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HYDRO-ELECTRIC POWER IN BRIGHAM CITY, UTAH:

ITS GROWTH AND DEVELOPMENT

by

Reed Andersen Olsen

Report No. 1 submitted in partial fulfillment
of the requirements for the degree

of

MASTER OF SCIENCE

in

History

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TABLE OF CONTENTS

	Page
INTRODUCTION	1
HYDRO-ELECTRIC POWER IN BRIGHAM CITY, UTAH: ITS GROWTH AND DEVELOPMENT	3
BIBLIOGRAPHY	27

LIST OF FIGURES

Figure		Page
1.	The rock power house built by the Brigham City Electric Light Company	26
2.	The first power house built by the Brigham City Corporation	26

INTRODUCTION

One of man's most useful servants is electrical power. Technological advances have made it the greatest source of industrial power we have in the world today. The evolution of electrical power paralleled the development of our great American economic system. Like the development of mechanization, the growth of power was a long, drawn-out process. Man power was replaced with water power; water power was replaced with steam, electricity, oil and natural gas. Eventually these sources may be replaced with atomic power.

Although the steam engine was a vast improvement over water power, there continued a need for transmitting energy long distances. Electricity was the answer. Electric power meant a vast increase in the amount of power available for production and great savings in capital, resources, and space. The transformer needed to transmit electrical power over great distances was first perfected by George Westinghouse at the Chicago Exposition in 1893. The purpose of the transformer at the generating site is to boost the voltage so that the losses in the transmission lines will be minimized. The purpose of the transformer at the point of use is to reduce voltage to a safe operating level before it enters the circuit.

In 1877 Thomas A. Edison turned to the problem believed by some experts to be "insoluble," of subdividing electric current and leading it into incandescent lamps. This task was larger than discovering an element which would glow in a vacuum bulb without quickly burning out;

he had to invent a whole new system of conductors, meters, and generators. The critical date for the invention came not in 1879, when a carbonized thread in a bulb stayed incandescent for forty hours at Menlo Park, but 1882 when the central station at Pearl Street in New York was put into commercial operation.¹

The great abundance of water power in the western states caused great interest in the pioneering and use of hydro-electric power. The first hydro-electric power plant serving a distant market was located in Oregon City, Oregon. This plant provided Portland, located thirteen miles away, with electric power as early as 1889.²

The electric power fever hit Utah just a few years later. The big movement started with the organizing of the Pioneer Electric Power Company in Ogden on November 27, 1893. The Mormon Church was very instrumental in the financing of this company. The object was to harness the power of the Ogden River. This was to be achieved by building a dam in Ogden Canyon and running the water through a pipeline to the plant which was to be located nearer to Ogden. This system was completed in 1897.³

Although this was the first major system in Utah, there were a few small, local hydro-electric systems preceding the Pioneer Electric Power Company. The accompanying paper will explain the development and growth of one of these early systems.

¹Fred Albert Shannon, Economic History of the People of the United States (New York: MacMillan Company, 1934), p. 167.

²Clifford M. Zeerer, ed., California and the Southwest (New York: John Wiley and Sons, Inc., 1956), p. 236.

³Leonard J. Arrington, Great Basin Kingdom (Cambridge, Massachusetts: Harvard University Press, 1958), p. 395.

HYDRO-ELECTRIC POWER IN BRIGHAM CITY, UTAH:
ITS GROWTH AND DEVELOPMENT

With the harnessing of electricity in the nineteenth century men started experimenting and searching for various ways to practically use their new servant. One of these men, Thomas A. Edison, discovered the incandescent lamp and a process by which electricity could be produced commercially using steam power. After Edison put his discoveries into operation at the famous Pearl Street installation in New York City in 1882, men from all parts of the world were desirous of bringing an electric lighting system into their cities and towns.¹

Electric lighting in Utah dates back to 1880 when the Salt Lake Power, Light and Heating Company was organized. The Ogden City Electric Light Company was organized the same year. Electricity was installed at Provo in 1890. The electric energy distributed by these companies was generated by means of a steam engine.²

The people of Brigham City also sought to improve their lives with a better lighting system. The coal oil lamps then used were expensive, dirty and dangerous and, in addition, failed to provide enough light. Electricity would not only provide a vastly superior light, but it also had a great many other possibilities.

¹Edward Tatnall Canby, A History of Electricity (New York: Hawthorn Books, Inc., 1963), p. 65.

²Utah Resources and Activities (Salt Lake City, Utah: Department of Public Instruction, State of Utah, 1933), p. 399.

