Acts of Incorporation in Territorial Utah

Jerry R. Lounsbury

Utah State University

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ACTS OF INCORPORATION IN
TERRITORIAL UTAH

by

Jerry R. Lounsbury

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in

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PREFACE

An account of the development of the corporate device and its implementa-
tion in the economy of Territorial Utah has never been written. Histories of sev-
eral ecclesiastical business corporations established under the auspices of The Church of Jesus Christ of Latter-day Saints have been published, but public and private corporations not directly established as church enterprises have been neglected. The present thesis represents an attempt to produce an historical analysis of the territorial corporation device and a brief history of the corporations chartered during that period. There is appended a complete listing of all corporations chartered in Salt Lake County between 1870 and 1882. Those chartered before 1870 are discussed in the body of the thesis.

Hundreds of companies were incorporated during the period that Utah existed as a territory from September 9, 1850 to January 4, 1896. Consequently, the scope of this work has been limited primarily to those companies incorporated in the early territorial period before general incorporation laws were enacted in the late 1860's. During this early period companies were incorporated through special acts of the Legislative Assembly. Some insight into the reasons for their formation has been gleaned by examining the records of that body. Since this work is primarily concerned with the economic impact of corporations upon early Utah I have purposefully neglected the inclusion of municipal corporations, library associations, and other organizations not formed for the purpose of economic advancement.
Chapter I is intended as a general background, and traces the development of the corporate device from its inception to the form in which it existed at the time Utah was settled. Subsequent chapters deal with companies incorporated by the Legislative Assembly according to the particular purpose for which they were formed and their order in chronological sequence. Chapter II is concerned with irrigation companies organized between 1850 and 1867; Chapter III with road companies formed during the same period; and Chapter IV with companies incorporated under church auspices. The concluding chapter (Chapter V) lists and discusses general legislation designed to simplify and facilitate the uniform incorporation of newly organized companies.

I wish to express my grateful appreciation to those who have contributed to this work through their encouragement and guidance: Dr. Leonard J. Arrington, Committee Chairman, for his constructive advice and patience in directing this entire undertaking; Dr. S. George Ellsworth, committee member, for his timely suggestions and instruction; and Professor Wendell B. Anderson, committee member, for his personal interest and constant support.

Also I would like to acknowledge appreciation to Dr. Everett L. Cooley and the staff of the Utah State Historical Society; A. William Lund and the staff of the Latter-day Saint Church Historian's Office; and Mr. F. T. Johnson and his assistant at the County Records Center in the State Capitol Building, Salt Lake City.

Finally, I would like to express gratitude to my parents, Ralph O. and Alice F. Lounsbury, whose excellent example and guidance have prompted me to achieve this objective; and affectionate appreciation to my wife, Rita P. Lounsbury, for her patience and understanding.

Jerry R. Lounsbury
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CHAPTER I

THE HISTORY OF CORPORATION DEVELOPMENT PRIOR
TO THE CREATION OF UTAH TERRITORY

The legal framework used by the Mormon pioneers to establish corporations was imported into early Utah as were many other institutional ideas, social customs, and economic principles used in establishing their Zion. To understand in some completeness the effect of the corporate organization in Territorial Utah it is requisite that we first understand what constituted a corporation at that time and how this device was applied to the formation of business enterprises. What follows is a brief discussion of the development of the characteristics of the corporate organization from its origin to its implementation in early Utah.

Early History of the Corporation

The exact origin of the corporation is unknown. Under Roman law bodies corporate possessing common treasuries and legal personality separate and distinct from that of the individuals comprising them were well known. These various municipal, religious, industrial, and trade associations were referred to as universitates and collegium. Their organization under the republic was virtually uncontrolled. The requirement that all such corporations must have a license from the state dates from the Empire, probably from the reign of Alexander Severus (205-235

A.D.). Most of the secular corporations developed under the Roman Empire either perished in the general ruin of Roman institutions, or survived here and there during the later centuries of feudal domination. As the power and influence of the Catholic church increased in the Empire the popes claimed that their approval was necessary to the creation of bodies corporate within the church. Thus certain ecclesiastical entities such as abbeys, monasteries, and bishoprics were recognized by the Roman Catholic Church as possessed of perpetual succession and continuing body of property despite a changing membership. It was in 1245 A. D. that the Roman Catholic Church first used the term "corpus" which later evolved into the term "incorporate"—meaning to make into one body.

The origin of the English corporation that so much affected the basic structure of the corporation in America can be traced back to the period of feudal domination. Had feudalism achieved its ideal state during this period it would have placed in the hands of manorial lords complete control over corporate type undertakings, thus eliminating the need for the corporate organization to bring together from individual sources the capital and association necessary for them, with their limited funds, to accomplish a certain enterprise.

