficient integrity to convey key aspects of its original design and function.

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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

Politics/Government

Architecture

Period of Significance

1884 - 1929

Significant Dates

1884, 1897, 1928, 1929

Significant Person

(Complete only if Criterion B is marked above.)

NA

Cultural Affiliation

NA

Architect/Builder

Hulsey & Moses, contractor Manhattan, KS

Period of Significance (justification)

The period of significance spans from 1884 to 1968. This period begins with the courthouse's date of construction as a means for Westmoreland to cement its county-seat status and ends in 1929 with the last historically-significant addition.

Criteria Considerations (justification)

None

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Narrative Statement of Significance

Summary

The Pottawatomie County Courthouse is located at 106 Main Street in Westmoreland, Pottawatomie County, Kansas. Erected 1884, the Courthouse is locally significant under National Register Criterion A in the area of POLITICS/GOVERNMENT for its associations with the development of county courthouses in Kansas and under Criterion C in the area of ARCHITECTURE as a representative of the Late Victorian: Italianate Property Type defined in *Historic County Courthouses of Kansas*.¹⁰ This courthouse is one of the few existing examples that date to this distinct period in the evolution of courthouse design in Kansas. In addition to its hipped roof, the use of locally quarried limestone enhances the building's Italianate design with subtle characteristics including the finely tooled limestone quoining and its tall narrow arched windows with prominent hoods. The projecting keystones are a symbol of the York Rite Order of the Free Masons.

The historic significance of the Pottawatomie County Courthouse is based on its associations with the history and development of Kansas county courthouses documented in *Historic County Courthouses of Kansas*. In particular, the Pottawatomie County Courthouse has direct associations to the historic contexts – "The Role of the Courthouse in Kansas Communities 1856 – 1950;" "Nineteenth Century Settlement Patterns and the development of County Government: 1865 – 1900;" and the "Architecture of Kansas Courthouses 1861 – 1950." The property's association with the evolution of Kansas county courthouses and their design guides its period of significance which begins with its construction in 1884 and continues to 1929 with the last historically-significant addition. Despite several additions and alterations, the Pottawatomie County Courthouse retains a moderate level of architectural integrity and is a representative example of the Late Victorian: Italianate Property Type. This Courthouse is a modest example of a late nineteenth and early twentieth century courthouse plan in Kansas that was designed by a local citizen's committee and constructed by Manhattan contractor Hulsey and Moses.

Elaboration

Pottawatomie County and Westmoreland

Pottawatomie County, formerly part of Riley and Calhoun counties, is located in northeast Kansas, positioned one county in from the Nebraska border between the cities of Manhattan and Topeka. The Kansas River forms the southern boundary of the county; the Big Blue River the western boundary. Comprised of twenty-three townships, the county takes its name from the Potawatomi Indians, whose reservation encompassed a large portion of the county until 1867 when most of the land owned by the tribe was sold to the railroad.¹¹ Due in large part to its western border lying within the Manhattan city limits, the county has experienced growth in population each decade since 1970, reaching just under 24,000 in 2015.¹²

In 1857, Pottawatomie County was organized by the territorial legislature. According to Frank Blackmar's book, *Kansas: A Cyclopedia of State History*, Catholic missionaries were the first white settlers who moved into the area in the vicinity of the newly created Potawatomi Indian reservation in 1848.¹³ In 1853, the population had consisted of the Catholic missionaries, a few traders, five government employees, and approximately two dozen settlers.¹⁴ The county eventually became populated by many taking advantage of the opportunities of the Oregon Trail, Military Road and Pike's Peak Trail that passed northward through the area. The county seat originally was located at St. George, the first town in the county to be platted and moved to Louisville in the election of 1861. Louisville however lost the railroad to Wamego and efforts arose to move the county seat to Wamego. In a runoff election with Wamego, Westmoreland secured the county seat in 1882 and remains as such. Today Westmoreland is a community of approximately 800 centrally located in the county that encompasses 860 acres. Westmoreland is located 13 miles north of Wamego on Highway 99. The County Court System and Jail, the Westy Community Care Home and Assisted Living Facilities, and Unified School Districts are the town's

¹⁰Sally J. Schwenk. *Historic County Courthouses of Kansas* National Register of Historic Places Multiple Property Documentation Form (2002) F-1 to F-2.

¹¹ William G. Cutler. *History of the State of Kansas*. Chicago: A.T. Andreas Publishing Co., 1883. Kansas Collection Books accessed online at <http://www.kancoll.org/books/cutler/pottawatomie/pottawcr.htm>; transcribed by Rosana J. Whitenight, 1997 (no page #s).

¹² Pottawattamie County, Kansas Official Website, accessed on 15 August 2017 at <http://www.pottcounty.org/306/Demographics>.

¹³ Frank W. Blackmar. *Kansas: a cyclopedia of state history, embracing events, institutions, industries, counties, cities, towns, prominent persons, etc.* Vol. 2. Chicago: Chicago Standard Publishing Company, 1912, 490-492. Accessed online at http://www.ksgenweb.com/archives/1912/b/blackmar_frank_wilson.html; transcribed 2012 by Carolyn Ward.

