

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY -- NOMINATION FORM**

FOR FEDERAL PROPERTIES

FOR NPS USE ONLY	
RECEIVED	OCT 16 1979
DATE ENTERED	NOV 15 1979

SEE INSTRUCTIONS IN HOW TO COMPLETE NATIONAL REGISTER FORMS  
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

**1 NAME**

HISTORIC  
U. S. Post Office

AND/OR COMMON

Federal Building U.S. Court House

**2 LOCATION**

STREET & NUMBER

400 N. Main Street

CITY, TOWN

Butte

— VICINITY OF

— NOT FOR PUBLICATION

CONGRESSIONAL DISTRICT

01

STATE

Montana

CODE

30

COUNTY

Silver Bow

CODE

093

**3 CLASSIFICATION**

CATEGORY	OWNERSHIP	STATUS	PRESENT USE
<input type="checkbox"/> DISTRICT	<input checked="" type="checkbox"/> PUBLIC	<input checked="" type="checkbox"/> OCCUPIED	<input type="checkbox"/> AGRICULTURE
<input checked="" type="checkbox"/> BUILDING(S)	<input type="checkbox"/> PRIVATE	<input type="checkbox"/> UNOCCUPIED	<input type="checkbox"/> MUSEUM
<input type="checkbox"/> STRUCTURE	<input type="checkbox"/> BOTH	<input type="checkbox"/> WORK IN PROGRESS	<input type="checkbox"/> COMMERCIAL
<input type="checkbox"/> SITE	<b>PUBLIC ACQUISITION</b>	<input type="checkbox"/> ACCESSIBLE	<input type="checkbox"/> EDUCATIONAL
<input type="checkbox"/> OBJECT	<input type="checkbox"/> IN PROCESS	<input checked="" type="checkbox"/> YES: RESTRICTED (portions)	<input type="checkbox"/> ENTERTAINMENT
	<input type="checkbox"/> BEING CONSIDERED	<input type="checkbox"/> YES: UNRESTRICTED	<input checked="" type="checkbox"/> GOVERNMENT
		<input type="checkbox"/> NO	<input type="checkbox"/> RELIGIOUS
			<input type="checkbox"/> SCIENTIFIC
			<input type="checkbox"/> TRANSPORTATION
			<input type="checkbox"/> OTHER:

**4 AGENCY**

REGIONAL HEADQUARTERS: (If applicable)

General Services Administration

STREET & NUMBER

Denver Federal Center

Building 41

CITY, TOWN

Denver

— VICINITY OF

Colorado 80225

STATE

**5 LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE,  
REGISTRY OF DEEDS, ETC.

Register of Deeds

STREET & NUMBER

Federal Building U.S. Court House

CITY, TOWN

Butte

STATE

Montana

**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE

None

DATE

— FEDERAL — STATE — COUNTY — LOCAL

DEPOSITORY FOR  
SURVEY RECORDS

CITY, TOWN

STATE

## 7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input checked="" type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input checked="" type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED      DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

### SITE

The Federal Building U.S. Courthouse is located within the Butte Historic District which was placed on the National Register of Historic Places on October 15, 1966. Situated in an area which was once in the core of Butte business activity, the setting for this building is now transitional due to change of commercial growth patterns and is in close proximity to mining activity.

The Berkeley open pit copper mine begins just two blocks from the building although an early drawing indicates the presence of a 162' deep tunnel measuring 8' wide and 7' high which diagonally transverses under the original building. This tunnel has not been used extensively since approximately 1910. Another drawing reveals that the Little Gold Hill mine shaft and two mining dumps existed in the south and southeast sections of the site prior to the building's construction. Within a 5' radius, the shaft has been identified as existing 20' north of the north side of the sidewalk on Copper Street and 155' east of the principal facade.

Bounded on the west by Main Street which is the central business area fringe boundary, the principal facade faces mixed commercial and residential property. A Victorian building built prior to 1900, once known as Murray's Bank, remains on the corner across from the Federal Building on Main Street.

To the south is East Copper Street across which is currently a parking lot and the north and east (rear) facades are bounded by private property.

Crushed rock landscaping is limited to a small area extending just north of the main entrance steps and around the north side. Remaining site property is covered by extended sidewalks on the south and west sides and parking lots on the north and east sides.

### ORIGINAL BUILDING DIMENSIONS

Originally a U-shaped, three storey building, the overall dimensions were 121' 8" X 82' over a 2' 7" wide foundation. The rear facade dimensions at the basement and first storey elevations were 120' wide but a 33' wide center recessment left the north and south sides 82' long and 33' 3" wide on the second, third, and attic storeys.

Vertical dimensions include a 12' 3" basement, 18' 1" first storey, 15' 9" second storey, 11' 6" third storey, 8' 11 1/4" attic storey, and a 4' 6" balustrade.

### FLOOR SPACE

There are 41,525 square feet assignable by the General Services Administration.

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OPENINGS

Principal facade fenestration is symmetrically arranged, undisturbed by the building's addition while the side facade fenestration appears distorted because of materials design contrasting the original and the addition. See attached chart for sequence by storey and number of openings.

ROOF STYLE

The roof is flat and is composition over concrete. The light court roof is composition and is flat in the center area with sawtooth ends containing skylights.

ADDITIONS

Completed in 1933, a major addition nearly doubled the building's size. Measuring 121' 8" X 157' 7 1/2" overall, the northeast corner is indented 29' 4" X 30' 11".

The 1933 addition created a 61' 2 1/2" X 53' 6" light court which is bounded at the roof elevation by a parapeted balustrade with the same design as the exterior perimeter balustrade.

New lamp standards were installed in the granite cheeking at the main entrance with the addition replacing the cluster bulbs on the engaged pedestals flanking the entrance. One other feature, a 11' 8" X 79' 2 1/2" loading platform with an 18' wide marquee, was added abutting the rear facade.

Drawings dated 11-30-1964 indicate several alterations which have been completed including the changing of the flagpole from the roof to the sidewalk, conversion of two front entry doors into windows, replacement of the main entry doors, and removal of the marquee over the loading platform. Also indicated is a 5' X 7' concrete block building housing an emergency generator and a 7' X 7' concrete transformer pad located in the northeast indentation area next to the main building.

RELATIONSHIP TO ORIGINAL

The main entrance has been altered from its original three door entry and reduced to one entry with companion doors which have been converted to windows. Bay configuration has remained undisturbed. Engaged pedestals flanking the center doors originally served as supports for cluster bulb lamps, but now are devoid of the lamps and solely suggest entrance ornamentation. Round gray metal government

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seal emblems presently cover the exposed wiring junction. Lighting for the principal facade is now accomplished by two metal lamp standards affixed to entrance cheeking.

Originally, a flagpole extended from the cartouche on the principal facade's balustrade. Presently, the flagpole is placed in the extended sidewalk at the northwest corner of the building.

The 1933 addition continued the side facade massing evidenced in the original but disruption of the materials design created a visually discordant effect. Prolific use of rusticated terra cotta contrasting to brick in the original abruptly ceased as the addition manifested plain brick set off mainly by the flat arches.

Scale of side facade window openings remained compatible, but window divisions changed to two over two with surmounting hinged transoms on the first and second storeys, and two over two sash with no transoms on the third storey.

Uniformity did occur with continuance of the flat arches with beveled keystones and the entablature on the 1933 addition retained its overall identification, but the modillions were elided.

With the enclosure of the north and south sides by the 1933 addition, the rear facade continued the scale of the building; however, contrasting textures and the facade's partial indention created a new identity vaguely compatible to the whole. The enclosure also created a light court surrounding the second, third, and attic storeys.

While the original rear facade revealed the upper two storeys of the north and south sides, the vertical movement ceased abruptly above the first storey leaving a U-shaped recessment. This recessment and the historic fabric of the rear facade were destroyed with the 1933 addition. In its place a flush brick exterior was erected to the beltcourse and then from the beltcourse to the entablature. Window treatment was altered also with the elidation of the flat arches and keystones above each opening.

Covering the width of the addition's rear facade, a marquee hung over the loading platform from five rods anchored to the building above the first storey. The bolts remain but the marquee was removed approximately 15 years ago. Removal of the marquee required replacement brick which presents a color differentiation from the brick above.

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Two of the entrances on the rear facade were enclosed by brick to form vertically and horizontally aligned window openings and presently only the center door opens to the loading platform.

Originally, a 4' X 34' 3" loading platform and marquee abutted the northeast corner along with a curved concrete retaining wall as the property's northern and eastern boundaries. These structures were destroyed as a result of the 1933 addition.

Portions of the interior have been altered to accomodate necessary functional changes when the post office vacated to a new location in 1965. Primarily, these alterations were made on the first storey and involved partitioning the lobby area.

The second and third storeys remain much as they were constructed. Original woodwork, marble baseboards, and tall wooden doors with obscured glass panels surmounted by transoms typify elements in these zones.

The ornate stairway surrounding the elevator in the south facade also remains as it was but the wire caged elevator has been altered.

Except for carpeting installed over the original hardwood floors, the courtroom encompassing the second and third storeys is virtually untouched by renovation.

MATERIALS

Skeletal steel comprises the building's framework which is based on a concrete foundation and spread footings. Concrete is also used on the basement floors, extended sidewalks, parking areas, loading platform, and on the roof where it is covered with a composition treatment.

Coursed cut granite is evident on the main entrance steps and on the basement elevation exteriors, except for the rear facade. Above the granite, terra cotta is used extensively beginning with the rusticated banding girding the first storey elevation on all but the rear facades and then is continued on the beltcourse which encircles the entire building. It can also be seen on the flat arched window treatments, sills, and on the quoins and rustication on the second and third storeys. The entablature and parapeted balustrade are of terra cotta as well.

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Flat red brick laid in the Flemish bond style is noted between quoin treatments and is more prevalent on the addition and rear facade.