In England, as in the other countries of Europe, feudalism did not attain the "ideal form" that it approximated under William the Conquerer. Only the most rudimentary corporate forms existed in some of the old English towns at the end of the eleventh century. When corporations

began their development it was at the expense of the feudal system. 3

Feudalism arose out of a need for physical protection of the individual and led to the development of two early mutual institutions in England—the borough and the medieval guild. The borough was an association of inhabitants joined together for mutual defense and accomplishment of civic works. Guilds were associations of traders or craftsmen organized for the furtherance of their interests, to provide for needy members, and to partly control their respective trades.

These two institutions developed gradually and were subsequently given legal status during the reign of King Henry VI (1422-1471). Patents were granted recognizing the corporate character of these institutions. Contrary to a common belief held until recently, the corporation was not initially created by Crown franchise, but developed first and subsequently received recognition from the King. Parliament later asserted the power to confirm such grants and eventually assumed the independent power to grant corporate charters.

The Crown looked upon the corporation as an administrative organ through which it could extend its power and influence. At the same time the townspeople and guildsmen regarded the corporation as a means of countering the power held by the barons, and therefore sought corporate status which gave them the privilege of self government. Consequently, many of these local corporations were formed expanding the royal power.

Certain characteristics of the modern corporation can be traced more directly to developments in overseas trade. This is where the business corporation first began to take on its form and function as an

economic institution. Because of the great initial cost and risk involved in navigation, the practice developed wherein a number of associates contributed various amounts of capital in outfitting a single ship. The value of the ship was divided up into shares depending upon the amount each associate contributed, and profits were then distributed in these same proportions. Such early associations were formed purely by agreement of the associates, who fixed the terms controlling the contributions of capital to the enterprise and delegated powers to the person or persons managing the undertaking. These small company organizations evolved into the joint stock corporation or association which was usually organized for the accomplishment of a single purpose and to lessen the risk of the undertaking to each individual. The capital accumulated by the company was divided into shares which represented the interest of each contributor and could be transferred to others without changing the identity of the group. They were not organized by statute, but were created by a contract between individuals under their common-law rights of association. The stockholders were held individually liable for the debts of the company, which was not true of later corporations. The company could not sue in its own name but had to do it in the name of a designated individual.\footnote{John M. Williams Jr., "Joint Stock Company or Association," Encyclopedia Americana (30 Vols.; New York: Americana Corporation, 1964), XVI, 189-190.} The British East Indian Company, formed in 1600, was set up under this type of arrangement. In 1602 the Dutch East India Company, generally considered to be the first stock corporation, was organized in Holland with a permanent capital, and in 1612 the English company began to issue stock on a more permanent basis,
eventually lengthening the period of time for which stock was issued. 5

Shortly after the turn of the seventeenth century the development of the corporation in England entered into a new phase. Under James I the so called "flat doctrine" was brought into English law. This theory, similar to that used in the Catholic Church centuries before, enveloped the idea that corporations are fictitious legal persons distinct from their officers and members and created by the fiat of the state. This doctrine enabled the Crown to extend control to all corporations, including boroughs, guilds, and trading companies. It also permitted the Crown to grant monopolies and privileges to corporations organized by court favorites. It soon became accepted legal doctrine that a corporation was a "franchise" or a grant of special privilege. The privilege not only permitted a number of associates to carry on an enterprise in a common name, have a common seal, and appear in courts in the corporate capacity, but usually included a monopoly of some sort, such as the right to run a ferry or mill, or the exclusive privilege of trading in a particular area subject only to the rivalry of companies granted similar monopoly rights by other countries. 6

As was noted above in the case of overseas trade, the corporation became necessary because the objects pursued by individuals were beyond their reach. The amounts of capital needed were too great, the risk too high, and the duration of the enterprise too long to make it possible for the individual to establish such an enterprise by himself. The joint-stock form of organization was shown to be successful in overcoming

5Berle and Means, loc. cit.