¹⁴ Ibid.

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largest employers. Wamego remains the largest community in the county (4,200), followed by St. Marys (2,200), both located on U.S. Highway 24 in the southern portion of the county.

Westmoreland was established with a post office in 1858. The town was platted in 1871 by Volney Baker and had been named for Westmoreland, Pennsylvania, the original home of the first postmaster, John McKimens.¹⁵ In 1883, Westmoreland contained three general stores, four hotels, two churches, one physician, one lawyer, a carpenter shop, restaurant, livery stable and butcher shop.¹⁶ Even in its early years Westmoreland had aspirations for growth and was seen by many residents as a good location for the county seat. This notion was challenged by the fact that no roads existed, except for those used as part of the westward trails. Like many counties, the location of county seat was not without contention as Cutler explains in 1883:

There has been a good deal of friction over county-seat matters in Pottawatomie County, and a suit in 1882 is pending over the permanent location of the county seat of Westmoreland, growing out of an alleged fraudulent canvass of the votes that were cast at the election for county seat, on the 23rd of September, 1879, when Louisville, Wamego, Laclede and Westmoreland were the candidates, Wamego and Westmoreland standing as the two highest from the available returns. Westmoreland won the runoff with 1877 votes.¹⁷

The win was a surprise to many Pottawatomie County citizens. Blackmar's history notes that Westmoreland was a comparatively new town and "one of the smallest county seat towns in the eastern part of the state."¹⁸

The first county offices in Westmoreland were established in the Methodists and Congregational churches and a small hotel; the United States District Court convened at Westmoreland in October 1882.¹⁹ A small frame building was built on Main Street to house the county offices. County residents complained about Westmoreland's mud roads and walks and there were again rumblings about moving the county seat. It became clear to Westmoreland residents that if they wanted to retain the county seat, a substantial permanent building was required. The Westmoreland Citizens Building Association (WCBA) was formed to organize construction of a permanent courthouse.

The County Courthouse

On January 14, 1884, two years after winning the county seat, the county commission granted permission to construct a stone courthouse on a block of donated land in the Rachel Armer Addition.²⁰ The WCBA rallied and the funds (\$10,000) and labor were donated by the citizens of Pottawatomie County.²¹ The WCBA was tasked with designing the courthouse and the County Commissioners soon approved plans for a 60' x 70' two-story courthouse of stone to be quarried nearby in the county. Native limestone was brought to the building site by horse and wagon. The Masons played a significant role in the building of the courthouse, with the indicative projecting keystone over each arched opening symbolizing their involvement. Amos E. Landon, a Freemason and Onaga resident, laid the cornerstone on April 29, 1884.²² One month later the *Leavenworth Times* reported that "Westmoreland was straining every nerve to have the new courthouse finished in time to hold the October term of the court within its walls, and have the roof on and floors in by the 4th of July."²³ The WCBA succeeded. On August 30, 1884, the WCBA presented the new courthouse to the county commission although the interior was reportedly not yet complete. The following month, the County Commission ordered the county offices to move their offices, papers, books and records belonging to the County into the Courthouse.

Westmoreland served as the center of county business with no threat to its status as the county seat for the next seventy-plus years. Since its construction, the Courthouse has undergone at least five additions throughout the years in attempt to meet the needs of the county government and court systems but the building had apparently not been well maintained.

¹⁵ Kansas State Historical Society (1916). *Biennial Report of the Board of Directors of the Kansas State Historical Society*. Kansas State Printing Plant: Manhattan, KS, 262.

¹⁶ Cutler.

¹⁷ Ibid.

¹⁸ Blackmar, 902.

¹⁹ Cutler.

²⁰ Maurice Cordell. *Struggle for the County Seat*. Self-published, 2013, 52.

²¹ O.F. (Doc) Maskil. *The Early History of Pottawatomie County*. (Pamphlet, 1995) The original information was derived from W. F. Hill, "History of Pottawatomie County Kansas" *Westmoreland Recorder*, 1906-07.

²² Cordell, 52.

²³ Ibid.

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Reports of falling plaster and peeling paint brought the Courthouse building to the forefront of the county once again. In the mid 1960s an editorial in the Wamego newspaper suggested that a new courthouse was needed and that consideration should be given to building the new courthouse in Wamego. This 1960 endeavor is the first known attempt to demolish the existing Courthouse. After a prolonged battle that included a court case, the Board of Commissioners ultimately chose to spend money on repairs of the existing Courthouse.²⁴ Repairs and upgrades were made to the building in 1970 and the final addition to the Courthouse occurred in 1976. Many of the existing finishes date to the ca.1970s projects. Few improvements other than upgrades to the building systems (electrical and HVAC) have been made since that time except a new metal roof was installed in 2007.