Polished white Vermont marble is visible in the interior on corridor baseboards, floor borders, wainscoting, and on pilasters in the courtroom. Rose colored marble is used on the stair treads of the ornate stairway.

Terrazo floors set off by marble boards remain evident in some corridors but most of the flooring has been covered by carpeting and linoleum.

The tall, large, courtroom doors are solid oak as is the handcarved judge's bench; however, the spectator bench seating is made of mahogany. Oak woodwork and chair railing remains on the second and third storeys. The only parquet oak flooring still evident is in the second storey law clerk office adjoining the retired judge's chambers.

Polished plate glass is used in exterior windows and transoms. Obscured glass panels are to be found in interior wooden doors on the second and third storeys. Many of these panels bear gold leaf lettering for room identification.

Plaster walls are seen throughout with soft plaster evidenced in the courtroom walls.

FACADE ANALYSIS

Announced by a winged, 3-bay center projection, the principal facade of the late Victorian interpretation of the Italian Renaissance style is characterized by its concentrated massing and contrasting textures at successive elevations.

Adapting to the sloping terrain, the basement elevation rises from a fully exposed granite foundation at the southwest corner to a 4' 6" exposure at the northwest corner. Accordingly, the granite entrance steps which graduate in depth are separated in three sections by metal handrails and are cheeked by solid railings. Flanked by engaged pedestals, the main entrance provides an understatement to the other elements in this facade. The recessed doorway and projection window openings are shelved, extend to a transom, and are surmounted by flat arches with radiating voussoirs and beveled keystones.

Texture contrasts occur at the window sill line of the first storey where the granite transom elevation ceases and a coursed cut rusticated stone banding begins, continuing to the projected terra cotta beltcourse introducing the second storey.

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Fenestration in the seven-bay principal facade is vertical in its alignment and horizontally the alignment is interrupted by the tall, arcaded windows spanning the second and third storeys of the pavilion. These windows rise from spandrels, the center of which contains a spread-winged eagle relief and they embody fixed panes separated by mullion. Radiating rustication converging to a beveled keystone surround these windows and provide intense visual distinction to this zone. Window openings on the sides of the pavilion are also set off by rustication but the distinction is vertical and camouflages height differences.

The second storey windows are square double-sash with slip sills and are hinge-transomed while those of the third storey are square double-sash with lug sills. Flat arches with radiating voussoirs and beveled keystones surmount these windows repeating the first storey patterns.

Above the second storey windows in the original section are rusticated stone panels and are followed in the addition at the same elevation by panels of recessed brick.

A well-defined entablature surmounts the third storey and consists of an architrave, plain frieze, and cornice including dentils and modillions. Behind this zone is an attic storey concealed from exterior view.

Once again texture contrasts occur as the entablature rises to a balustraded parapet which adds a cohesive element and offsets visual contrasts below. Centered over the entablature is an elaborate cartouche, providing the most distinguishing ornamentation found on the building.

Counterpart to the perimeter balustrade is a repeating balustrade identifying the parameters of the light court which extends from the second storey to the roof.

The 10 bay south facade presents a noticeable distinction as a result of the 1933 addition. Repeating the center pavilion theme of the principal facade, the original section is flanked by side windows. Rhythm is also retained in the fully exposed basement and the first storey elevations but does not continue as a result of discontinuance of the same material design above the beltcourse surmounting the first storey. Actually, the distortion is primarily visual since the scale, proportion, and extension of the horizontal movements are executed in alignment.

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Highlights of the south facade are two vertically aligned window elements including a recessed segmental arch over a rusticated panel in the basement elevation and a tall, semi-circular arched window spanning the second and third storeys. These highlights are located in the original section center pavilion.

Also punctuating the fenestration is a narrow rectangular toilet window in the basement elevation preceding the first window opening of the addition.

Remaining window openings in the south facade contain double sash with hinged transoms in the original while the addition windows are double hung, double sash, and have double hinged transoms.

Windows in the basement elevation are covered by wrought iron grillework and this treatment extends to all facades at this elevation.

A rhythmic eight bay fenestration continuing the main theme characterizes the north facade. Again, the projection is evident in its original section, but without semi-circular arched center window as in the south facade. North facade window types also continue the same theme and there are no entrances on this facade. Two narrow rectangular toilet windows like the one appearing on the south facade appear; one interrupting the first storey between the second and third window and the other on the second storey between the first and second windows.

The eight bay rear facade with vertical and horizontal alignment in its fenestration presents a smooth brick wall finish from the basement elevation to the entablature, offset only by the beltcourse above the first storey. Coursed cut granite, rusticated terra cotta banding and quoins which extend the full height of the building terminate at both corners providing a degree of ornamentation and contrast.

The rear indention in the northeast corner features three bays each with the two outer sets of window openings aligned with other facades while the inner bays contain smaller windows not in horizontal alignment. A basement entrance is located on the north face.

INTERIOR

Beginning at the basement elevation, a rounded stairway with rose marble treading is set off by marble wainscoting and semicircular marble benching opposite the elevator. The stairway extends to the third storey level.



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Access to the attic storey is by a steep, narrow stairway at the rear of the third storey.

COURTROOM INTERIOR

The most significant interior area of the building is the courtroom which spans the second and third storeys. Principal features of the physically imposing 30' 11" X 55' courtroom have remained undisturbed for 75 years including the heavy velvet curtains on the tall, semicircular arched windows.

Vertically, the room can be separated into zones beginning with marble wainscoting in the lower zone which extends from the baseboards to the window sill line. Engaged pilasters extend from the floor to the cornice and frame the tall windows and tall oak side doors. The two double-panel side doors are surmounted by three-pane fixed transoms separated by mullion and the two entries support full triangular pedimented oak entablatures.

In the courtroom ceiling, recessed floodlights have been installed to supplement the original lighting. This action has been sympathetic and functional so as not to add protruding fixtures to the historic fabric.

Less pronounced are the two wooden rear doors surmounted by fixed transoms and a similar door behind the bench which exits to the judge's chambers. A mahogany balustrade and gate separate the court area from the spectator seating which is accomplished by four rows of mahogany benching.

Wall finish is plain to the cornice level in the upper zone; however, the barrel vaulted ceiling displays bands of decorative plaster insets between which are decorative rolled plaster mouldings rising from the cornice and arching to keystones halfway to the center of the ceiling.

The only copper evident on the property is on the sawtooth ends of the light court roof although a copper deck existed on the marquee over the loading platform. Other metals present include metal railings, wrought iron grillework in the main entrance cheeking and basement elevation windows. Building identification lettering is made of cast polished aluminum with an alumilite finish.

BUTTE, MONTANA

FEDERAL BUILDING U.S. COURTHOUSE  
WINDOW OPENINGS AND ENTRANCES

FACADE	STOREY	WINDOW OPENINGS		ENTRANCES	
		ORIGINAL	PRESENT	ORIGINAL	PRESENT
Principal (Main St.)	Basement	2	Same	-	-
	First	4	6	3	1
	Second	5	Same	-	-
	Third	5	Same	-	-
Copper Street (South)	Basement	3	7*	2	2
	First	5	10	-	-
	Second	5	10	-	-
	Third	5	10	-	-
North	Basement	-	-	-	-
	First	5*	8*	-	-
	Second	5*	8*	-	-
	Third	5	8	-	-
Rear	Basement	6	7	3	1
	First	7	8	-	-
	Second	7	8	-	-
	Third	7	8	-	-
	Attic	3	See Light Court	-	-
Indention-N.Face	Basement	**	2	**	-
	First		3		-
	Second		3		-
	Third		3		-
Indention-W.Face	Basement		3		-
	First		3		-
	Second		3		-
	Third		3		-

Light Court - No entrances.

Four window openings each on n. and s. sides, second, and third storeys  
 Three " " " " e. " w. " " " " , plus  
 attic

\*Plus one narrow toilet window

\*\* Not on original building



# 8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input type="checkbox"/> ARCHITECTURE	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input checked="" type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1904-Completion of original BUILDER/ARCHITECT Original-James Knox Taylor  
 1933- " " addition Addition-James Wetmore

## STATEMENT OF SIGNIFICANCE

### SIGNIFICANCE

Reflecting associated economic aspects of the copper industry, Butte, Montana has experienced a rugged history characteristically representative of the early mining towns of the west. Integral to this legacy, the Federal Building U.S. Courthouse has been significantly involved in the lives of Butte citizens for nearly 75 years.

Primarily designed to house the U.S. Post Office, the building served that purpose for over 60 years until the Post Office moved to a new location. Beginning with Postmaster George W. Irvin, nine postmasters headed postal operations from this building. Postmaster Irvin was appointed March 1, 1898 following a distinguished career which had included being a frontiersman (with John Bozeman for whom the Bozeman Trail was named), miner, cowboy, sheriff, first Postmaster at Deer Lodge, Montana, and State Commissioner of Mineral Lands. In the latter position, Postmaster Irvin successfully challenged the Northern Pacific Railway and spearheaded efforts to reclaim 17,000,000 acres of mineral lands for the U.S. Born February 22, 1844 in Chicago, Illinois, he served as Butte Postmaster until 1907. <sup>1</sup>

Another original function of this building continues in a setting which has been described by its presiding Judge, W. D. Murray, as the "most beautiful courtroom in Montana." <sup>2</sup> This courtroom was the site of thousands of naturalization actions which impacted greatly on the cultural composition of the Butte area. Local historian, J.H. Ostberg, in his "Sketches of Old Butte", recounted the contributions of the many ethnic groups and described Butte as "truly a melting pot" of nationalities. <sup>3</sup> Predominantly Irish, the immigration movement to Butte reached its peak about 1910.