6Ibid., p. 415.
these barriers, as demonstrated by the Dutch and British East India Companies. Consequently, when the colonists began making plans to migrate from England to the New World it was natural that they should select this form of organization to accomplish their purpose. The joint-stock company had, by that time, been in existence for nearly two centuries, and had attained a definite status in the social constitution of England. 7

Corporations in the American Colonies

It should not be surprising that the corporation, an outgrowth of the joint-stock company, has played a prominent role in the American nation since its inception. It was a corporation to which Sir Walter Raleigh, in 1587, entrusted the colonization of Virginia. 8 A private corporation was set up under the name of "The Treasurer and Company of Adventures and Planters of the City of London for the First Colony in Virginia" authorizing the voyage of the Mayflower. It was this joint-stock enterprise that was responsible for the settlement at Plymouth in 1620. The Hudson's Bay Company, also chartered in this early period (1670), is still functioning today. 9

As settlements and plantations grew into developing communities, the need for group endeavors arose among the colonists. Reverting to


8 Joseph S. Davis, Essays, I, 4.

9 Hornstein, loc. cit.
their knowledge of the corporate institutions used in England, the colonists naturally reproduced a similar form of organization. The earliest type of corporations to emerge in America were the public corporations--towns, boroughs, and cities. Before the end of the colonial period a substantial number of private corporations had been established for ecclesiastical, educational, charitable, and even business purposes.10

Experience with these early corporations led to the development of general characteristics applicable to all companies seeking corporate charters. The term corporation had come to be associated with a group of individuals authorized by law to act as a unit, though the term was also extended to include the corporation sole (as well as corporation aggregate), in which the corporation consisted of an individual and his successors. It was thought of as being a "fictitious person," intangible, but real, and existing in perpetuity. It had a common seal which was required as evidence of its acts. It had the right to hold and dispose of its own property as it saw fit. Usually this property was not liable for obligations of the members, nor were the latter's property liable for corporate obligations.11 These were the common characteristics of corporations no matter what their purpose of existence. Other features peculiar to a particular corporation were outlined in its charter, thus giving evidence of the body's right to enjoy these powers and privileges.

English law at this time laid great stress upon the proper legal foundation for corporate rights. Since the colonies were part of the English realm these principles of law applied to them as well. Therefore

10 Joseph S. Davis, loc. cit.
11 Ibid., p. 5.
the earliest colonial corporations possessed charters granted directly by the Crown. These were issued under the same process and conditions as charters given to corporations in the British Isles. As soon as colonial governments had reached a somewhat sophisticated stage in their development most of the early American corporations were chartered by colonial proprietors, governors, and assemblies.

These rights of incorporation possessed by the colonial authorities were nevertheless delegated to them by the Crown. The sovereign grants outlining practices to be followed by colonial authorities were seldom explicit and practically never comprehensive in terms. The power and authority assigned were inferred from more or less general grants or relationships. Most of the proprietary patents contained an authorization, in somewhat definite terms, to incorporate municipalities. The charters of Maryland (1632), Carolina (1629), New York (1634), and Pennsylvania (1681), contained clauses similar to that of Maine which was given

power to erect, rayse, and builte, from time to tyme, in the province territory, and coasts aforesaide, . . . see many forts, fortresses, platforms, castells, cities, townes, and viladges, and all fortificacons whatsoever, and the same and every of them to fortifie . . . And to the said citties, boroughs, and townes, to graunt Letters of Charters of incor­poration, with all the libertys and things belonging to the


The Carolina grants of 1663 and 1665 were somewhat more explicit:

... and to the said cities, boroughs, towns, villages, or any other place or places within the said province, to grant "letters of charters of incorporation," with all liberties, franchise, and privileges requisite and useful, or to do within any corporations, within this our kingdom of England, granted or belonging.\(^15\)

The power of incorporation conferred upon governors of royal colonies was even less definite. Since the royal governor was an agent of the sovereign, he felt that specific authorization to establish colonial institutions of this kind was unnecessary. It was his prerogative to administer the affairs within his jurisdiction as he saw fit, provided he did not grossly exceed the limitation placed upon him by his initial instructions from the Crown. It was a general practice among the governors to freely exercise this power.

In the charter colonies the governor possessed no independent powers. Generally the incorporating agency was "Governor and Company," which acted simply by the regular passage of an act. These colonies—Massachusetts until 1864, Connecticut, and Rhode Island—were themselves corporations existing by virtue of Crown charters. Their powers of legislation were based upon their right and power as corporations to pass by-laws for better government. It was an established principle of British law that "one corporation cannot make another corporation." In presuming to charter without proper individual authorization these colonies were

\(^{14}\)Hazard, State Papers, I, 448, taken from Joseph S. Davis, Essays, I, pp. 8-9. The writer has chosen not to make frequent use of *sic* to indicate exact quotation of contemporary spelling, phrasing, and punctuation.

acting in direct violation of this principle. Therefore at the peril of having their charters revoked they were very cautious in the matter of incorporation. 16

Private corporations in the colonies could be distinguished from public corporations by their measure of private support and control. 17 These corporations can be further classified into groups of ecclesiastical, educational, charitable, and business corporations. We are here primarily concerned with the latter.