County government has expanded in the past fifty years and county offices are now located in a variety of locations in Westmoreland. A new building was constructed near Highway 99 to house the Public Works Department and County Extension offices. In 1994 following a remodeling to accommodate the new use, County administrative offices moved to the Westmoreland Grade School located a block northwest of the Courthouse. Planning for a new Justice Center commenced in 2010 and consideration was given to demolishing the Courthouse at that time. Completed in 2012, the Justice Center is a large new one-story facility constructed immediately north of the Courthouse; it now houses all court offices and functions. The future of the Courthouse has been a contentious subject. It stands minimally used with only three services remaining in the building: the Emergency Preparedness Office, the Maintenance Office, and offices of the State Probation Officers who come in from Topeka two days a week. The building is in need of maintenance and some feel that it cannot effectively meet the long-term needs of the county; in 2017 a group of local citizens have organized to save the 1884 Courthouse.

The Old Jail

Multiple sources report a ca. 1910 or ca.1920 date for construction of the old one-story limestone jail extant west of the courthouse. The earliest known reference to a county jail dates to a building in Louisville prior to Westmoreland becoming the county seat – “The jail in Louisville had been a small 12x16 stone building unable to fill the county’s needs necessitating the use of neighboring Douglas County jail at a cost of \$226 per year.”²⁵ No mention was made to an early or temporary jail when the courthouse used temporary quarters after Westmoreland became the county seat in 1882. It is possible that the county continued to contract with Douglas County until a permanent jail could be built in Westmoreland. Historic accounts of the construction of the courthouse in Westmoreland do not mention a jail until an 1886 reference to a new walk being built from the courthouse to the jail.²⁶ A second reference in a 1909 newspaper article pertained to capital improvements at the courthouse and jail (clearly documenting that a jail was in place prior to 1910).²⁷ These articles suggest a ca.1886 date for the existing one-story jail building that remains west of the courthouse.

The existing limestone building served as the county jail until the early 1970s. A 1970 newspaper article documents expenses of courthouse improvements that included new wiring, lowering ceilings, tiled floors, and air conditioning. The article notes that a new jail is under construction.²⁸ This new jail was located northwest of the courthouse, north of the old jail building. The 1970 building served the county for just over forty years; it was demolished in 2012 for construction of the new Justice Center. The old one-story limestone jail was reportedly used for storage (after it ceased to be used for the jail ca.1970) but the building is now boarded and unused. The building retains excellent integrity although it is in need of maintenance. The roof is a seldom-seen example of a metal pan-tile roof. The jail is a contributing building on the courthouse site.

Historic and Architectural Significance

The historic significance of the Pottawatomie County Courthouse is based on its associations with the history and development of Kansas county courthouses documented in *Historic County Courthouses of Kansas*. The Pottawatomie County Courthouse is significant for its association with the first- and second-generation courthouses erected in the period between statehood and the First World War. Constructed in 1884 the Pottawatomie County Courthouse dates to the Late Settlement Period: 1880 – 1900. This was an optimistic time characterized by town building in the eastern half of the state

²⁴ Doc Maskil, History of the County Seat cited in “County citizens pay tribute to 100-year-old courthouse,” *Wamego Times*, 4 October 1984, 12. The original information derived from W. F. Hill, “History of Pottawatomie County Kansas.” *Westmoreland Recorder*, 1906-07.

²⁵ Blackmar. Vol. II, 902.

²⁶ *Westmoreland Recorder*, 20 May 1886.

²⁷ *Westmoreland Recorder*, 2 Sep 1909.

²⁸ *Westmoreland Recorder*, 9 Jul 1970.

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and the organization of twenty-five new counties in the western half of the state – the final settlements in Kansas. The Pottawatomie County Courthouse is the earliest of the ten extant courthouses built during this period and one of five that are not listed on the National Register of Historic Places. Completed in 1873, the Chase County Courthouse (listed in the National Register in 1971) is the state's oldest extant courthouse.

The Pottawatomie County Courthouse is also significant as one of the few remaining Kansas courthouses reflecting the Italianate style. The Courthouse is a rare representative of the Late Victorian Property Type in the Italianate sub-type. According to the MPS, Italianate and Second Empire styles characterized courthouses built in the Early Statehood Period: 1861 – 1880. The Late Settlement Period: 1880-1900 saw the emergence of the Richardson Romanesque style.²⁹ Constructed in 1884, the Pottawatomie Courthouse dates to this latter period but stylistically it references the earlier period.

An example of the Italianate style in its simplest restrained form, the Pottawatomie County Courthouse is a rectangular form with Italianate detailing. It is one of the only known courthouses not designed by an architect.³⁰ The Courthouse is less ornate than most courthouses designed during this time and did not incorporate common prominent features such as a clock tower. The masonry structure features a low-pitched hipped roof with wide eaves. Limestone detailing including corner quoins and tall narrow windows with pronounced arched window hoods are characteristic of the Italianate style.

The siting of the Pottawatomie Courthouse in the center of a landscaped block adjacent to the commercial district was one of the two common practices in locating courthouses in Kansas communities. *Historic County Courthouses of Kansas* notes that once voters established the location of the county seat, the choice of a site for the courthouse was typically part of a plan by local boosters to ensure that flow of traffic to the courthouse would pass through the commercial district.³¹ The Courthouse's location in Westmoreland reflects this strategy with the building located at the west end of the town's Main Street setback from the street in the center of a landscaped green space aptly named Courthouse Square.