A dramatic incident occurred in this courtroom on May 21, 1924 when convicted bootlegger, John O'Leary, arrived for sentencing. Within 10 minutes of his arrival, O'Leary began shooting wildly about the crowded courtroom and finally inflicted the last bullet upon himself. Miraculously he lived and no one else was hit although visual evidence remains of this incident. One bullet hit the bench narrowly missing Judge C. N. Pray and evidence of another bullet can be seen in the upper portion of the side rear courtroom door. <sup>4</sup> O'Leary was later tried on the shooting case and was acquitted much to the dismay of Judge C. M. Bourquin who criticized the jury's action as an "abominal act". <sup>5</sup>

**9 MAJOR BIBLIOGRAPHICAL REFERENCES**

1. Consultation with Mr. Nelson Jones, Anaconda Division, Atlantic-Richfield Corp., Butte, Montana, June 20, 1979.
2. "Encroachment by the Anaconda Copper Co.", U.S. Treasury Dept. Drawing No. X4, February 18, 1926.
3. Microfilmed original drawings and construction photographs, General Services Administration, PBS - Operational Planning, Denver Federal Center, Denver, CO.

(Cont'd)

**10 GEOGRAPHICAL DATA**

**UTM NOT VERIFIED**

ACREAGE OF NOMINATED PROPERTY less than 1 acre

UTM REFERENCES

A	12	380900	5096600	B			
	ZONE	EASTING	NORTHING		ZONE	EASTING	NORTHING
C				D			

**VERBAL BOUNDARY DESCRIPTION**

1. Lot size is 165' X 235' overall less a 36' X 70' indention in the northeast corner.
2. Bounded on the west by Main Street, to the south by Copper Street and to the east and north by private property.
3. The legal description for the property is as stated on an attached sheet.

**LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES**

STATE	CODE	COUNTY	CODE
-------	------	--------	------

STATE	CODE	COUNTY	CODE
-------	------	--------	------

**11 FORM PREPARED BY**

NAME / TITLE

Mary J. Kardoes, Planning Assistant, Operational Planning Staff, PBS

ORGANIZATION

DATE

General Services Administration

STREET & NUMBER

TELEPHONE

Denver Federal Center, Building 41

234-4357

CITY OR TOWN

STATE

Denver

Colorado

**12 CERTIFICATION OF NOMINATION**

STATE HISTORIC PRESERVATION OFFICER RECOMMENDATION

YES

NO

NONE

*Eddie Lee Vernon for Ken Korte*  
STATE HISTORIC PRESERVATION OFFICER SIGNATURE

In compliance with Executive Order 11593, I hereby nominate this property to the National Register, certifying that the State Historic Preservation Officer has been allowed 90 days in which to present the nomination to the State Review Board and to evaluate its significance. The evaluated level of significance is  National  State  Local.

FEDERAL REPRESENTATIVE SIGNATURE *Michael J. Mulloy*

TITLE *Chief Historic Preservation Staff, GSA*

DATE *10.5.79*

**FOR NPS USE ONLY**

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

*Carol O'Shall*

DATE *11-15-79*

DIRECTOR, OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION

KEEPER OF THE NATIONAL REGISTER

ATTEST: *Kristin O'Connell*

DATE *11/13/79*

KEEPER OF THE NATIONAL REGISTER

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The first judge to preside in this courtroom was William H. Hunt who was born November 5, 1857 and died February 4, 1949. Judge Hunt was the first judge of the 1st Judicial District of Montana. Later, Judge Hunt was appointed by President McKinley to serve as Governor of Puerto Rico in 1904. Following the governorship, he was appointed U.S. Circuit Judge for the 9th Circuit Court on January 31, 1911 by President Theodore Roosevelt and also served on the U.S. Commerce Court from 1911 - 1913. <sup>6</sup>

Hundreds of prohibition cases were heard in this courtroom, many before Judge C. M. Bourquin who served for nearly 22 years. Born June 24, 1863 in Tidionte, Pennsylvania, Judge Bourquin was described as "one of the nation's most colorful judges, austere and caustic tongued, a terror to liquor defendents in dry days", and was noted for his impatience with petty cases. His motto was, "This court may be in error, but never is in doubt." <sup>7</sup> Appointed by President Taft in 1912, Judge Bourquin was often called to other parts of the U.S. when dockets needed rapid clearing. Further testament to his character was his refusal to send women to jail until "all the men are there." <sup>8</sup>

Judge C. N. Pray, target of the shooting incident mentioned earlier, also served the court with distinction following his appointment by President Coolidge in 1924. Judge Pray was known primarily as one of the men most responsible for the creation of Glacier National Park. <sup>9</sup>

The present Judge, W. D. Murray, has presided over this court for over 30 years despite his official retirement in 1965. Born November 20, 1908 in Butte to U.S. Senator and Mrs. James Murray, the Judge has been highly regarded as a "jurist of sterling qualities." <sup>10</sup> Judge Murray developed and presented a historic compromise for reapportionment of Butte's election wards and was instrumental in state legislative reapportionment. Appointed by President Truman as a District Judge in 1949, Judge Murray was one of the youngest ever to receive this distinction. <sup>11</sup>

Colorful personalities and events were a natural outgrowth following the building's dedication on December 8, 1904 when a gala reception featuring an orchestra was well attended by many Butte citizens. <sup>12</sup>

The building's site was not a popular choice, but the government had insisted upon a clear title. Of the 17 sites considered, this was the only one providing that

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distinction. Deriving from patent #610 dated September 26, 1877, granted by Probate Judge Orville B. O'Bannon, this parcel was included in the original townsite patent. Subsequently, this title transferred by deed from John H. Leyson to the United States of America for \$1.00 on September 27, 1899.

Design for the original building was created by James Knox Taylor, Supervisory Architect for the U.S. Treasury Department, and noted for designing U.S. Post Offices during the period 1897 - 1912.

Built at a cost of \$300,000, the cornerstone was laid in May 1903 and Shackleton and Whiteway was the contracting firm. The construction engineer, Colonel Jordan, was held in high esteem by Butte citizenry who expressed sorrow at his departure following the building's completion.<sup>11</sup>

Additional land was purchased on April 9, 1909 at a cost of \$2,800.00 from the Washoe Copper Company. This parcel originally derived from Patent #9995 which was issued March 3, 1885 by President Chester Arthur to Charles S. Warren, Davin N. Upton, and John F. Potting. Acquisition of this site provided the land necessary for an addition completed in August 1933 which essentially doubled the size of the original building. Added at a cost of \$255,000, the addition was designed by James A. Wetmore, Supervising Architect of the U.S. Treasury Department. Mr. M. Leland Kingsley served as Construction Engineer for the project which had as its main contractor, the A. M. Lundberg Co. of St. Louis, Missouri.

During the period February 1932 through August 1933, the building was completely vacated while the addition was being erected. Postal operations were continued through this time at the Hennessey Building, two blocks south of the site.<sup>14</sup>

Until relocated in front of the Montana College of Science and Technology in Butte, a statue of Copper King Marcus Daly by the noted sculptor Augustus Saint-Gaudens stood for many years in the middle of the intersection of Main and Copper Streets across from the southwest corner of the building. Together with the Federal Building U.S. Courthouse, these landmarks have provided Butte with constant visual reminders of a colorful heritage and ongoing serviceability.

1. Progressive Men of the State of Montana, A. W. Bowen and Co., Chicago, Illinois, n.d., p. 235.

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2. Interview with Judge W. D. Murray, June 21, 1979.
3. J. H. Ostberg, Sketches of Old Butte, 1972, n.p. Butte, Montana, p. 81.
4. "Bullets Fly in Federal Court", Butte Daily Post, May 21, 1924, p. 1.
5. "Top Jurists Recognize Judge Pray's Abilities," Great Falls Tribune, August 16, 1959, p. 7.
6. U.S. Department of Justice Certification No. 222, February 9, 1928.
7. "Judge Bourquin, Montana Federal Jurist 22 years, Summoned at 95," Montana Standard, November 17, 1958, p.1.
8. Ibid, p. 6.
9. "Judge C. N. Pray to Receive Degree at MSU", Montana Standard, May 15, 1955, n. p.
8. "Retirement Regretted", Montana Standard, December 7, 1965, n. p.
9. Clipping collection of Virginia Suydam, Butte, Montana.
10. "Butte's Federal Building Will Be Dedicated Today." Anaconda Standard, December 8, 1904, p. 1.
11. Ibid.
12. "Federal Offices Here to Be Transferred to a New Annex Next Week," Butte Daily Post, August 26, 1933. p. 1.

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4. "Proposed Site for U.S. Government Building in Butte, Montana", U.S. Treasury Drawing, June 14, 1899.