One hoped-for improvement in lighting encouraged some people to experiment with the natural gasses found in the fields just west of town. Elias Jensen used gas in his brick kiln, and several others dreamed of a gas lighting system for Brigham City. When new buildings were erected in the city during the latter part of the 1880's, preparations anticipated better lighting possibilities. Construction included facilities for gas or electrical lighting, whichever would come first. A prime example of one such building can still be found at the corner of First South and Main Street in Brigham City. This building, now used as the studio for Compton's photography business, shows the old electrical outlets as well as the gas pipes installed as part of the original construction.

By 1891, the people of Brigham City were anxious to bring electricity and its benefits to their area and were demanding that some action on the new source of power be taken. Two plans received considerable attention and debate--a privately-owned company and a municipally-owned plant. In early 1891, the local newspaper, the Brigham Bugler, made reference to a printed circular urging the city to spend \$50,000 within a year to bring in municipal water works, electric lights, and fire protection. Suggestions called for an expenditure of \$18,000 for lighting purposes. One young citizen responded, "Why spend \$18,000 on a lighting system when a private company, which is supplying a neighboring town, offers to bring electricity to Brigham City for \$3,000?"³

Throughout 1891, several speculators visited the city and talked about plans to build an electric lighting system. Finally in early November, the city council granted a franchise to O. G. Snow, L. T.

³Brigham Bugler (Brigham City, Utah), February 21, 1891.

Peirce, and others to build and operate an electrical plant. A clause included in the franchise called for the system to be in operation within a four month's period.⁴

By the end of November the necessary capital had been raised, and the Brigham City Electric Light Company was organized with the following officers: F. C. Priestly, President; Herbert Moore, Vice President; O. G. Snow, Treasurer; and Samuel Luke, Secretary. Other important stockholders included Mrs. M. W. Dunn, L. T. Peirce, C. J. Rohwer, and N. P. Andersen. The capital stock was limited to \$25,000 divided into shares of \$50 each. The franchise of the company extended for a fifty-year period.⁵

The Brigham City Electric Light Company chose the site of the woolen mills building for constructing the new facility. This site had provided water power at the woolen mills which had been vacant since operations were moved to Hyrum in Cache Valley. The building was rented from the Brigham City Manufacturing and Mercantile Association, and an ambitious group of promoters sought to bring electricity to Brigham City by the first of January.

Mr. Priestly went to Pueblo, Colorado, where he purchased a good, used electrical plant along with the necessary fixtures. It was reported that this system produced the electricity for the first lights in Denver, Colorado. The dynamo had a capacity of 700 lamps, or the equivalent of about 1,400 volts, which would accommodate an expanding population.⁶

⁴Ibid., November 7, 1891.

⁵Ibid., February 27, 1892.

⁶Ibid., December 19, 1891.

During the time Priestly was in Colorado acquiring the plant, work on the pole line and the stringing of wire were going forward. Most of the business establishments were wired as well as a street lighting system of thirty street lamps expanding over Main, Forrest, First West, and First East streets. The line extended south on Fifth East one-half block to Forrest Street, then continued west to Fourth West. The lights along Main Street went from Second North to Second South,⁷

As the system neared completion, February 11, 1892, was designated as the time to "Light up Brigham City." The first electrical current went through the wires about 9:30 p.m. The streets were illuminated for a matter of minutes, but because of needed adjustments at the power house, service was temporarily discontinued. Belt slippage due to the high-speed generator and regulation of a constant flow of water power were the major problems. The citizens who witnessed this first lighting were amazed even though the water power was insufficient by over 100 r.p.m.'s to give the lights their full brilliancy.⁸

With these problems corrected, a more consistent supply of electricity came to Brigham City on February 15, 1892. As the people of the city watched the lights being turned on, they saw a great contrast in the business district and the street lighting. Where the city had previously had twelve coal oil street lamps, there were now thirty electric lamps.⁹ There were two lights per block going lengthwise and one light widthwise.

⁷Ibid., December 12, 1891.

⁸Ibid., February 16, 1892.

⁹Ibid.

One handicap of this system was that the power produced was direct current. This meant that the entire city was on one electrical circuit, and if the circuit broke, all the lights on the circuit went out. If the plant produced 1,400 volts, the circuit carried 1,400 volts. Another disadvantage of this type of system was that the power produced could only be used for lights, because the circuit would break if the outlets did not have equal output.