The business corporation was probably the least important of these corporations as they developed in the colonies. A general prejudice among the colonists held their numbers to somewhere between fifteen and eighteen prior to 1789. 18 The New London Society United for Trade and Commerce in Connecticut (1732-1733) was probably the first American business corporation. 19 The second corporation, also established in Connecticut, was created to accumulate enough capital to build and maintain a wharf at New Haven. This company under the name of "The Union Wharf Company of New Haven" was given a charter from the colonial assembly on May 22, 1760. 20 It experienced periods of activity and

16 Ibid., pp. 15-20.

17 For the purpose of this work we shall avoid a detailed account and description of all American corporations incorporated in England and also of public corporations with American charters. We shall pay particular attention to the development of private business corporations.


19 Joseph S. Davis, Essays, I, p. 87.

discouragement and eventually dissolved, leaving no record of ever having returned dividends to its owner.

A similar company, "The Proprietors of Boston Peir," or "The Long Wharf in the Town of Boston in New England," was chartered by the Massachusetts General Court in 1772. Its history before and after incorporation was not greatly different from that of the New Haven Company.

The business corporation with colonial charter which was of the greatest significance was a mutual insurance company, formed in 1752. It was incorporated by the Pennsylvania Assembly February 20, 1768, as "The Philadelphia Contributionship for the Insuring of Houses from Loss by Fire." This company prospered, and until the year 1786 was without a rival in Philadelphia. It is the only colonial business corporation that has continually existed to the present day.

Of particular interest in this study of early Utah is the only other type of business corporation apparently common in the colonies; namely, companies for supplying water.

As early as 1652 the Massachusetts General Court voted that certain specified inhabitants of Conduit Street, Boston, "shall be a corporation, and incorporated into one body or company," to provide water for daily use in their families and to secure their properties from danger by fire. The proprietors were to elect annually two of their number to be "Wardens or masters

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21 Massachusetts Provincial Acts, V, 200-202, 262-263; Massachusetts Centinel, March 18, 1789, taken from Ibid.


of the said water works for the ensuing year;" and these wardens were virtually managers of the whole business on behalf of the company. Other proprietors of lands on the same street or elsewhere were to be permitted to enter the corporation, with the consent of the wardens and company, and on condition of paying their reasonable share of the expense.24

Because it lacked a corporate name, this corporation is not considered as one of the earliest corporations in America. A number of water companies similar to this were also chartered in Rhode Island.

Contemporary with and even preceding the corporations referred to above were a large number of unincorporated associations and partnerships, societies, groups of "undertakers," and "companies" formed for various business purposes. These were sometimes referred to as corporations but even with these the number of business corporations in the colonies was small. Many of these were formally designated as "companies." Several received special privileges from the respective assemblies, but they were legally considered to be partnerships or tenancies in common. Corporate privileges for business purposes were so uncommon in the colonies that if it were not for a small amount of definite and reliable data their actual existence would have to be questioned.25

Colonial corporations, particularly private corporations, increased more rapidly in number during the last two decades before the Revolution. Before 1745 only two colleges had received charters of incorporation; between 1745 and 1776 seven charters were granted. Before 1745 there were probably five or six churches chartered in New York and two in New Jersey. In the next three decades at least fifteen more were chartered

24 Ibid.
25 Ibid., p. 91.
in each colony. All but one or two of the business corporations were chartered after 1760. 26 This growth of corporations in the closing of the colonial era was prophetic of the increased use of the corporate organization following the Revolutionary War.

Corporate Development in Early America

The Revolutionary War slowed and temporarily stopped the development of the American corporation. The political insecurity and disruption in economic activities discouraged prospective investors from risking their money in speculative ventures. During this war period of decreased interest in investment, the foundation was laid for more rapid progress when peace and independence eventually came. The intense democratic spirit that had fomented the War and permeated the new nation following the War, resulted in freer incorporation of ecclesiatical and non-business corporations. This opened the way for increased use of the corporation for private purposes. The new American found himself with a desire to experiment with novel ideas and a vigorous spirit of enterprise.

The Revolution left the legal system in the colonies in a state of uncertainty. The solutions to new problems which arose could not be based on pure legal principles because many issues were unprecedented, and in many cases the true substance of the law was not known. Lawyers were limited in lending interpretation to the law since they lacked a thorough knowledge of it. Juries called in to decide the issues at hand continued to follow the easier, more dangerous course of allowing the

26 Ibid., p. 107.
impression of their minds to constitute the basis for making decisions. It would take time for precedents to be established and schools for legal education to be set up.