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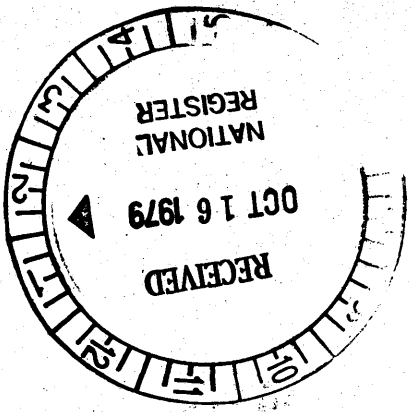
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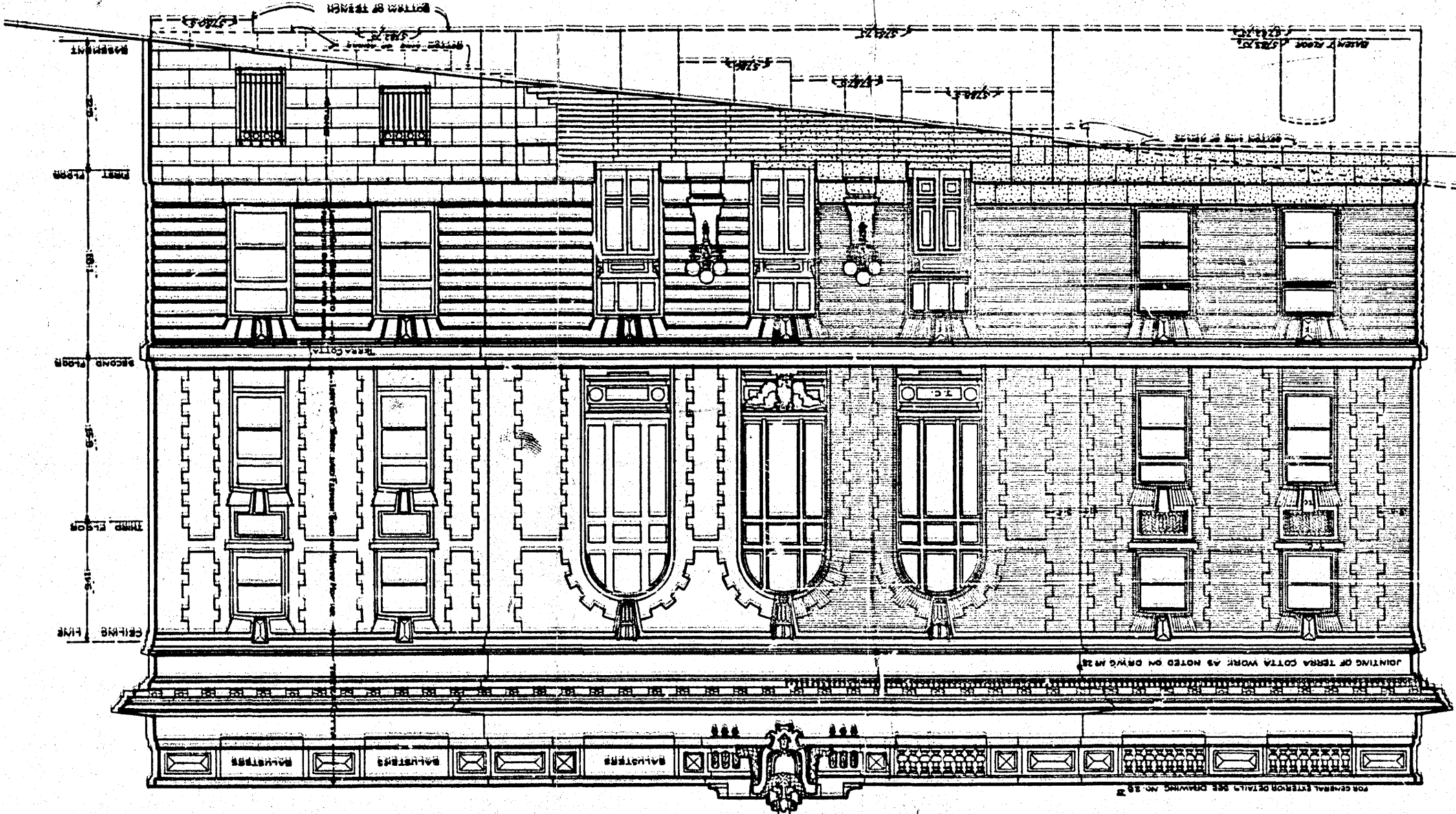
That portion of Survey No. 644, Washoe Lode, Lot 100, Township 3, North of Range 8, West of the Montana Meridian, in Silver Bow County, State of Montana, described as follows:

Beginning at the southeast corner of the Federal Building tract, and from which the southwest corner of Block 1 of the Original Townsite of Butte bears South  $85^{\circ} 53'$  West, 165 feet; and running thence North  $85^{\circ} 53'$  East 70 feet along the North line of Copper Street; thence North  $05^{\circ} 45'$  West, 129 feet to the North line of the Washoe Lode; Lot No. 100, Township 3 North, Range 8 West; thence South  $85^{\circ} 53'$  West 70 feet to the East line of the Federal Building tract; thence South  $05^{\circ} 45'$  East 120 feet to the place of beginning.

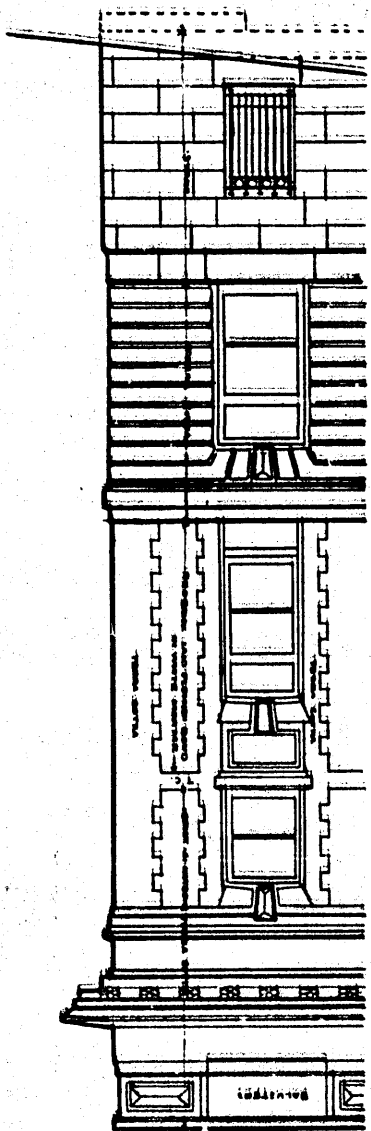
Beginning at the point of intersection of the east side of Main Street with the north side line of the Washoe Lode, survey number six hundred and forty-four (644), township three (3), north of range eight (8) west, from which corner number one (1) of said lode bears north eighty-seven (87) degrees ten (10) minutes west seventy-seven (77) feet, running thence north five (5) degrees forty-five (45) minutes west seven and two-tenths (7.2) feet along the east side of said Main Street to the northwest corner of the tract herein described; thence north eighty-five (85) degrees fifty-three (53) minutes east one hundred and sixty-five (165) feet to the northeast corner; thence south five (5) degrees and forty-five (45) minutes east one hundred and sixty five (165) feet to the southeast corner a point on the north side line of Copper Street; thence south eighty-five (85) degrees fifty-three (53) minutes west along the north side of said Copper Street one hundred and sixty-five (165) feet to the southwest corner, which is also the southwest corner of block number one (1) of the original Butte Townsite, thence north five (5) degrees forty-five (45) minutes west along the east side of Main Street one hundred and sixty-five (165) feet to the said northwest corner.



WEST ELEVATION - MAIN ST.  
SCALE: 1/8" = 1 FT.