As the use of electricity increased, the Brigham City Electric Light Company established new power rates as an incentive to encourage the use of more lights. If a patron contracted three lights for the regular price of 25 cents each, or if he bought four at the regular price, he could buy four at half price.¹⁰ These lights had wattage of 16 candle power or about 18 watts.

The first lights in Brigham City illuminated only the business houses and the streets, but within a month private homes were also using electric lights. The March 12 issue of the Brigham Bugler indicated that lights had been taken into private residences. Among the first to have lights in their homes were John Crawford, who lived on Main and First North Street; and Thomas H. Blackburn, Heber Boden and Clem Hrsley, whose homes were located on Third West between Forrest Street and First South.¹¹

A meeting of the stockholders was held early in May, three months after they started supplying electricity to the city. The purpose of the meeting was to consider the possibility of moving the plant to a new

¹⁰ Ibid., March 12, 1892.

¹¹ Ibid.

location, It was decided to relocate the plant in a new building next to the railroad right-of-way just to the south of the railroad depot. It was also decided to purchase a coal-powered 40-horse-power steam engine to produce the power to operate the plant.

The reasons given for the move centered around the meager, unsteady flow of water power available in Box Elder Creek, compared to a more steady and constant flow provided through steam power. This would also eliminate the problem of belt slippage. In addition, it is very probable that the stockholders were faced with another factor which forced the move. The May 28 edition of the local paper announced that the woolen factory was returning to Brigham City.¹²

In preparation for the move to its new location, the company acquired the land and made arrangements to buy a steam engine in Pittsburgh, Pennsylvania, at an approximate cost of \$1,500. The Union Pacific Railroad agreed to build a railroad spur to the new building, thus cutting the handling cost of the coal necessary to fire the engine to a minimum. In return, the railroad was to receive lights for its yard and depot. The new building was constructed to house the furnace, steam engine, dynamo, and the register.¹³

With the machinery installed and put into operation, a very bright and steady light was produced. A demonstration of the new plant by the company secretary, Samuel Luke, described the facilities in the following manner: "With the rapidity of lightning, it runs as

¹²Ibid., May 28, 1892.

¹³Ibid.

smooth and noiseless as a cat stealing onto a mouse. The friction of the engine seems to have been reduced to a minimum."¹⁴

While the young corporation gave the citizens electrical power at a reasonable rate, it had trouble meeting expenses. The initial cost, the move to a new location, and the added expense of producing the steam power, resulted in considerable expense for the corporation. It was fortunate for the people of Brigham City that most of the men involved with the local firm had foresight as well as the welfare of the people in mind by striving to surmount these difficulties. Because the profits were down, President Priestly and Secretary Luke, acting managers as well as large stockholders, sold out their interests in the company. Since Priestly and Luke lived in a neighboring city, the ownership of the company prior to this time had not been entirely in the hands of Brigham City people. With the sale of this stock to Brigham City men, the Brigham City Electric Light Company became a local corporation in every sense of the word.¹⁵

By February of 1893, the officers determined that in order to make the light company a paying corporation, operational expenses would have to be cut. The best way to reduce these operational costs would be to return to free water power. It was decided to construct a new plant in the mouth of Box Elder Canyon so as to take advantage of the water power supplied by Box Elder Creek.¹⁶

When the decision to move became definite, a rock power house was built about 2,000 feet east of the present power house, which is owned

¹⁴Ibid., July 23, 1892.

¹⁵Ibid., August 13, 1892.

¹⁶Ibid., February 18, 1893.

and operated by the city. The remains of this rock power house are still visible, and it appears to have been about 19 feet by 29 feet with the walls being approximately 18 inches thick. The dynamo that Priestly bought in Colorado was moved once more. The generator was connected to a water wheel which was driven by water diverted through an open ditch. As the shift was made to the mouth of the canyon, two new members of the corporation assumed leadership of the company. They were C. W. Knudson and J. Y. Rich, both prominent businessmen of Brigham City. With the plant at its new location and under new management, it was expected that the Brigham City Electric Light Company would develop into a sound investment for the stockholders.

During the first year of electric lighting in Brigham City, many changes took place--changes which gave a greater amount of protection as well as economic benefits. No longer were the people in constant danger of the oil lamps causing fires. Better lighting of the streets gave more protection to those people who were on the streets after dark. Lights were placed in the post office to protect the patrons going there at night time.