With a simple rectangular footprint, the Pottawatomie Courthouse was laid out on the common late-nineteenth century plan with the first floor containing those offices most frequently used by the public – the County Clerk, Register of Deeds, County Treasurer, Probate Judge and County Superintendent. The upper floor housed the courtroom and the court and sheriff offices. While many courthouses of this period were built with a jail in the Courthouse near the sheriff's office and courtroom, a separate one-story jail was built beside the Pottawatomie County Courthouse shortly after the Courthouse was completed.³² The relatively small size of the Pottawatomie Courthouse and the simplicity of its design can likely be attributed to the fact that it was funded with \$10,000 in private contributions at no cost to the County and that it was designed by a citizen's group with no documented involvement by an architect. The builder, Manhattan contractor Hulsey and Moses likely influenced the design and detailing of the building. These factors contribute to the rarity of the Pottawatomie County Courthouse. The second-oldest extant courthouse in the state, the Pottawatomie County Courthouse is one of the few remaining Kansas Courthouses executed in the Italianate style and the earliest of the seventeen courthouses built during the state's Late Settlement Period: 1880-1900.³³

²⁹ Schwenk, E18-20.

³⁰ Ibid, E-36 to E-38.

³¹ Ibid, E-16.

³² Ibid, E-17.

³³ Ibid, E-20.

Pottawatomie County Courthouse
Name of Property

Pottawatomie County, KS
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9. Major Bibliographical References

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

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- Wortman, Julie A., and David Johnson. *Legacies: Kansas' Older County Courthouses*. Topeka: Kansas State Historical Society, 1981.
- Zabel, Michael J. *Go West More Land – The Early Years of Westmoreland, Kansas*, 2nd Edition. Self-published, 2015.

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): _____

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10. Geographical Data

Acreeage of Property 1.3

Provide latitude/longitude coordinates OR UTM coordinates.
(Place additional coordinates on a continuation page.)

Latitude/Longitude Coordinates

Datum if other than WGS84: _____
(enter coordinates to 6 decimal places)

1 39.393590 -96.415270
Latitude: Longitude:

Verbal Boundary Description (describe the boundaries of the property)

The south 240' of Block 42 known as the Courthouse Square in Rachel Armer Addition to the Town Site of Westmoreland

Boundary Justification (explain why the boundaries were selected)

The above description reflects a 240' x 240' parcel on which the Courthouse and jail are location. The original site spanned to Armer Street on the north which was vacated when the Justice Center was built in 2010. The north boundary of the nominated parcel falls between the courthouse and the new Justice Center. The parcel also includes the stone retailing wall, one additional building – the old Jail, and two memorial monuments.

11. Form Prepared By

name/title Brenda and Michelle Spencer with Dorothy Campbell
organization Spencer Preservation date 20 August 2017
street & number 10150 Onaga Road telephone 785-456-9857
city or town Wamego state KS zip code 66547
e-mail brenda@spencerpreservation.com

Property Owner: (complete this item at the request of the SHPO or FPO)

name Pottawatomie County Board of County Commissioners
street & number 207 N. 1st Street telephone 785-457-3314 (County Clerk)
city or town Westmoreland state KS zip 66549

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 100 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.

Pottawatomie County Courthouse

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Additional Documentation

Submit the following items with the completed form:

Photographs

Submit clear and descriptive photographs. The size of each digital image must be 1600x1200 pixels (minimum), at 300 ppi (pixels per inch) or larger. Key all photographs to a sketch map or aerial map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photograph Log

Name of Property: Pottawatomie County Courthouse

City or Vicinity: Westmoreland

County: Pottawatomie State: Kansas

Photographer: Brenda Spencer

Date

Photographed: 17 August 2017

Description of Photograph(s) and number, include description of view indicating direction of camera:

<u>Photo #</u>	<u>Camera Direction</u>	<u>Description</u>
#1 of 24	NW	View of Courthouse Square from SE on Main Street with Memorial at SE corner and limestone retaining wall on south and east borders
#2 of 24	NW	Retaining wall at south site border looking toward primary building entry from Main Street
#3 of 24	N	View of Courthouse Square from SW corner on Main Street
#4 of 24	SE	Looking E on 1 st Street west of Courthouse with rear of old Jail in foreground
#5 of 24	W	Looking W on 2 nd Street east of Courthouse with new Justice Center on North (R)
#6 of 24	N	Memorials and flagpole at SE corner of Courthouse Square
#7 of 24	NW	View of Courthouse from memorial plaza at SE corner of square
#8 of 24	NE	View of Old Jail and Courthouse from lawn SW of Courthouse
#9 of 24	NW	Old Jail located west of Courthouse
#10 of 24	NE	Courthouse from lawn SW of building
#11 of 24	N	Main Courthouse entrance through entry bay (1928 addition) in center of S facade
#12 of 24	SE	North and west facades from 1 st Street NW of building
#13 of 24	SW	Detail of limestone detail on N facade of original Courthouse building
#14 of 24	S	Looking S in central corridor of first floor with open stair on left
#15 of 24	E	Extant vault on E side of 1 st floor – located in 1897 addition
#16 of 24	SW	Extant vault of W side of 1 st floor – located in 1929 addition
#17 of 24	E	Looking E inside vault on W side of 1 st floor (1929 addition)
#18 of 24	N	Detail of turned wood balusters at open wood stair at N end of first floor
#19 of 24	NE	Original built-in features in place at E end of courtroom, 2 nd floor
#20 of 24	NW	Original wood pews and wood floor at gallery on W side of courtroom, 2 nd floor
#21 of 24	W	Vault off W side of courtroom (2 nd floor added at unknown date to one-story 1929 addition)
#22 of 24	N	Detail of plaster wall with beadboard wainscoting and wood trim, wood window with paneled jamb, and cast-iron radiator along W wall of courtroom
#23 of 24	E	Paneled wood jamb and operable transom extant at original door opening to office off courtroom, 2 nd floor
#24 of 24	S	View of ornate pressed-metal cornice extant above suspended ceiling in 2 nd Floor courtroom

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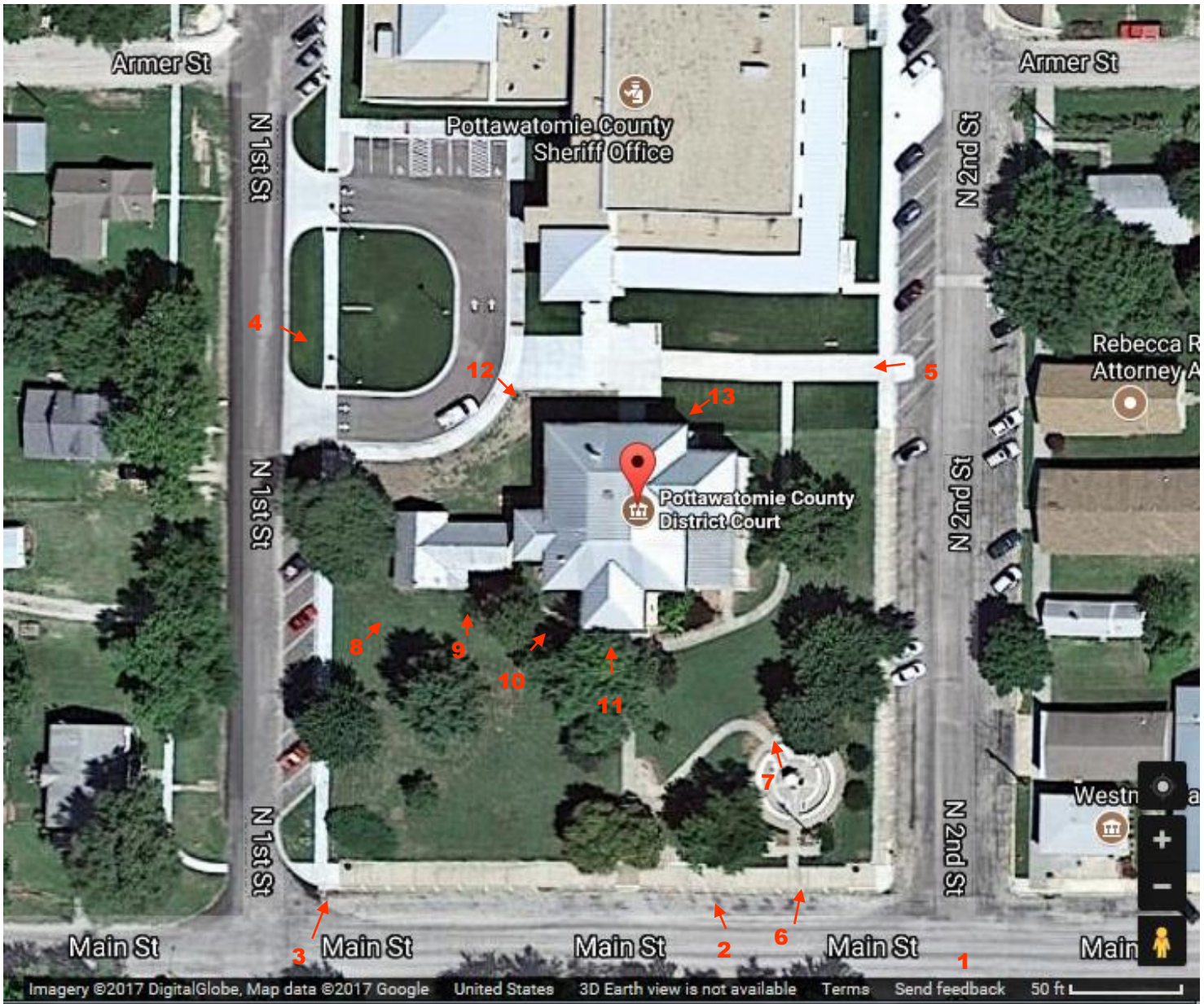
Pottawatomie County, KS
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Figures

Include GIS maps, figures, scanned images below.