ALTERNATE

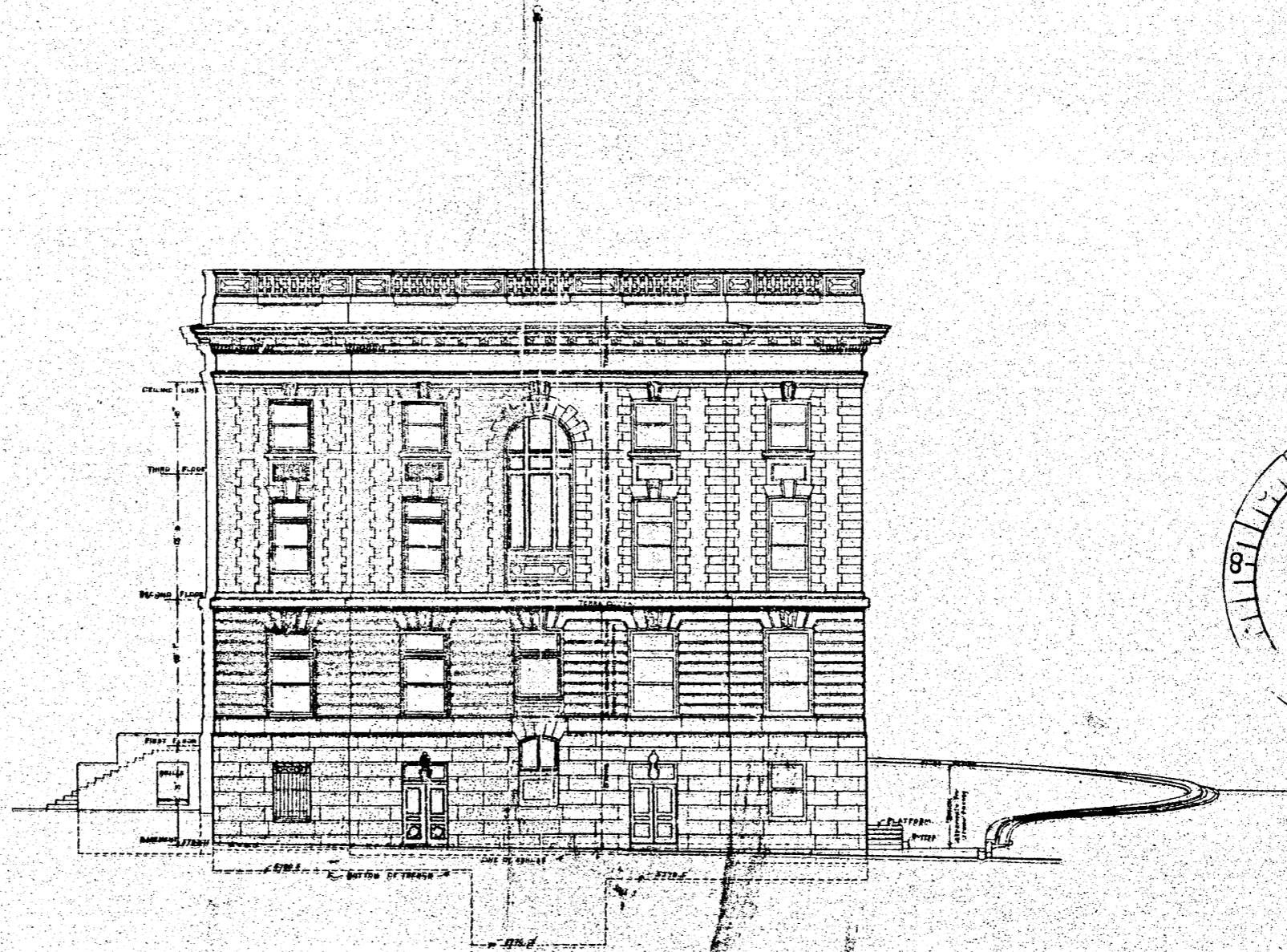


NAT 02001  
AT 0004 22

James Knox Taylor  
SUPERVISING ARCHITECT  
TREASURY DEPARTMENT

NOV 15 1979

Federal Bldg. U.S. Courthouse  
Butte, Montana West Elevation

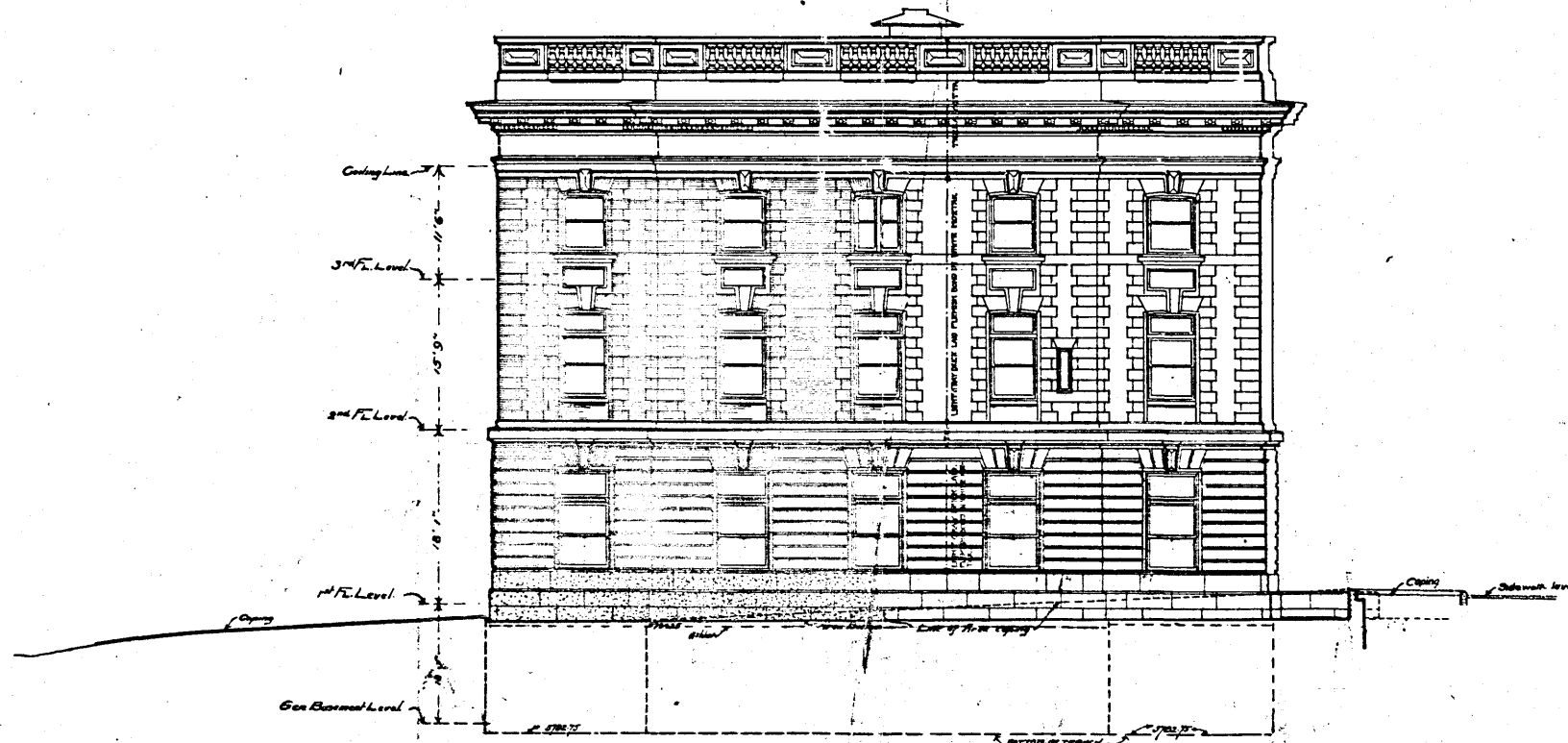


U. S. Post Office,  
BUTTE, MONT.  
Drawing No 9<sup>B</sup>  
Drawn by BAC:m Checked by MVB

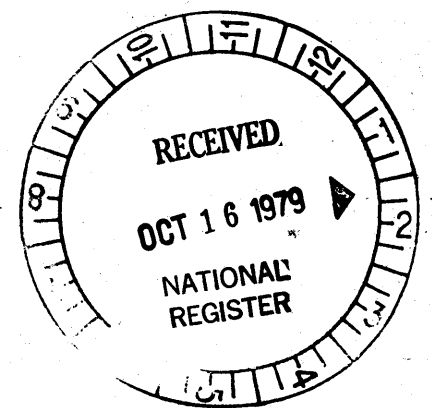
SOUTH ELEVATION  
COPPER, MT.  
SCALE 1/8" = 1 FT.

N.M.T. 52001  
AT 00422

*James Henry Taylor*  
SUPERVISING ARCHITECT  
TREASURY DEPARTMENT



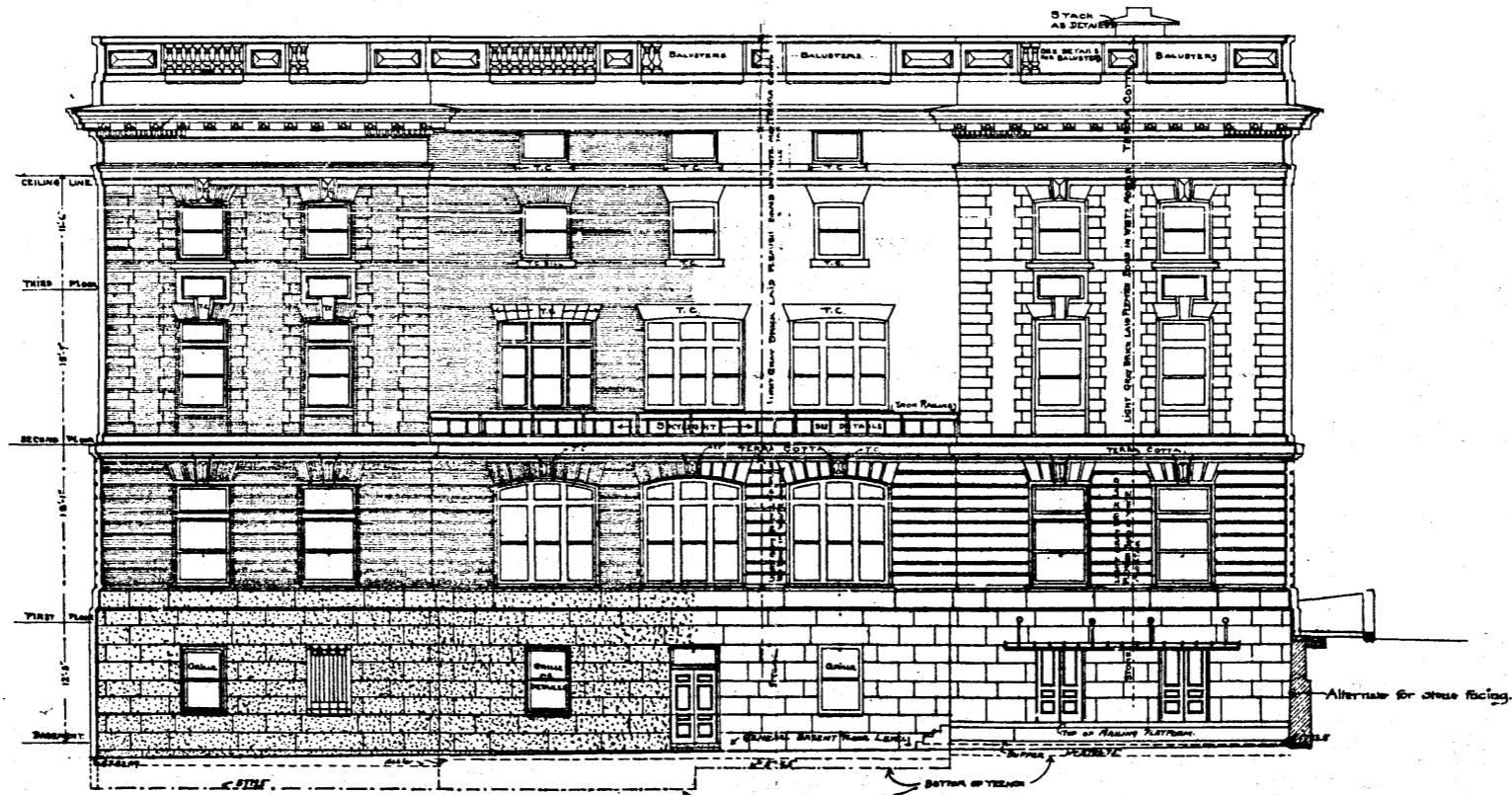
NORTH ELEVATION  
SCALE 1/8" = 1'-0"



U. S. Post Office,  
BUTTE, MONT.  
Drawing No. 11<sup>B</sup>  
Drawn by..... Checked by E.S.P.

NAT 02001  
MT 000422

James Knox Taylor  
SUPERVISING ARCHITECT  
Treasury Department



EAST-ELEVATION-REAR  
SCALE: 3/8" = 1'-0"



U. S. Post Office,  
BUTTE, MONT.  
Drawing No. 10<sup>B</sup>  
Drawn by [illegible] Checked by [illegible]  
Tracing by [illegible] 11/10/22

NAT 22001  
INT 000422

*James Knox Taylor*  
SUPERVISING ARCHITECT,  
Treasury Department

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SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*  
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