However, the body of common law had been left intact in the American states, thus perpetuating the idea that a corporation was a franchise, granted now by the sovereignty of the state instead of by the Crown. The process of chartering the corporation was substantially the same except now the organizer dealt only with a legislature or a legislative committee. 27

During the colonial period both public and legal opinion in America had supported the English view that a corporation charter was a contract that could only be revoked or changed with the consent of both the grantee and the grantor. At the close of the Revolutionary War the colonial governments that had depended upon Crown charters for their powers found themselves free from the political control of England. With these political ties broken there was no imperative motive for continuing to regard a charter as an inviolable contract. The new economic motives in America encouraged a more liberal policy toward charters. The American concept of the corporation rapidly diverged from what had been the colonial and what was still the English view of such organization. State legislatures not only granted corporate privileges, but displayed a favorable attitude toward corporations. They granted specific rather than general corporate powers to particular groups of individuals, for carrying out either public or private objects. This was done

at first by special legislative acts and later by general statutes. Limitations of capital and real estate were liberal, and usually enlarged upon request.

The New England colonies became more prominent in the field of corporate development than either the southern or middle colonies. This is attributed to a greater need for corporate privileges. New England society had a large merchant class. In contrast with the agricultural class of the middle and southern colonies, New England merchants constituted a type of economic unit demanding an increase in the use of the business corporation. Unlike planters of the South who were required to invest so much capital in agricultural projects, New England merchants were able to invest in new industrial and manufacturing enterprises. Because of a more concentrated population in New England a greater demand was created for water supplies and transportation facilities. With this greater population, toll-bridges, turnpikes, and aqueduct companies could be made to pay without making an enterprise so large that it was difficult to manage.

As manufacturing and industry came into prominence these industries became the greatest source of industrial capital. Early enterprisers reinvested their returns in business. In some instances the incorporators of a business would pledge themselves to reinvest so much of their

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profits for a designated period of years following the company's inception. It was through this method that small companies evolved into large enterprises.

This increases use of the corporation in connection with business enterprise created a need and a foundation for the introduction of corporate law in the United States. At this time there were practically no general statutes governing corporations. Corporations seldom appeared in court, thus giving rise to no important decisions upon which to establish legal precedent. American lawyers relied on English precedents, many of which related to corporations that were not for business purposes.\textsuperscript{31} The historian of the law of business corporations before 1800 points out that not even a beginning was made in America, before the nineteenth century, in building up the great body of corporate law.\textsuperscript{32}

The main body of corporate law began to emerge during the early years of the nineteenth century. Early charters were granted substantially in the form submitted by the applicants.\textsuperscript{33} These charters served during this period of formation as models for drafts of bills, through which, as well as by legislative amendment, changes in charter form and corporate laws were introduced. From this period emerged several prominent characteristics of the corporation that are still in existence today. It is of interest to us here to list these characteristics and review briefly how each became part of corporate law.

\textsuperscript{31}Ibid., pp. 309-10.


\textsuperscript{33}Joseph S. Davis, Essays, II, p. 316.
(1) Typical powers. At this point in corporate development some powers of the corporation had become commonplace and were usually specified in the charter. These were (a) the right of perpetual succession, (b) power to sue and be sued in the corporate name, (c) the right to hold property, (d) to have a common seal, (e) to make and later amend by-laws, and (f) to appoint officers and agents. In many cases, however, mention of particular powers was dispensed with by the use of such clauses as "all privileges and franchises incident to a corporation," or "doing all and every other act, matter and thing which a corporation or body politic may lawfully do."\(^{34}\) We find these same powers embodied in the charters of early Utah and in charters even today.

(2) Limited liability. So long as a corporation received its powers from the state, there was a basis for believing that the state maintained unlimited control and even that the corporation was in some sense an agency of the state itself. Limited liability, however, was not necessarily a privilege granted by the state since it could be obtained by the agreement of each creditor of the corporation that he would look only to the corporate assets and not to the individual property of the associates or stockholders.\(^{35}\)

In 1809, Chief Justice Parsons of the Massachusetts General Court settled the question of how much liability each stockholder must be responsible for by stating that, "Private property of the individual members cannot be taken in execution to satisfy judgment against the

\(^{34}\)Ibid., pp. 316-17.

\(^{35}\)Berle and Means, op. cit., p. 417.
corporation.\textsuperscript{36} This decision clearly defined the concept of limited liability making the individual freer from the acts and obligations of the corporation.

