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Plat of the Town Site of Helena As entered at the U.S. Land Office. Lewis & Clarke Co. M.T. Drawn by A.F.L. August 7th 1882.

Stock#: 22742
Map Maker: Anonymous
Date: 1882
Place: Helena, Montana Territory
Color: Color
Condition: VG
Size: 16 x 17 inches
Price: SOLD



Description:

Important early manuscript survey of Helena, Montana, territorial capital of Montana, drawn by "A.F.L." in August 1882.

The present map is quite possibly the earliest surviving map of Helena. Curiously, the dating of the map falls chronologically between the two earliest reported official surveys of Helena, the Wheaton survey of 1869 (no copy located), and the McIntyre Survey of 1883 (1886 copy surviving in the Montana Historical Society). For the moment, we can only speculate as to whether this plat was intended as a copy of the Wheaton Survey, a pre-cursor to the McIntyre Survey or prepared for some other purpose.

The Survey locates the location of the US Assay Office, the School Block, street names, lots, and blocks. The survey shows blocks and lot numbers which correspond to the earlier surveys, most notably, those described in litigation brought to invalidate title to land based upon the Wheaton Survey of 1869.

Historical Overview



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The town of Helena was established on October 30, 1864, following the discovery of gold on the Last Chance Creek. The town was originally named "Crabtown", after John Crab, one of the "Four Georgians" who discovered gold in 1864. The townsite was first surveyed in 1865 by Captain John Wood. However, many of the original streets followed the chaotic paths of the miners, going around claims and following the winding stream. As a result, very few of the city blocks were consistent in size and most were a variety of irregular shapes and sizes.

As of 1869, Helena was still an unincorporated town in Lewis & Clarke County. As such, transfers of real estate title were very much in flux. Under the provisions of the Act of Congress approved March 2, 1867, entitled "An act for the relief of the inhabitants of cities and towns upon the public lands, and the acts amendatory and applicable thereto, with respect to lands which had originally been public lands," in order to begin the process of establishing clear title, the probate judge of each county was authorized to make application to the United States for a patent on the land upon which a town was located. Once the patent was approved, the probate judge would hold such land in trust for the town, until such time as the land was transferred to a public or private owner.

In Helena, Probate Judge Miers F. Truett made an application to the federal government for a patent on the land upon which Helena was located, which was in turn approved on June 15, 1872. During this period, an official survey of Helena was ordered in 1868 and approved by the County Board of Commissioners on January 7, 1869. This survey was conducted by A.C. Wheaton. While in reality it was largely a paper survey, following approval of the patent application, the Wheaton Survey remained the prevailing plat for Helena, until 1883.

On March 1, 1883, the Montana Territorial legislative assembly approved legislation entitled "An act relating to the official survey of the town site of Helena". As a result of the Act, a new plat and field notes of a survey of Helena were made by John D. McIntyre, who as recently as 1881 had been listed on other maps as US Deputy Surveyor. The McIntire Survey was accepted and approved on September 12, 1885, by the county board of commissioners, and on the same day filed in the office of the Lewis & Clark county clerk and recorder (see *Ming v. Foote*, a Montana Supreme Court Case reported in Volume IX of the 1889 Montana Supreme Court Reporter, at pages 201-222).

Montana became a territory of the United States in 1864. A territorial capital was established in Virginia City, near Bannack, site of the first major gold strike town in Montana in 1862. However, with the mining boom in Helena and the influx of miners from the Bannack gold strike, it was decided to move the territorial capital to Helena in 1875. In 1883, the Northern Pacific railroad arrived in Helena, further fueling the cities growth. Moreover, with the establishment of the territorial capital in Helena, the city



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began a slow move away from a typical mining town, ultimately preventing the collapse of the town when the gold ran out in Last Chance Gulch.

Other Early Surveys of Helena

While history reports that the existence of the John Wood Survey, the earliest survey of Helena would appear to be the *Map of the town of Helena, M.T.*, by Henry Addoms, which currently resides in the collection of the Montana Historical Society. The annotation for this map lists Addoms as an Agent. We note also reference to an 1878 Survey by Benjamin Marsh in a newspaper article appearing on September 7, 2007, in the Helena Independent Record, finding no references to this survey in the legal cases reported in the 1880s and 1890s regarding title to land in Helena. Only references to the McIntyre Survey and Wheaton Surveys appear in these legal histories.

The next group of maps of Helena area are all manuscript maps of various subdivisions of the town, prepared in and after 1883, with the arrival of the Northern Pacific Railway.

A copy of the McIntyre Survey resides in the collection of the Montana Historical Society, described as follows:

McIntyre survey : plats of Helena townsite / John D McIntyre, 1886, 1891
46 plat maps plus index sheet : ink on linen ; 47 x 65 cm.

Between 1880 and 1890, there were a number of new subdivisions approved around the original plat of Helena, which resulted in the preparation of a number of manuscript maps, which reside in the collection of the Montana Historical Society. All of the surveys identify Benjamin F. Marsh as the surveyor, except one which was surveyed by Cumming and Hovey. A close study of these maps (printed and manuscript) offered no clues as to the identify of A.F.L.

Earliest Printed Maps of Helena

The earliest printed maps of Helena Montana would appear to have all been printed after this survey map. These include:

Map of Helena, Lewis and Clarke Co., Montana, 1887. Cumming, Cannon and Steele.; H.M. Smyth Printing Company (Saint Paul, Minn.)



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Ide's Map of Helena, Montana. Compiled and drawn by Reeder & Helmick in Helena. Lithographed by Harrison & Smith in Minneapolis (1888)

Map showing property adjacent to the city of Helena. Compiled by Jno. S.M. Neil ; drawn by Reeder & Helmick (J.L. Smith, Philadelphia, ca 1890) (dated based upon date of Ide's Map of Montana, which was also drawn by Reeder & Helmick and published by J.L. Smith of Philadelphia in 1890.

Ide's map of Helena, Montana, 1890. Compiled and drawn from official sources and the county records. Williams, Thurber, and Company (Helena, Mont.) (1890).

Ames, Brooke and Bellevue additions to Helena, Montana. Porter, Muth, and Cox Real Estate Company.; E.P. Vandercook & Co. (c1890-1895).

It is possible that John D. McIntyre is Brigadier General John D. McIntyre (born 1851), who spent approximately 8 years in Montana between 1882 and 1890, where he organized five different irrigation companies, raised the money and built over four hundred miles of irrigating canals. He built the great Gallatin Canal, the big Muddy Storage reservoirs, the Chestnut Valley canal and the Sun River canal, the Florence canal and others. In 1890, McIntyre moved on to Washington at the request of the Northern Pacific railroad officials and organized the Sunnyside Canal Company at North Yakima, and sold out to the Northern Pacific.

Detailed Condition:

Pen and ink on linen. Some light soiling and foxing.