PHOTO KEY – Exterior

2017 Google Satellite View used as base plan



SITE

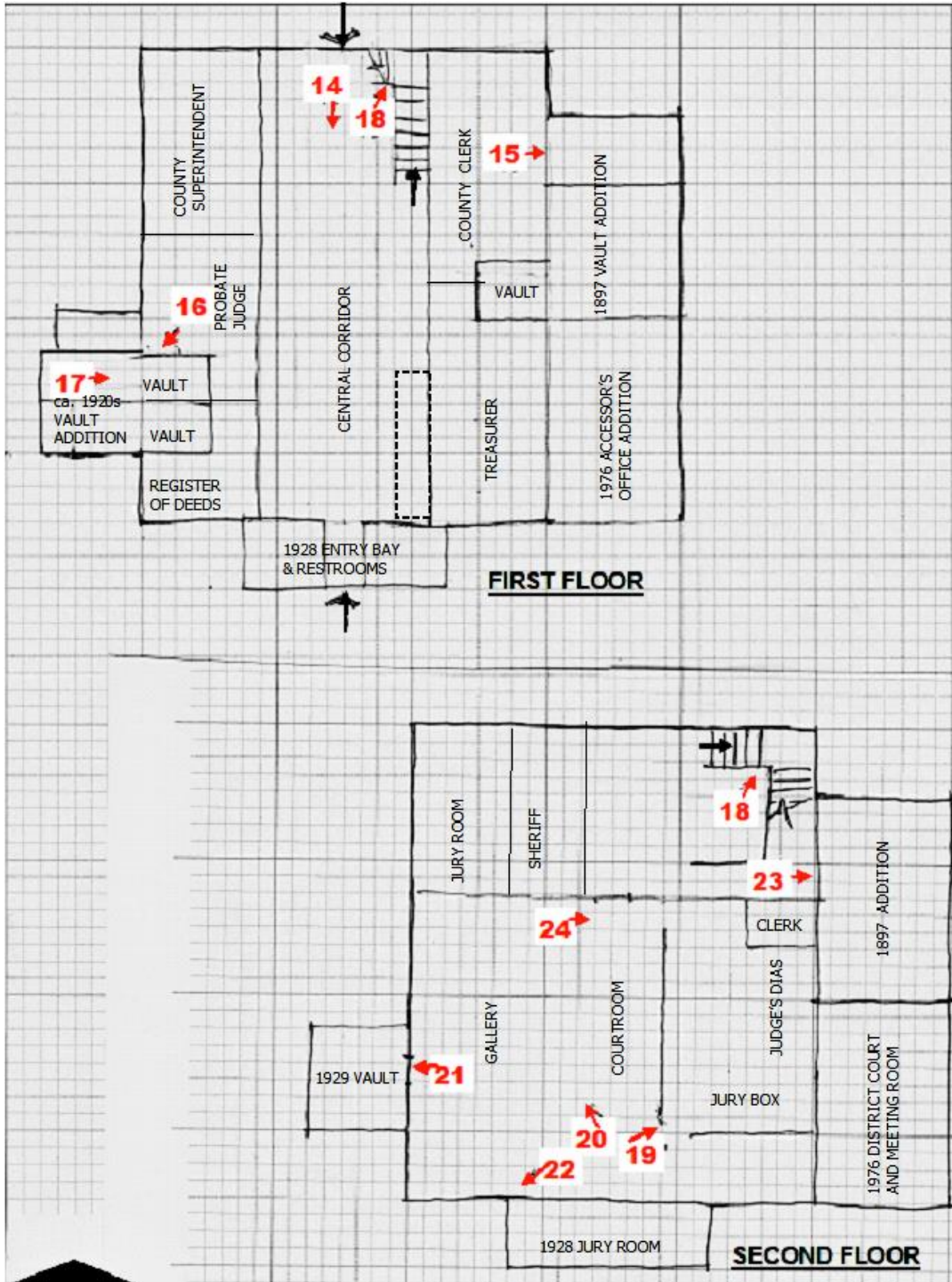
POTTAWATOMIE COUNTY COURTHOUSE

106 Main Street, Westmoreland, Kansas
Aerial Photo downloaded at Google.com 2017

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PHOTO KEY – Interior



POTTAWATOMIE COUNTY COURTHOUSE
106 Main Street, Westmoreland, Kansas
Sketch Plan Not To Scale

Pottawatomie County Courthouse
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PHOTOGRAPHS