This trend toward limited liability was a special impetus to the manufacturing type of corporation. In this area personal responsibility for corporate debt had actually become broader and heavier. With the merchants hostile toward industry in the early 1800's investors could see the great advantage of limitations in hazardous ventures. As industry expanded, fears were raised in the legislatures that the continuation of the full liability concept would drive business and capital to other states. This pressure eventually brought legislation granting stockholders freedom of accountability.\textsuperscript{37}

(3) Relationship to the state. The increase in the number of corporations and the areas into which they exerted influence caused new problems to develop. In order to correct these problems the original status of the corporation was altered which created a new pattern of autonomy that had not existed in the beginning. Public function took precedence over private rights.\textsuperscript{38} This could be pointed out in Massachusetts where the Commonwealth considered itself to be the master of its creatures. The government prescribed the conditions of the charter and outlined the duties upon which the grant was issued. This grant was, in a sense, exchanged by the government for services rendered to the


\textsuperscript{37}Ibid., p. 161.

\textsuperscript{38}Ibid., p. 162.
public. The government alone could terminate the existence of a corporation or relieve it of its obligations.\(^{39}\)

Another question of corporate and state relation revolved around the idea of whether or not a corporate charter constituted a contract. In the Dartmouth College Case (1819) it was held that a charter was a contract not subject to amendment by the state legislature.\(^{40}\) This decision represented a substantial triumph for those corporations struggling for freedom from government control.

As the corporation developed a distinction arose between private and public corporations. At first the exact distinction was not clear. Judge Parker of Massachusetts tried to explain this distinction upon the basis of motivation. He felt companies were private when they were operated for individual emolument or advantage. Common fields were public because they were promotive of general convenience, and operated equally upon all citizens whose property was improved by them. This distinction was discarded when it was pointed out that common fields and wharves were also formed for the profit of the organizers.\(^{41}\) In the Dartmouth College Case opinion the distinction was based upon the kind of rights involved. Private corporations were those vested with private property; public were those charged only with government or administration.\(^{42}\)

\(^{39}\)Ibid.

\(^{40}\)For a statement of this position, see citations in Ibid., p. 163.

\(^{41}\)Ibid., p. 168.

\(^{42}\)Ibid.
Eventually the corporation was viewed in still a different light. As these older ideas were discredited, the real distinction came into view. The corporation stood forth primarily as a profit-making institution, a business vehicle serving the interests of investors rather than a public agency utilizing private capital. It was marked by the creation of profit-making capital stock. Those that became known as business corporations based their ventures upon, or required as part of the charter, the accumulation of goods as an investment from which profits would ultimately be earned.

The property element soon transformed the legal conception of the corporation. The idea eventually developed that the corporation constituted more of a trust fund than an association. Chancellor Kent pronounced the distinction of corporate personality when he stated: "Corporateness is not merely the capacity for acting as a body that could hold franchise, it is itself a franchise, granted, like other privileges, in return for services to the public." 43

(4) Period of existence. The duration of the corporation was subject to the discretion of the state and could be terminated in the absence of a stated time limit. A corporation could not voluntarily dissolve itself. A charter referred to as perpetual was only capable of indefinite duration; not irrevocable. Incorporation was, like any other legislative act, subject to repeal or amendment by the enacting body. 44


44 Handlin, op. cit. p. 165.
As corporations spread into various areas, states sought to make their atmosphere more attractive to corporations by securing the status of property of new companies. Corporations soon asked to have specified a definite number of years within which to make collections to insure the promise of return on investments.\(^{45}\) During this period many argued that the absence of a provision stating the period of existence for a company implied an assurance of a perpetual life. This argument was concluded when it was declared in the Dartmouth College Case (1819) and in the Charles River Case (1829) that in the absence of specific mention of duration, corporate life was eternal.\(^{46}\) From this time the corporate charters began to contain a provision stating the intended period of existence and outlined specifically any modifications to this provision.

(5) **Eminent domain.** With the increased demands for roads, water systems, and other public projects the need arose for arrangements to provide a method of taking over or using private property. The concept of eminent domain was introduced into grants of powers to corporations. Highway companies were usually granted ample power of eminent domain. Aqueduct companies, however, were seldom given this power where voluntary agreement with landowners was usually demanded. Water companies were usually given authorization to use streets for laying pipes, sometimes subject to the consent of the town and in accord with restrictions in the interest of community convenience. In the case of highway companies these powers often extended beyond enabling the taking of lands needed for the highway itself, to enabling it to enter upon lands to make

\(^{45}\) Ibid., p. 164.

\(^{46}\) Ibid., p. 165.
surveys and take materials necessary for its structure. The use of these powers sometimes caused friction between companies and property owners, but did become a part of corporate characteristics at the time.