The financial gains can be illustrated by the financial reports of Brigham City. The following entries were made for the year ending March 2, 1891: "Oil for lighting street lamps \$135.10, night watchman and the lighting of the street lamps \$490.00,"¹⁷ For the year ending January 1, 1894, an entry was made stating that it had cost the city \$511.45 to light the city streets.¹⁸ Since a greater number of lights were used with the new system, this indicates the financial savings

¹⁷ Ibid., March 14, 1891.

¹⁸ Ibid., February 3, 1894.

were considerable. In 1891, the city had twelve old oil lamps, whereas in 1893, it had thirty electric lights.

By the turn of the century the people were demanding more service than the Brigham City Electric Light Company could give them. The city population was rising to a point where the company could no longer provide enough electricity. The people wanted lower rates that would be comparable to neighboring cities and electrical power for appliances and for well pumps for irrigational purposes.

As these protests were brought before the city council, a committee of Mayor Heber Boden and Councilman Peter Knudson was selected to represent the citizens in taking their grievances to the light company officials. The committee was instructed to use its influence to persuade the electric light company to improve service and to better existing conditions. If conditions could not be improved, the committee was to invite in outside interests that would give better service. In his report to the city council, Councilman Knudson reported that at the present time the Brigham City Electric Light Company officials felt they could do nothing to improve their system.¹⁹

When it became apparent that the present electrical system would not be improved, the city council advertised for outside firms to supply the citizens with a modern lighting system. The city granted a franchise to two outside companies, hoping this would solve the lighting problems. Mr. F. A. Sweet organized and incorporated the Brigham Light and Power Company and received a franchise for twenty-five years. The company was to have its plant in operation within six months.²⁰ Because

¹⁹Brigham City (Utah) Council, Minutes of meetings, January 22, 1901, February 12, 1901. (Handwritten.)

²⁰Ibid., February 18, 1901.

Mr. Sweet failed to abide by his contract, the city granted another franchise to the Pennsylvania Gas and Mining Company. The gas company said it intended to use the natural gasses found around the city to provide for both lighting and heating needs.²¹

Early in 1902 when it became doubtful that assistance from any outside capital would materialize, a committee was sent to investigate and inspect the modern municipal plants in American Fork and Payson. The committee of Mayor Boden, Councilmen Mortensen and Simonson, representing the city, and Mr. S. N. Lee, who was serving as the secretary to the Brigham City Electric Light Company, brought a very favorable report back to the city.²² As a result of this report, the following advertisement appeared in the issue of the Box Elder News on May 8, 1902: "The citizens of Brigham City are requested to be present at a Mass Meeting to be held in the Opera House, Monday, May 12, at 8:00 P.M. to consider the proposition of the city putting in an electric light plant to be owned and operated by Brigham City."

In order to justify the stand taken by the council, a comparison of electric prices was made. In making this comparison, new modern plants of surrounding towns were used. The plants at Hyrum, Logan, and American Fork all had the same rates. Lights were \$.35 each or three for \$1.00 per month. These plants were in operation twenty-four hours a day and generated sufficient power to operate electrical appliances. The Brigham City plant listed rates as follows: first light \$.60, second light \$.45, and third light \$.25 or a total of \$1.30 per month

²¹Ibid., October 8, 1901.

²²Box Elder News (Brigham City, Utah), May 8, 1902.

for three lights.²³ The Brigham City plant operated six hours at night, and it was impossible to operate electrical appliances with the electricity produced. Another attractive feature of the proposed municipal plant was that it would make possible the running of electric wells.

When Mayor Boden called the mass meeting to order, the opera house was filled. The people had come by appointment to exercise their democratic right of free expression. In giving their ideas, the majority of those in attendance were favorable to the report made by the mayor. As the meeting progressed Mayor Boden introduced Mr. Wooten, manager of the American Fork Power Plant, who had been invited to give a complete report on the success of the municipally owned plant at American Fork. In his remarks Mr. Wooten reported that the revenue from the power supplied during the day for electric wells, printing presses, heating water, washing, and ironing paid all operational expenses. Mr. Wooten stated that he had investigated the possibilities of locating a modern plant in the mouth of the canyon and was certain that a plant could be erected which would supply 500 horse-power. He estimated the cost of a plant of this nature would be approximately \$28,000. A plant of this size could furnish enough electricity for three cities the size of Brigham.²⁴

Because the attitude of the crowd was moving toward a municipal plant, Mr. John D. Peters made the following motion: "Resolved, that it be the sense of the people of Brigham City in mass meeting assembled that the city should erect an electric light plant and that the city be

²³Brigham Bugler, March 26, 1898.