**1 NAME**

HISTORIC  
U. S. Post Office  
AND/OR COMMON  
Federal Building U.S. Court House

**2 LOCATION**

STREET & NUMBER  
400 N. Main Street  
CITY, TOWN  
Butte  
STATE  
Montana  
VICINITY OF  
CODE  
30  
COUNTY  
Silver Bow  
CODE  
093  
CONGRESSIONAL DISTRICT  
01  
NOT FOR PUBLICATION

**2 CLASSIFICATION**

CATEGORY	OWNERSHIP	STATUS	PRESENT USE
<input type="checkbox"/> DISTRICT	<input checked="" type="checkbox"/> PUBLIC	<input checked="" type="checkbox"/> OCCUPIED	<input type="checkbox"/> AGRICULTURE <input type="checkbox"/> MUSEUM
<input checked="" type="checkbox"/> BUILDING(S)	<input type="checkbox"/> PRIVATE	<input type="checkbox"/> UNOCCUPIED	<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK
<input type="checkbox"/> STRUCTURE	<input type="checkbox"/> BOTH	<input type="checkbox"/> WORK IN PROGRESS	<input type="checkbox"/> EDUCATIONAL <input type="checkbox"/> PRIVATE RESIDENCE
<input type="checkbox"/> SITE	<b>PUBLIC ACQUISITION</b>	<b>ACCESSIBLE</b>	<input type="checkbox"/> ENTERTAINMENT <input type="checkbox"/> RELIGIOUS
<input type="checkbox"/> OBJECT	<input type="checkbox"/> IN PROCESS	<input checked="" type="checkbox"/> YES: RESTRICTED (portions)	<input checked="" type="checkbox"/> GOVERNMENT <input type="checkbox"/> SCIENTIFIC
	<input type="checkbox"/> BEING CONSIDERED	<input type="checkbox"/> YES: UNRESTRICTED	<input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> TRANSPORTATION
		<input type="checkbox"/> NO	<input type="checkbox"/> MILITARY <input type="checkbox"/> OTHER:

**4 AGENCY**

REGIONAL HEADQUARTERS: (If applicable)  
General Services Administration  
STREET & NUMBER  
Denver Federal Center  
CITY, TOWN  
Denver  
VICINITY OF  
Building 41  
STATE  
Colorado  
80225

**5 LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE,  
REGISTRY OF DEEDS, ETC.  
Register of Deeds  
STREET & NUMBER  
Federal Building U.S. Court House  
CITY, TOWN  
Butte  
STATE  
Montana

**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE  
None  
DATE  
DEPOSITORY FOR SURVEY RECORDS  
CITY, TOWN  
STATE  
FEDERAL STATE COUNTY LOCAL

## 7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input checked="" type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input checked="" type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

### SITE

The Federal Building U.S. Courthouse is located within the Butte Historic District which was placed on the National Register of Historic Places on October 15, 1966. Situated in an area which was once in the core of Butte business activity, the setting for this building is now transitional due to change of commercial growth patterns and is in close proximity to mining activity.

The Berkeley open pit copper mine begins just two blocks from the building although an early drawing indicates the presence of a 162' deep tunnel measuring 8' wide and 7' high which diagonally transverses under the original building. This tunnel has not been used extensively since approximately 1910. Another drawing reveals that the Little Gold Hill mine shaft and two mining dumps existed in the south and southeast sections of the site prior to the building's construction. Within a 5' radius, the shaft has been identified as existing 20' north of the north side of the sidewalk on Copper Street and 155' east of the principal facade.

Bounded on the west by Main Street which is the central business area fringe boundary, the principal facade faces mixed commercial and residential property. A Victorian building built prior to 1900, once known as Murray's Bank, remains on the corner across from the Federal Building on Main Street.

To the south is East Copper Street across which is currently a parking lot and the north and east (rear) facades are bounded by private property.

Crushed rock landscaping is limited to a small area extending just north of the main entrance steps and around the north side. Remaining site property is covered by extended sidewalks on the south and west sides and parking lots on the north and east sides.

### ORIGINAL BUILDING DIMENSIONS

Originally a U-shaped, three storey building, the overall dimensions were 121' 8" X 82' over a 2' 7" wide foundation. The rear facade dimensions at the basement and first storey elevations were 120' wide but a 33' wide center recessment left the north and south sides 82' long and 33' 3" wide on the second, third, and attic storeys.

Vertical dimensions include a 12' 3" basement, 18' 1" first storey, 15' 9" second storey, 11' 6" third storey, 8' 11 1/4" attic storey, and a 4' 6" balustrade.

### FLOOR SPACE

There are 41,525 square feet assignable by the General Services Administration.

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OPENINGS

Principal facade fenestration is symmetrically arranged, undisturbed by the building's addition while the side facade fenestration appears distorted because of materials design contrasting the original and the addition. See attached chart for sequence by storey and number of openings.

ROOF STYLE

The roof is flat and is composition over concrete. The light court roof is composition and is flat in the center area with sawtooth ends containing skylights.

ADDITIONS

Completed in 1933, a major addition nearly doubled the building's size. Measuring 121' 8" X 157' 7 1/2" overall, the northeast corner is indented 29' 4" X 30' 11".

The 1933 addition created a 61' 2 1/2" X 53' 6" light court which is bounded at the roof elevation by a parapeted balustrade with the same design as the exterior perimeter balustrade.

New lamp standards were installed in the granite cheeking at the main entrance with the addition replacing the cluster bulbs on the engaged pedestals flanking the entrance. One other feature, a 11' 8" X 79' 2 1/2" loading platform with an 18' wide marquee, was added abutting the rear facade.

Drawings dated 11-30-1964 indicate several alterations which have been completed including the changing of the flagpole from the roof to the sidewalk, conversion of two front entry doors into windows, replacement of the main entry doors, and removal of the marquee over the loading platform. Also indicated is a 5' X 7' concrete block building housing an emergency generator and a 7' X 7' concrete transformer pad located in the northeast indentation area next to the main building.

RELATIONSHIP TO ORIGINAL

The main entrance has been altered from its original three door entry and reduced to one entry with companion doors which have been converted to windows. Bay configuration has remained undisturbed. Engaged pedestals flanking the center doors originally served as supports for cluster bulb lamps, but now are devoid of the lamps and solely suggest entrance ornamentation. Round gray metal government



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seal emblems presently cover the exposed wiring junction. Lighting for the principal facade is now accomplished by two metal lamp standards affixed to entrance cheeking.

Originally, a flagpole extended from the cartouche on the principal facade's balustrade. Presently, the flagpole is placed in the extended sidewalk at the northwest corner of the building.

The 1933 addition continued the side facade massing evidenced in the original but disruption of the materials design created a visually discordant effect. Prolific use of rusticated terra cotta contrasting to brick in the original abruptly ceased as the addition manifested plain brick set off mainly by the flat arches.

Scale of side facade window openings remained compatible, but window divisions changed to two over two with surmounting hinged transoms on the first and second storeys, and two over two sash with no transoms on the third storey.

Uniformity did occur with continuance of the flat arches with beveled keystones and the entablature on the 1933 addition retained its overall identification, but the modillions were elided.

With the enclosure of the north and south sides by the 1933 addition, the rear facade continued the scale of the building; however, contrasting textures and the facade's partial indention created a new identity vaguely compatible to the whole. The enclosure also created a light court surrounding the second, third, and attic storeys.

While the original rear facade revealed the upper two storeys of the north and south sides, the vertical movement ceased abruptly above the first storey leaving a U-shaped recessment. This recessment and the historic fabric of the rear facade were destroyed with the 1933 addition. In its place a flush brick exterior was erected to the beltcourse and then from the beltcourse to the entablature. Window treatment was altered also with the elidation of the flat arches and keystones above each opening.

Covering the width of the addition's rear facade, a marquee hung over the loading platform from five rods anchored to the building above the first storey. The bolts remain but the marquee was removed approximately 15 years ago. Removal of the marquee required replacement brick which presents a color differentiation from the brick above.

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Two of the entrances on the rear facade were enclosed by brick to form vertically and horizontally aligned window openings and presently only the center door opens to the loading platform.

Originally, a 4' X 34' 3" loading platform and marquee abutted the northeast corner along with a curved concrete retaining wall as the property's northern and eastern boundaries. These structures were destroyed as a result of the 1933 addition.

Portions of the interior have been altered to accommodate necessary functional changes when the post office vacated to a new location in 1965. Primarily, these alterations were made on the first storey and involved partitioning the lobby area.

The second and third storeys remain much as they were constructed. Original woodwork, marble baseboards, and tall wooden doors with obscured glass panels surmounted by transoms typify elements in these zones.

The ornate stairway surrounding the elevator in the south facade also remains as it was but the wire caged elevator has been altered.

Except for carpeting installed over the original hardwood floors, the courtroom encompassing the second and third storeys is virtually untouched by renovation.

MATERIALS

Skeletal steel comprises the building's framework which is based on a concrete foundation and spread footings. Concrete is also used on the basement floors, extended sidewalks, parking areas, loading platform, and on the roof where it is covered with a composition treatment.

Coursed cut granite is evident on the main entrance steps and on the basement elevation exteriors, except for the rear facade. Above the granite, terra cotta is used extensively beginning with the rusticated banding girding the first storey elevation on all but the rear facades and then is continued on the beltcourse which encircles the entire building. It can also be seen on the flat arched window treatments, sills, and on the quoins and rustication on the second and third storeys. The entablature and parapeted balustrade are of terra cotta as well.

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Flat red brick laid in the Flemish bond style is noted between quoin treatments and is more prevalent on the addition and rear facade.

Polished white Vermont marble is visible in the interior on corridor baseboards, floor borders, wainscoting, and on pilasters in the courtroom. Rose colored marble is used on the stair treads of the ornate stairway.