(6) **Limited subscription.** The changeover from unlimited assessment by the corporations to the use of capital stock shares brought another problem to corporate administration. The earliest charters contained no limitation on the right to subscribe for shares of stock. Quite early, however, because of certain great rushes to subscribe, a clause was frequently inserted limiting subscriptions by any one person for a certain time. This was done to prevent the accumulation of too much capital stock by a few individuals. This was not too effective in many cases because individuals would purchase stock under fictitious names. This problem introduced into the corporate charter provisions for limitations on total capital subscription and upon amounts of capital permitted to individual investors.

(7) **Miscellaneous provisions.** Other provisions were commonly inserted depending on the nature and purpose of the corporation. Some outlined the method of calling meetings, procedures regarding regular and special meetings, and set up stipulations for advertisement in newspapers at a specified time in advance. Voting rights were outlined in most charters. In some cases charters even listed qualifications for directors and how they were to be elected.

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General Incorporation Laws

To incorporate a company during this early period it was necessary to seek a franchise granted by the state legislature. The legislature was required to consider each application and pass a special statute giving the desired power to the corporation. In the period before 1800 only a small amount of the legislature's time was needed for this type of legislation. As manufacturing enterprises multiplied more time was demanded in this area. For instance, Massachusetts alone during the period shortly after the Revolutionary War incorporated about ninety companies for making cotton and woolen goods. 48

Beginning with New York in 1811, the states began to substitute general incorporation laws for special statutes. The laws permitted organizers of corporations to write out their own charter in accordance with statutory requirements and to file this with an officer of the state, usually the secretary of the state. 49 Incorporation usually followed automatically upon the filing of an application. Where special privileges were still necessary, recourse would have to be made to the legislature. By 1850 this type of general law was common and by 1875 they provided the usual method of incorporation.

Corporate Law Among the Mormon People

While great strides were being made in the fields of industrial expansion and technological development, changes too were taking place

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48 Victor S. Clark, op. cit., p. 266.

in the religious and social institutions of America. Churches during the first half of the nineteenth century were experiencing a renewed popularity as members and non-members alike were caught up in a frenzied spirit of religious reform and revival. Ministers and enthusiastic converts of every denomination went about preaching fervently their concept of the Gospel.

It was during this era of increased religious zeal that The Church of Jesus Christ of Latter-day Saints, commonly referred to as the Mormon Church, was organized on April 6, 1830, by Joseph Smith near Palmyra, New York. As new converts came into the church they were immediately sent out as missionaries to proclaim the "Restored Gospel" to others that they too might accept its truths. Many of these convert missionaries, imbued with the spirit of their new found faith, felt compelled to return to the localities, from which they had migrated to New York, to declare the new Gospel to their relatives and friends. Consequently, the early missionary activities centered round the states of New York, Ohio, the New England States, and some areas of southern Canada. This is of particular interest because of the many converts to the church from these areas that became prominent in the government of early Utah.


The development of laws, customs, and social and economic institutions in early Utah was strongly influenced by these "Yankees." Thus, it seems appropriate to introduce the persons whose influence was particularly notable.

Brigham Young, who later led the Mormon people westward into Utah and served as the Governor of the State of Deseret and of the Territory of Utah, became a convert to The Church of Jesus Christ of Latter-day Saints on April 14, 1832, in the State of New York. Brigham was born in Vermont in 1801 to parents who were staunch supporters of freedom and "the American way of life." At the age of sixteen he started his own business as a carpenter and cabinet-maker. A few years later he moved to New York where he became acquainted with the Mormon religion.52

Heber C. Kimball, counselor to Brigham Young in the presidency of the Mormon Church in early Utah and Chief Justice of the Supreme Court of the State of Deseret, was also a native of Vermont. He was born in Franklin County on June 14, 1801. His parents were of the typical Puritan stock of New England. At the age of eleven Heber moved with the family to Ontario County, New York, where he was later baptized into the Mormon Church in 1832.53

Willard Richards, Secretary of the State of Deseret, was born June 24, 1804, at Hopkinton, Middlesex County, Massachusetts. He reportedly was in Boston in 1835 practicing medicine and shortly thereafter was baptized into the church on December 3, 1836.54

53 Ibid., pp. 34-37.
54 Ibid., p. 222.
Other prominent government officials in early Utah came from areas near those just mentioned. Newel K. Whitney, Treasurer and Associate Justice to the Supreme Court of the State of Deseret, came from the same county in Vermont as Brigham Young. Daniel H. Wells, Attorney General of the State of Deseret, was born in Trenton, Oneida County, New York, on October 17, 1814. Albert Carrington, who headed the committee that formed the constitution for the State of Deseret, was born January 8, 1813, in Royalton, Windsor County, Vermont. He later studied at Dartmouth College from which he graduated in 1833. He then taught school and studied law in Pennsylvania.