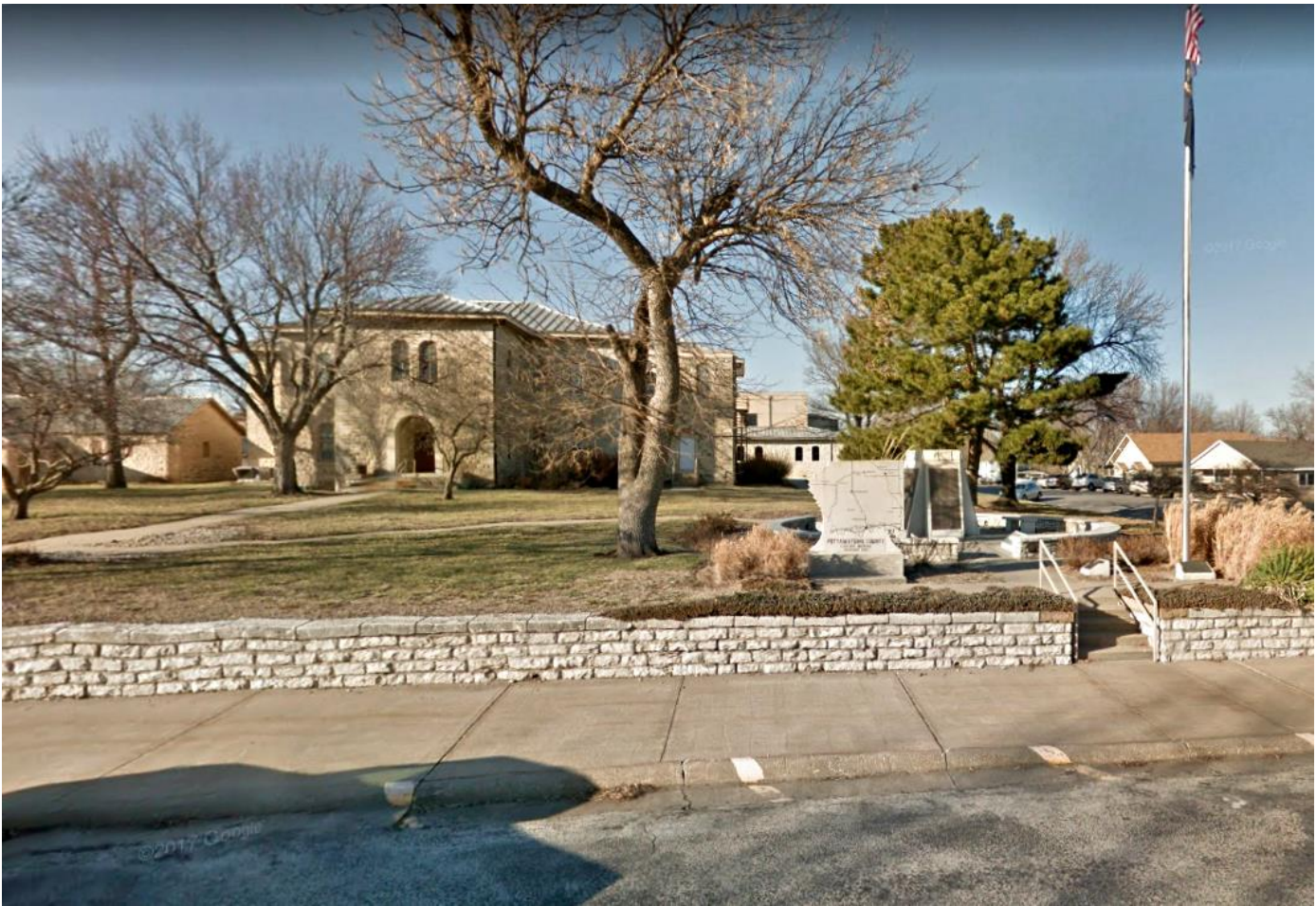


Figure 1 – “Current” View of Courthouse from Google Street view, downloaded 18 August 2017. Photo provides winter view of building without leaves on trees.