Terrazo floors set off by marble boards remain evident in some corridors but most of the flooring has been covered by carpeting and linoleum.

The tall, large, courtroom doors are solid oak as is the handcarved judge's bench; however, the spectator bench seating is made of mahogany. Oak woodwork and chair railing remains on the second and third storeys. The only parquet oak flooring still evident is in the second storey law clerk office adjoining the retired judge's chambers.

Polished plate glass is used in exterior windows and transoms. Obscured glass panels are to be found in interior wooden doors on the second and third storeys. Many of these panels bear gold leaf lettering for room identification.

Plaster walls are seen throughout with soft plaster evidenced in the courtroom walls.

FACADE ANALYSIS

Announced by a winged, 3-bay center projection, the principal facade of the late Victorian interpretation of the Italian Renaissance style is characterized by its concentrated massing and contrasting textures at successive elevations.

Adapting to the sloping terrain, the basement elevation rises from a fully exposed granite foundation at the southwest corner to a 4' 6" exposure at the northwest corner. Accordingly, the granite entrance steps which graduate in depth are separated in three sections by metal handrails and are cheeked by solid railings. Flanked by engaged pedestals, the main entrance provides an understatement to the other elements in this facade. The recessed doorway and projection window openings are shelved, extend to a transom, and are surmounted by flat arches with radiating voussoirs and beveled keystones.

Texture contrasts occur at the window sill line of the first storey where the granite transom elevation ceases and a coursed cut rusticated stone banding begins, continuing to the projected terra cotta beltcourse introducing the second storey.

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Fenestration in the seven-bay principal facade is vertical in its alignment and horizontally the alignment is interrupted by the tall, arcaded windows spanning the second and third storeys of the pavilion. These windows rise from spandrels, the center of which contains a spread-winged eagle relief and they embody fixed panes separated by mullion. Radiating rustication converging to a beveled keystone surround these windows and provide intense visual distinction to this zone. Window openings on the sides of the pavilion are also set off by rustication but the distinction is vertical and camouflages height differences.

The second storey windows are square double-sash with slip sills and are hinge-transomed while those of the third storey are square double-sash with lug sills. Flat arches with radiating voussoirs and beveled keystones surmount these windows repeating the first storey patterns.

Above the second storey windows in the original section are rusticated stone panels and are followed in the addition at the same elevation by panels of recessed brick.

A well-defined entablature surmounts the third storey and consists of an architrave, plain frieze, and cornice including dentils and modillions. Behind this zone is an attic storey concealed from exterior view.

Once again texture contrasts occur as the entablature rises to a balustraded parapet which adds a cohesive element and offsets visual contrasts below. Centered over the entablature is an elaborate cartouche, providing the most distinguishing ornamentation found on the building.

Counterpart to the perimeter balustrade is a repeating balustrade identifying the parameters of the light court which extends from the second storey to the roof.

The 10 bay south facade presents a noticeable distinction as a result of the 1933 addition. Repeating the center pavilion theme of the principal facade, the original section is flanked by side windows. Rhythm is also retained in the fully exposed basement and the first storey elevations but does not continue as a result of discontinuance of the same material design above the beltcourse surmounting the first storey. Actually, the distortion is primarily visual since the scale, proportion, and extension of the horizontal movements are executed in alignment.

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Highlights of the south facade are two vertically aligned window elements including a recessed segmental arch over a rusticated panel in the basement elevation and a tall, semi-circular arched window spanning the second and third storeys. These highlights are located in the original section center pavilion.

Also punctuating the fenestration is a narrow rectangular toilet window in the basement elevation preceding the first window opening of the addition.

Remaining window openings in the south facade contain double sash with hinged transoms in the original while the addition windows are double hung, double sash, and have double hinged transoms.

Windows in the basement elevation are covered by wrought iron grillework and this treatment extends to all facades at this elevation.

A rhythmic eight bay fenestration continuing the main theme characterizes the north facade. Again, the projection is evident in its original section, but without semi-circular arched center window as in the south facade. North facade window types also continue the same theme and there are no entrances on this facade. Two narrow rectangular toilet windows like the one appearing on the south facade appear; one interrupting the first storey between the second and third window and the other on the second storey between the first and second windows.

The eight bay rear facade with vertical and horizontal alignment in its fenestration presents a smooth brick wall finish from the basement elevation to the entablature, offset only by the beltcourse above the first storey. Coursed cut granite, rusticated terra cotta banding and quoins which extend the full height of the building terminate at both corners providing a degree of ornamentation and contrast.

The rear indention in the northeast corner features three bays each with the two outer sets of window openings aligned with other facades while the inner bays contain smaller windows not in horizontal alignment. A basement entrance is located on the north face.

INTERIOR

Beginning at the basement elevation, a rounded stairway with rose marble treading is set off by marble wainscoting and semicircular marble benching opposite the elevator. The stairway extends to the third storey level.

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Access to the attic storey is by a steep, narrow stairway at the rear of the third storey.

COURTROOM INTERIOR

The most significant interior area of the building is the courtroom which spans the second and third storeys. Principal features of the physically imposing 30' 11" X 55' courtroom have remained undisturbed for 75 years including the heavy velvet curtains on the tall, semicircular arched windows.

Vertically, the room can be separated into zones beginning with marble wainscoting in the lower zone which extends from the baseboards to the window sill line. Engaged pilasters extend from the floor to the cornice and frame the tall windows and tall oak side doors. The two double-panel side doors are surmounted by three-pane fixed transoms separated by mullion and the two entries support full triangular pedimented oak entablatures.

In the courtroom ceiling, recessed floodlights have been installed to supplement the original lighting. This action has been sympathetic and functional so as not to add protruding fixtures to the historic fabric.

Less pronounced are the two wooden rear doors surmounted by fixed transoms and a similar door behind the bench which exits to the judge's chambers. A mahogany balustrade and gate separate the court area from the spectator seating which is accomplished by four rows of mahogany benching.

Wall finish is plain to the cornice level in the upper zone; however, the barrel vaulted ceiling displays bands of decorative plaster insets between which are decorative rolled plaster mouldings rising from the cornice and arching to keystones halfway to the center of the ceiling.

The only copper evident on the property is on the sawtooth ends of the light court roof although a copper deck existed on the marquee over the loading platform. Other metals present include metal railings, wrought iron grillework in the main entrance cheeking and basement elevation windows. Building identification lettering is made of cast polished aluminum with an alumilite finish.

BUTTE, MONTANA

FEDERAL BUILDING U.S. COURTHOUSE  
WINDOW OPENINGS AND ENTRANCES

FACADE	STOREY	WINDOW OPENINGS		ENTRANCES	
		ORIGINAL	PRESENT	ORIGINAL	PRESENT
Principal (Main St.)	Basement	2	Same	-	-
	First	4	6	3	1
	Second	5	Same	-	-
	Third	5	Same	-	-
Copper Street (South)	Basement	3	7*	2	2
	First	5	10	-	-
	Second	5	10	-	-
	Third	5	10	-	-
North	Basement	-	-	-	-
	First	5*	8*	-	-
	Second	5*	8*	-	-
	Third	5	8	-	-
Rear	Basement	6	7	3	1
	First	7	8	-	-
	Second	7	8	-	-
	Third	7	8	-	-
	Attic	3	See Light Court	-	-
Indention-N.Face	Basement	**	2	**	-
	First		3		-
	Second		3		-
	Third		3		-
Indention-W.Face	Basement		3		-
	First		3		-
	Second		3		-
	Third		3		-

Light Court - No entrances.

Four window openings each on n. and s. sides, second, and third storeys  
 Three " " " " e. " w. " " " " , plus  
 attic

\*Plus one narrow toilet window

\*\* Not on original building



# 8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input type="checkbox"/> ARCHITECTURE	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input checked="" type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1904-Completion of original  
1933- " " addition

BUILDER/ARCHITECT Original-James Knox Taylor  
Addition-James Wetmore

## STATEMENT OF SIGNIFICANCE

### SIGNIFICANCE

Reflecting associated economic aspects of the copper industry, Butte, Montana has experienced a rugged history characteristically representative of the early mining towns of the west. Integral to this legacy, the Federal Building U.S. Courthouse has been significantly involved in the lives of Butte citizens for nearly 75 years.

Primarily designed to house the U.S. Post Office, the building served that purpose for over 60 years until the Post Office moved to a new location. Beginning with Postmaster George W. Irvin, nine postmasters headed postal operations from this building. Postmaster Irvin was appointed March 1, 1898 following a distinguished career which had included being a frontiersman (with John Bozeman for whom the Bozeman Trail was named), miner, cowboy, sheriff, first Postmaster at Deer Lodge, Montana, and State Commissioner of Mineral Lands. In the latter position, Postmaster Irvin successfully challenged the Northern Pacific Railway and spearheaded efforts to reclaim 17,000,000 acres of mineral lands for the U.S. Born February 22, 1844 in Chicago, Illinois, he served as Butte Postmaster until 1907. <sup>1</sup>

Another original function of this building continues in a setting which has been described by its presiding Judge, W. D. Murray, as the "most beautiful courtroom in Montana." <sup>2</sup> This courtroom was the site of thousands of naturalization actions which impacted greatly on the cultural composition of the Butte area. Local historian, J.H. Ostberg, in his "Sketches of Old Butte", recounted the contributions of the many ethnic groups and described Butte as "truly a melting pot" of nationalities. <sup>3</sup> Predominantly Irish, the immigration movement to Butte reached its peak about 1910.