²⁴Box Elder News, May 15, 1902.

empowered to issue bonds to the amount of \$30,000 to pay therefore."²⁵ The motion of Mr. Peters was passed by a near unanimous vote of those present.

In defense of the Brigham City Electric Light Company, Mr. C. W. Knudson reminded the people that his company had filed on the water rights for electrical purposes. He stated that if the city moved forward with their plans for a hydro-electric plant, it would be met with court action because the corporation members intended to fight for their rights as citizens. Mr. Knudson continued his defense in a letter to the local newspaper, reporting that from the time the company had been made aware of the unsatisfactory conditions, it had been working to improve services and update the plant. The local corporation had invested heavily in surveying a new dam site and pipe line right-of-way and had moved ahead with construction under the impression that the city council was in favor of what it was doing. Mr. Knudson offered the city free lights if it would allow the continued right of the corporation's franchise and keep the matter out of court. He then quoted from the Municipal Ownership of Electric Light Plants, published by M. J. Francisco, saying that many municipalities had made the mistake that Brigham City was about to make and then after the money had been spent, recognized the error. He pleaded with the citizens of the city not to make this same mistake: "I beg of you, one and all, to consider well, particularly the Mayor and City Council, what you are doing with the trust people have imposed upon you."²⁶ A list of towns that had tried municipal power unsatisfactorily included the following:

²⁵ Ibid.

²⁶ Ibid., May 22, 1902,

Greenville, South Carolina; Portland, Oregon; Stockton, Kansas; and Moline, Illinois.²⁷

With the support of the people and being very favorable to the proposition, the city council called for a special election as soon as possible. The election returns expressed the sentiment of the people as they voted on the two propositions. The first was whether the city should construct an electrical plant. The result was 272 voting yes and 19 voting no. Whether the city should issue bonds in the sum of \$30,000 or less to pay therefore was the second question. Again the results were overwhelmingly in favor of the proposition with 277 voting yes and 18 voting no.²⁸

The election returns illustrated a definite attitude of the people of Brigham City. They were unhappy with the Knudson brothers, who as capable businessmen had acquired vast holdings in and around the city. All six of the brothers were very successful and prominent in the city affairs. One of the major criticisms which the people had against the Knudsons was their monopoly over the duck hunting. They had acquired a vast amount of land at the mouth of the Bear River in corporation as the Bear River Land and Silt Company, and it contained the best hunting area around Brigham City. The Knudsons created the first private hunting club on the Bear River and closed their land to public hunting. Men who had been used to hunting along the river were disturbed when one of Knudson's men would order them off the private club. Today, people of the area still pay a large sum of money to

²⁷Ibid., May 22, 1902.

²⁸Ibid., June 19, 1902.

join this exclusive gun club located on the Bear River Land and Silt property. The Knudsons also had some of the best farming land and equipment. They controlled the fruit packing industry as well as the electric lights.²⁹ The people felt that this was too much control for one family. One might say that the controversy between Brigham City and the electric company was in reality a conflict between the people of Brigham City and the Knudsons.

During the controversy the electric light company asked to settle the matter by arbitration. They suggested that men be brought from Ogden and Salt Lake City to render a judgement. In a special election on the question the people of Brigham City refused to settle by arbitration, thus indicating they wanted to take control of the electrical power away from the Knudsons.³⁰ This same sentiment seemed to carry into the legal proceedings as well. It took the local district court, which gave the city every consideration, about five years to render a decision.

As soon as possible after the special election, the city started surveying for the pipe line and acquiring the property. The site chosen for the location of the municipal plant was about one-half mile up the canyon from the rock power house of the electric light company. In working on the new system, the city crews were almost paralleling the work being done by the crews of the Brigham City Electric Light Company. The city dam was located in the middle of the canyon, whereas the electric company had started building a dam at the head of the canyon about where the present dam is located. The company felt that

²⁹ Ibid., September 1, 1910.

³⁰ Ibid., October 23, 1903.

by moving higher up in the canyon, they could gain more pressure from the water, thus making it possible to produce more electricity and eliminate the threat of the municipal system. A later city system which was built about 1920 followed approximately the same pipe line, and the location of the power house was in about the same place as the proposed plant of the electric light company in 1902.