MAPS

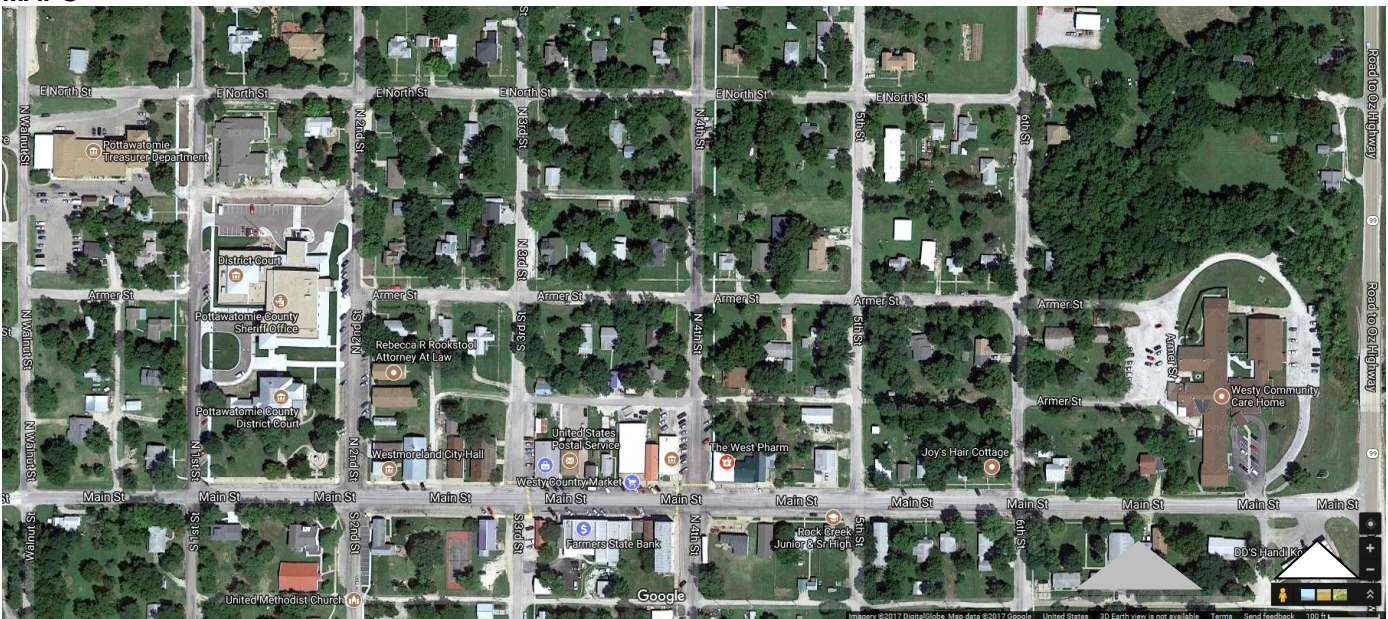


Figure 2 - Aerial View of Context - Town of Westmoreland, County Seat of Pottawatomie County.
Downloaded at Google Earth 2017

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Figure 3 – Boundary Map of Site - downloaded at Pottawatomie County GIS website 18 August 2017
Purple border indicates approximate boundary of nominated parcel – 240' x 240' totally 1.3 acres
106 Main Street, Westmoreland, Pottawatomie County, Kansas; Lat/Long: 39.393590 -96.415270 Datum WGS84

Pottawatomie County Courthouse
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HISTORIC VIEWS

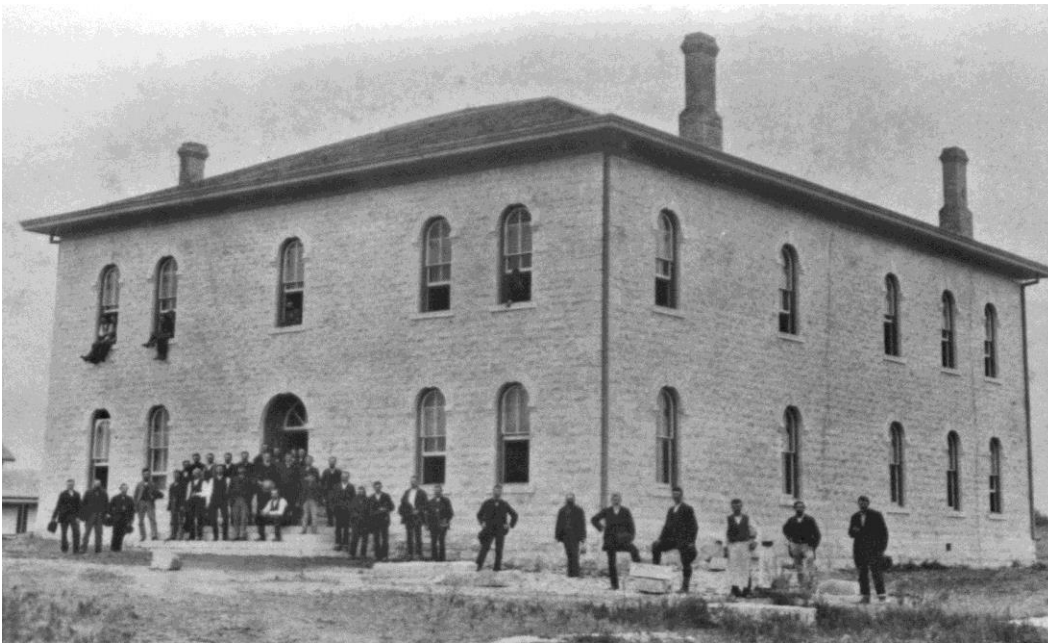


Figure 4 – Undated Early View of Courthouse with County Employees from SE, ca. 1884 – 1897 prior to first addition (taken from photograph hanging on wall in courthouse)



Figure 5 – Photo taken at the 100 year anniversary shows the courthouse with employees in a similar pose as the 1884 photo above. All names of the 1984 employees and positions held in the courthouse have been recorded. (Photo above taken from photograph hanging on wall in courthouse)

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Figure 6 – Postcard View of Courthouse from SE, dating to period after 1897 addition at NE corner and before 1928 addition on front of building (Provided by Ruby Zabel)



Figure 7 – ca.1930s Postcard View of Courthouse from SE, after 1928 front addition. Note one-story jail west of courthouse. (Provided by Ruby Zabel)