A dramatic incident occurred in this courtroom on May 21, 1924 when convicted bootlegger, John O'Leary, arrived for sentencing. Within 10 minutes of his arrival, O'Leary began shooting wildly about the crowded courtroom and finally inflicted the last bullet upon himself. Miraculously he lived and no one else was hit although visual evidence remains of this incident. One bullet hit the bench narrowly missing Judge C. N. Pray and evidence of another bullet can be seen in the upper portion of the side rear courtroom door. <sup>4</sup> O'Leary was later tried on the shooting case and was acquitted much to the dismay of Judge C. M. Bourquin who criticized the jury's action as an "abominal act". <sup>5</sup>



**9 MAJOR BIBLIOGRAPHICAL REFERENCES**

1. Consultation with Mr. Nelson Jones, Anaconda Division, Atlantic-Richfield Corp., Butte, Montana, June 20, 1979.
2. "Encroachment by the Anaconda Copper Co.", U.S. Treasury Dept. Drawing No. X4, February 18, 1926.
3. Microfilmed original drawings and construction photographs, General Services Administration, PBS - Operational Planning, Denver Federal Center, Denver, CO.

(Cont'd)

**10 GEOGRAPHICAL DATA**

**UTM NOT VERIFIED**

ACREAGE OF NOMINATED PROPERTY less than 1 acre

UTM REFERENCES

A 

1	2	3	80	9	0	0	5	0	9	6	6	0	0
ZONE				EASTING				NORTHING					

B 

ZONE				EASTING				NORTHING					

**VERBAL BOUNDARY DESCRIPTION**

1. Lot size is 165' X 235' overall less a 36' X 70' indentation in the northeast corner.
2. Bounded on the west by Main Street, to the south by Copper Street and to the east and north by private property.
3. The legal description for the property is as stated on an attached sheet.

**LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES**

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

**11 FORM PREPARED BY**

NAME / TITLE

Mary J. Kardoes, Planning Assistant, Operational Planning Staff, PBS

ORGANIZATION

General Services Administration

DATE

STREET & NUMBER

Denver Federal Center, Building 41

TELEPHONE

234-4357

CITY OR TOWN

Denver

STATE

Colorado

**12 CERTIFICATION OF NOMINATION**

STATE HISTORIC PRESERVATION OFFICER RECOMMENDATION

YES

NO

NONE

*Edwillee Venson for Ken Korte*

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

In compliance with Executive Order 11593, I hereby nominate this property to the National Register, certifying that the State Historic Preservation Officer has been allowed 90 days in which to present the nomination to the State Review Board and to evaluate its significance. The evaluated level of significance is  National  State  Local.

FEDERAL REPRESENTATIVE SIGNATURE

*Michael F. Hurlbary*

TITLE *Chief Historic Preservation Staff, GSA*

DATE *10-5-79*

**FOR NPS USE ONLY**

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

*Carol D. Shall*

DATE

*11-15-79*

DIRECTOR, OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

KEEPER OF THE NATIONAL REGISTER

ATTEST:

*Kristin O'Connell*

DATE

*11/13/79*

KEEPER OF THE NATIONAL REGISTER

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The first judge to preside in this courtroom was William H. Hunt who was born November 5, 1857 and died February 4, 1949. Judge Hunt was the first judge of the 1st Judicial District of Montana. Later, Judge Hunt was appointed by President McKinley to serve as Governor of Puerto Rico in 1904. Following the governorship, he was appointed U.S. Circuit Judge for the 9th Circuit Court on January 31, 1911 by President Theodore Roosevelt and also served on the U.S. Commerce Court from 1911 - 1913. <sup>6</sup>

Hundreds of prohibition cases were heard in this courtroom, many before Judge C. M. Bourquin who served for nearly 22 years. Born June 24, 1863 in Tidionte, Pennsylvania, Judge Bourquin was described as "one of the nation's most colorful judges, austere and caustic tongued, a terror to liquor defendants in dry days", and was noted for his impatience with petty cases. His motto was, "This court may be in error, but never is in doubt." <sup>7</sup> Appointed by President Taft in 1912, Judge Bourquin was often called to other parts of the U.S. when dockets needed rapid clearing. Further testament to his character was his refusal to send women to jail until "all the men are there." <sup>8</sup>

Judge C. N. Pray, target of the shooting incident mentioned earlier, also served the court with distinction following his appointment by President Coolidge in 1924. Judge Pray was known primarily as one of the men most responsible for the creation of Glacier National Park. <sup>9</sup>

The present Judge, W. D. Murray, has presided over this court for over 30 years despite his official retirement in 1965. Born November 20, 1908 in Butte to U.S. Senator and Mrs. James Murray, the Judge has been highly regarded as a "jurist of sterling qualities." <sup>10</sup> Judge Murray developed and presented a historic compromise for reapportionment of Butte's election wards and was instrumental in state legislative reapportionment. Appointed by President Truman as a District Judge, in 1949, Judge Murray was one of the youngest ever to receive this distinction. <sup>11</sup>

Colorful personalities and events were a natural outgrowth following the building's dedication on December 8, 1904 when a gala reception featuring an orchestra was well attended by many Butte citizens. <sup>12</sup>

The building's site was not a popular choice, but the government had insisted upon a clear title. Of the 17 sites considered, this was the only one providing that

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distinction. Deriving from patent #610 dated September 26, 1877, granted by Probate Judge Orville B. O'Bannon, this parcel was included in the original townsite patent. Subsequently, this title transferred by deed from John H. Leyson to the United States of America for \$1.00 on September 27, 1899.

Design for the original building was created by James Knox Taylor, Supervisory Architect for the U.S. Treasury Department, and noted for designing U.S. Post Offices during the period 1897 - 1912.

Built at a cost of \$300,000, the cornerstone was laid in May 1903 and Shackleton and Whiteway was the contracting firm. The construction engineer, Colonel Jordan, was held in high esteem by Butte citizenry who expressed sorrow at his departure following the building's completion.<sup>11</sup>

Additional land was purchased on April 9, 1909 at a cost of \$2,800.00 from the Washoe Copper Company. This parcel originally derived from Patent #9995 which was issued March 3, 1885 by President Chester Arthur to Charles S. Warren, Davin N. Upton, and John F. Potting. Acquisition of this site provided the land necessary for an addition completed in August 1933 which essentially doubled the size of the original building. Added at a cost of \$255,000, the addition was designed by James A. Wetmore, Supervising Architect of the U.S. Treasury Department. Mr. M. Leland Kingsley served as Construction Engineer for the project which had as its main contractor, the A. M. Lundberg Co. of St. Louis, Missouri.

During the period February 1932 through August 1933, the building was completely vacated while the addition was being erected. Postal operations were continued through this time at the Hennessey Building, two blocks south of the site.<sup>14</sup>

Until relocated in front of the Montana College of Science and Technology in Butte, a statue of Copper King Marcus Daly by the noted sculptor Augustus Saint-Gaudens stood for many years in the middle of the intersection of Main and Copper Streets across from the southwest corner of the building. Together with the Federal Building U.S. Courthouse, these landmarks have provided Butte with constant visual reminders of a colorful heritage and ongoing serviceability.

1. Progressive Men of the State of Montana, A. W. Bowen and Co., Chicago, Illinois, n.d., p. 235.

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2. Interview with Judge W. D. Murray, June 21, 1979.
3. J. H. Ostberg, Sketches of Old Butte, 1972, n.p. Butte, Montana, p. 81.
4. "Bullets Fly in Federal Court", Butte Daily Post, May 21, 1924, p. 1.
5. "Top Jurists Recognize Judge Pray's Abilities," Great Falls Tribune, August 16, 1959, p. 7.
6. U.S. Department of Justice Certification No. 222, February 9, 1928.
7. "Judge Bourquin, Montana Federal Jurist 22 years, Summoned at 95," Montana Standard, November 17, 1958, p.1.
8. Ibid, p. 6.
9. "Judge C. N. Pray to Receive Degree at MSU", Montana Standard, May 15, 1955, n. p.
8. "Retirement Regretted", Montana Standard, December 7, 1965, n. p.
9. Clipping collection of Virginia Suydam, Butte, Montana.
10. "Butte's Federal Building Will Be Dedicated Today." Anaconda Standard, December 8, 1904, p. 1.
11. Ibid.
12. "Federal Offices Here to Be Transferred to a New Annex Next Week," Butte Daily Post, August 26, 1933. p. 1.

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4. "Proposed Site for U.S. Government Building in Butte, Montana", U.S. Treasury Drawing, June 14, 1899.

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That portion of Survey No. 644, Washoe Lode, Lot 100, Township 3, North of Range 8, West of the Montana Meridian, in Silver Bow County, State of Montana, described as follows:

Beginning at the southeast corner of the Federal Building tract, and from which the southwest corner of Block 1 of the Original Townsite of Butte bears South  $85^{\circ} 53'$  West, 165 feet; and running thence North  $85^{\circ} 53'$  East 70 feet along the North line of Copper Street; thence North  $05^{\circ} 45'$  West, 129 feet to the North line of the Washoe Lode; Lot No. 100, Township 3 North, Range 8 West; thence South  $85^{\circ} 53'$  West 70 feet to the East line of the Federal Building tract; thence South  $05^{\circ} 45'$  East 120 feet to the place of beginning.

Beginning at the point of intersection of the east side of Main Street with the north side line of the Washoe Lode, survey number six hundred and forty-four (644), township three (3), north of range eight (8) west, from which corner number one (1) of said lode bears north eighty-seven (87) degrees ten (10) minutes west seventy-seven (77) feet, running thence north five (5) degrees forty-five (45) minutes west seven and two-tenths (7.2) feet along the east side of said Main Street to the northwest corner of the tract herein described; thence north eighty-five (85) degrees fifty-three (53) minutes east one hundred and sixty-five (165) feet to the northeast corner; thence south five (5) degrees and forty-five (45) minutes east one hundred and sixty five (165) feet to the southeast corner a point on the north side line of Copper Street; thence south eighty-five (85) degrees fifty-three (53) minutes west along the north side of said Copper Street one hundred and sixty-five (165) feet to the southwest corner, which is also the southwest corner of block number one (1) of the original Butte Townsite, thence north five (5) degrees forty-five (45) minutes west along the east side of Main Street one hundred and sixty-five (165) feet to the said northwest corner.