In anticipation of forthcoming litigations, the city council, upon recommendation of City Attorney B. H. Jones, unanimously passed a resolution authorizing the "Renewal of Water Appropriation." Among other items this resolution stated the following:

"Brigham City, a municipal corporation of Box Elder County, Utah, hereby gives notice to whom it may concern of the following water right appropriation: 'Said city appropriates all of the waters of Box Elder Creek leading into Brigham City and its tributaries to the extent of twenty-eight cubic feet hereof which is hereby claimed. The purpose for which this water right is claimed is for water power to generate electricity and supply an electric light plant for said city. This appropriation has always been claimed by said city since 1867 and is hereby renewed and confirmed this 14th day of May 1902.'"³¹

The city went ahead with its construction plans, but the light company served a court summons on Brigham City. The plaintiff, the complaint indicated, was and had been for a long time the sole owner of all the water of Box Elder Creek and claiming title for the purpose of generating electricity. The plaintiff argued that the "claim of defendent is without any right, whatsoever, and that it has not any estate, right, title, or interest whatsoever in said water and right to the use thereof or any part thereof."³²

³¹Brigham City Council, Minutes, May 13, 1902.

³²Brigham City Electric Company v. Brigham City, Utah, 1 Jud. Dist. Ct. (Utah), file 587, Box Elder County Courthouse, Brigham City, Utah (1902).

When the Knudsons presented their case in court, the judge dismissed it without a decision. The defense rested its case on the Articles of Incorporation of the city in 1867. The Articles of Incorporation stated that whereas the Box Elder Creek, being the only stream of water flowing within the corporate limits of the city, came under the jurisdiction of the city, and because it was necessary for the livelihood of the people, the city had and always would have the rights of usage and control.³³

Mr. Frank C. Kelsey, an engineer from Salt Lake City, was hired by the city to draw up the plans and specifications for the lighting system. Under his direction the city acquired the right-of-way and called for bids on the construction. Local firms submitted the lowest bids and were awarded the contracts. Anderson and Romer Construction obtained the contract to build the power house with a bid of \$1,435.³⁴ Merrell Lumber and Salt Company received the right to construct about 5,700 feet of 30-inch wooden stave pipe to convey water to the plant. The bid of \$11,694 was higher than the engineer's estimate, but the company received the contract because it was the only firm to turn in a bid.³⁵

The electric light company used the awarding of the contract to Merrell's as one of its major attacks on the city. J. Y. Rich and George Chase brought suit against the city to have Merrell's pay back all the money it had received and to call for a termination of their

³³ Ibid.

³⁴ Box Elder News, February 12, 1903.

³⁵ Ibid., October 16, 1902.

contract. They were complaining that City Councilman Chris Simonson was a partner in the firm of Merrell Lumber and Salt. They implied that Simonson had used his influence to secure the contract. Because it was common knowledge that Councilman Simonson was married to Merrell's daughter and that he worked at the Merrell mill, Messrs. Rich and Chase had reason to question the legality of the contract. Judge Hart of the First District Court dismissed the charges as being invalid after listening to the testimonies of Merrell and Simonson.³⁶ It is interesting to note that a short time later the local papers indicated that the Merrell Company was owned and operated by Mr. Merrell, his sons, and his sons-in-law.³⁷

The city found a great obstacle facing it in acquiring the necessary property. Part of the right-of-way and the site selected for the plant was owned by Knudson, Rich, and the Brigham City Electric Light Company. The value of the land was appraised at \$70, but it was alleged that the owners would not sell it for any price. The city officials filed a petition in the county clerk's office starting condemnation proceedings.³⁸ During the time this petition was going through the legal channels, attempts were still being made to settle the matter out of court. The city offered to buy the private firm for approximately \$3,000, and the company offered to sell for about \$10,000.

In a final attempt to settle the matter out of court, a committee was assigned to appraise the value of the local company with the

³⁶U. V. Rich v. Brigham City, Utah, 1 Jud. Dist. Ct. (Utah), file 735, Box Elder County Courthouse, Brigham City, Utah (1903).

³⁷Box Elder News, January 5, 1905.

³⁸Ibid., November 6, 1902.

understanding that the city would pay the amount of appraisal. The committee consisted of J. D. Peters, local banker; M. M. Jensen of Mantua, County Assessor; and Orson Hudson, City Marshall. The committee agreed on the amount of \$2,377.90 as a fair price for the work accomplished in the canyon in anticipation of a new system. They could agree on nothing else. Jensen and Hudson valued the old plant at \$7,000, while Mr. Peters valued the old plant at \$3,000. He based his evaluation on the fact that the system was out-dated, dangerous, and could not satisfy the needs of the people; therefore, it had to be considered a temporary plant. He felt that the temporary plant which worked only six hours a night and had a net income of 11½ per cent on \$5,050 for the past year had a value of \$3,000.³⁹

When attempts to settle the matter failed, Brigham City followed through on its condemnation suit. The suit, entitled Brigham City v. Brigham City Electric Light Company, was filed on October 30, 1902. Upon application, the plaintiff was granted the right-of-way to enter the property and begin construction of the line and power house. In granting this right, the court ordered the city to put up a bond of \$1,500. The bond was issued by Mayor Boden with two very prominent businessmen, J. D. Peters and Thomas H. Blackburn, as sureties. On September 28, 1907, the city was awarded a final order of condemnation. This bond allowed the city to go forward with its power plant.⁴⁰

As the city extended its line and started to build the power house, the light company demanded a court order forcing the city to

³⁹Ibid., March 26, 1903.

⁴⁰Brigham City, Utah, v. Brigham City Electric Light Company, 1 Jud. Dist. Ct. (Utah), file 596, Box Elder County Courthouse, Brigham City, Utah (1902).

vacate the premises in question. The defense acted on the grounds that the court had no jurisdiction because the property in question did not have a clear title. The courts had permitted the city to construct a permanent building, allowing an act of unlawful trespass.⁴¹

According to the Knudsons and the light company, the local court was full of prejudice and bias. They requested the trial be moved to the courts in Weber County, alleging that 90 per cent of the people of Brigham City were prejudiced against them, thus making it impossible for them to have a fair trial. They claimed that even if a jury were selected from the remote areas of the county, the people of Brigham would poison their minds before the trial could be completed.

In an attempt to receive more consideration in the courts, the privately-owned corporation transferred all its land holdings and water rights to a Wyoming corporation. On February 18, 1903, the Box Elder Power and Light Company was incorporated under the laws of Wyoming, listing its primary location for doing business as Brigham City, Utah.⁴² The new corporation listed the following officers: John Y. Rich, President; C. W. Knudson, Manager and Vice President; George R. Chase, Secretary and Treasurer; and the foregoing officers along with J. C. Knudson and John Tarpey comprising the board of directors.⁴³ It was the consensus of the people of Brigham City that this action was taken in order to get the suit into the Federal Court System. The Federal Courts would have jurisdiction in a case involving a corporation of one state and citizens of another.

⁴¹Ibid.

⁴²Box Elder News, July 30, 1903.

⁴³Ibid., August 6, 1903.

When the Box Elder Power and Light Company was named a co-defendant in the court action, an appeal was made to the United States Circuit Court. Judge Marshall set April 4, 1907, as the date for the hearing. Upon hearing witnesses from the parties involved, he remanded the case to the local district court in Box Elder County. Judge W. W. Maughan, having the case sent back to him, issued a final order of condemnation September 28, 1907. In rendering the decision, the judge ordered the city to pay \$50 for the power house site and \$2 per acre for the pipe line right-of-way. The total amount was \$55.80⁴⁴

After the motion filed by the defense for a new trial was denied, the case was then appealed to the Utah State Supreme Court. The court action was becoming more complex, so the city hired Wm. H. King, U.S. Senator from Utah, as its legal counsel. Senator King notified the city in mid-July 1908, that the Utah State Supreme Court had upheld the decision of the lower court in favor of the city.⁴⁵ Mr. Earl Knudson, son of C. W. Knudson, reported that the case was then appealed to the United States Supreme Court, but it was thrown out in about 1913. The Knudsons, having found no success in the courts, then decided to let the matter rest.⁴⁶

During the time of the court proceedings, Brigham City moved ahead with its electrical ambitions. These were trying times for the people of the city. Feelings were very bitter between the families of the men involved with the Box Elder Power and Light Company and the families of the men working with the city. It is reported that this

⁴⁴Brigham City, Utah, v. Brigham City Electric Light Company.

⁴⁵Brigham City Council, Minutes, July 14, 1908.

⁴⁶Earl J. Knudson, personal interview, Salt Lake City, Utah, November 26, 1966.

grudge is still felt today, some sixty years after. One of the Knudson boys recalled some of the problems encountered by him while a youth in Brigham City during the controversy. It seems that there were times when he did not dare venture outside the protection of the huge fence surrounding the family property because of the angry groups of boys who were waiting for him and the other members of his family.⁴⁷

The controversy also entered into the city election of 1903. Both political parties strongly endorsed the speedy completion of the electric light system in their party platforms, but that did not satisfy the spokesman for the Republican Party. The Box Elder Report, a local newspaper strongly oriented to the Republican Party, was edited by Attorney B. H. Jones.⁴⁸ In the newspaper the Republicans blamed the Democrats for all of the problems existing in the city. The Democrats were also blamed for the court actions. The Republicans promised that if they were re-elected, the plant would be brought to a speedy completion. They also promised to lower taxes. The decrease would be made possible by an anticipated \$9,000 annual income from the electric plant. Thomas H. Blackburn, the Democratic candidate for mayor, received the bulk of criticism from Mr. Jones. Jones accused him of being against municipal lights when in reality Bishop Blackburn was one of the strongest supporters of the city-owned plant. Blackburn was one of the men who signed the \$1,500 bond allowing the city to build the power plant and pipe line before the final order of condemnation came. The Republicans won the election by about eighty votes.⁴⁹

⁴⁷ Ibid.

⁴⁸ Box Elder News, October 22, 1903.

⁴⁹ Ibid.

The first test of the city's electric lighting system came Saturday evening, October 24, 1903. Mr. Frank Bludzaker, who had installed the electrical machinery, reported that it was satisfactory in every respect. The citizens took great pride as they saw "their electricity" lighting up the four huge lights at the corner of Main and Forrest Streets.

Friday, November 13th, was not unlucky for the citizens of Brigham City because that was the day when the electric plant was given its final test by the General Electric Company. The plant developed 375 horse-power, although the capacity of the plant was 460 horse-power. At the rate of twelve to fifteen lights per horse-power, it was hoped that this plant would serve the city for years to come.⁵⁰

The new plant produced 4,100 volts of alternating current. The alternating current allowed the electrical current to be transformed down to a 110 or a 220 volt electrical outlet. It also made possible the operation of electrical appliances, but even more important to the people of the city in 1903, it made possible the operation of electrical wells for irrigational purposes.

Because the Knudsons were forced to pay most of the bills for the Box Elder Power and Light Company, they gradually acquired complete ownership of it.⁵¹ Brigham City finally settled its dispute with the Knudsons in the middle of 1920. Legally, the dispute was settled, but feelings were still bitter for years following. Brigham City secured the entire water-power rights in Box Elder Canyon together with the

⁵⁰Ibid., November 19, 1903.

⁵¹Charles W. Knudson v. Box Elder Power and Light Company, 1 Jud. Dist. Ct. (Utah), file 904, Box Elder County Courthouse, Brigham City, Utah (1905).

right-of-way for a pipe line over the Knudson property from the highest point in Mantua to the lowest point in Brigham City on which a plant could be constructed. The price was set at \$5,000 to be paid to the Knudsons, and the schedule for payment was \$1,00 down and \$4,999 when the city could secure a bond. By the end of the year the bond was secured. The Knudsons guaranteed in the settlement to guard Brigham City against any claim for damages in regard to water power that might be filed from any outside party.⁵²

Over the years the municipal power plant has been a great asset to the city of Brigham. Olof E. Zundel, present mayor of the city, states that because of the revenue from this operation the city enjoys a lower tax base than communities of comparable size. The surplus derived from operations such as this enabled the city to recently construct a civic auditorium without bonding. The municipal system also provides free porch light service to residents of the city, another unique feature.⁵³

The citizens of Brigham City take great pride in their municipal electric power plant. They recognize it as one of their great accomplishments. They are grateful to the pioneers of the industry, both private and municipal, for their foresightedness in bringing to Brigham City one of the first hydro-electric plants in Utah.

⁵²Box Elder News, June 8, 1920.

⁵³Mayor Olof E. Zundel, personal interview, Brigham City, Utah, February 18, 1970.

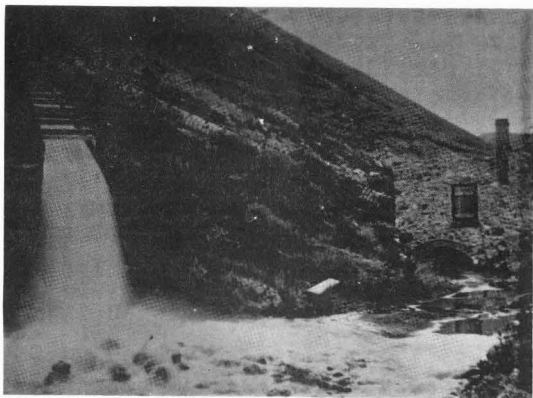


Figure 1. The rock power house built by the Brigham City Electric Light Company.



Figure 2. The first power house built by the Brigham City Corporation.

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