These men who became the policy setting leaders in early Utah were unquestionably familiar with the corporation laws of the states in which they had grown up. Aware of events about them, and interested students of the Constitution and law, they brought with them to the Mormon Church and to Utah a knowledge of precedents set in the older states.

The early laws and institutions established in Utah reflect the tendency of the leaders to rely upon precedents with which they were familiar to provide the basis for their government. These men carried with them from the eastern states the reservoir of knowledge from which they drew ideas for solving problems in Utah. In relation to corporate law it is evident that provisions of the early acts of incorporation in the State of Deseret and the Territory of Utah contained characteristics of the corporation which had been developed in the East. The Church

55 Ibid., p. 222.
56 Ibid., p. 62.
57 Ibid., p. 57.
of Jesus Christ of Latter-day Saints itself was incorporated in New
York at the time of its organization.\(^{58}\) Because of persecution the
church was forced to move to Ohio, then to Missouri, enjoyed a brief
period of "peace and freedom from persecution" in Nauvoo, Illinois, but
was once again forced to leave and move on to the West.

While at Nauvoo the Mormon Church prospered and increased in membership through the efforts of its missionary system. Nauvoo became the largest city in Illinois at that time and was granted a liberal charter by the State of Illinois. This charter of incorporation became a model for later charters and acts. "An Act to incorporate the City of Nauvoo," was signed by Governor Thomas Carlin December 16, 1840, and became operative on the first Monday of February, 1841.\(^{59}\) Part of the Springfield, Illinois charter was incorporated into the Nauvoo charter by direct reference, and obviously it was employed as a general pattern.\(^{60}\)

It was shown earlier in this chapter how the community-cooperative type of public corporation evolved into a business type of organization set up for pecuniary gain. As the Mormons began to develop their own institutions, there was a definite reversion to the public cooperative organization. The teachings of the Mormon Church emphasized the doctrine of united effort and cooperation, so that the body of corporation law as spelled out in special legislative acts in early Utah was largely concerned with the establishment of public or cooperative corporations for the economic benefit of the Mormon community. These special acts


\(^{59}\) Laws of the State of Illinois, 1841, pp. 52-59, taken from ibid. p. 59.

\(^{60}\) See ibid., p. 61.
begin similar to that of the Nauvoo Charter, "An Act to incorporate
the . . .," and contain within their sections an elaboration of the char-
acteristics peculiar to the corporations discussed earlier in the chapter.

In the years between 1847 and 1850, there was not a great need for legisla-
tive acts to incorporate companies. As population and industry
grew, more corporate bodies were formed. After the establishment of the
Territorial government September 9, 1850, the Legislative Assembly adopted
the procedure of incorporating companies by special act.61

During the 1860's the number of companies seeking incorporation
increased considerably, causing the Legislative Assembly to pass
general laws providing for the incorporation of companies by the County
Court in each county. The first general act of this nature was passed
in 1864, and provided for the incorporation of telegraph companies.
Other general acts were passed in the intervening years culminating with
the act relating to incorporation of mining, manufacturing, commercial
and other industrial companies on February 18, 1870. From this time
until statehood was achieved, companies were incorporated through the
Clerk of the County Court and the Secretary of the Territory.

There were 23 companies incorporated during the period from the
establishment of the territory until the passage of the general acts.
Six of these were canal companies, nine were road companies, six were
church-sponsored business corporations, and two were companies from
outside Utah seeking incorporation in the territory.

61 Dale Morgan, "The State of Deseret," Utah Historical Quarterly,
VIII (1940), pp. 223-225.
In the following chapters we shall discuss the history of the companies in the aforementioned categories and their significance in Utah Territory.
CHAPTER II

IRRIGATION COMPANIES INCORPORATED IN UTAH TERRITORY, 1850 TO 1867

Beginnings of Irrigation in Utah

The science of irrigation existed in the Utah region many centuries before the coming of the Mormon people. The first irrigation projects were undertaken by a prehistoric group of American Indians who settled in the four corners area where today the states of Utah, Arizona, New Mexico, and Colorado share a common boundary. This group, since referred to as the Anasazi culture, has been traced back to the first century A.D. Over a period of several centuries the Anasazi culture developed into a relatively civilized society. The tribe constructed pueblos in which to live and buildings for the storage of foods. Agricultural crops such as corn, squash, and beans grew in well cultivated gardens near the tribal village. Irrigation ditches were built to carry water to the crops. By the year 500 A.D. many of the Anasazi characteristics had spread to other desert tribes and become part of the larger Fremont culture which spread throughout the Utah region.¹

By the year 1300 A.D. many of the characteristics of the Fremont culture had vanished as the tribes composing the culture moved farther south. The remaining small tribes continued to use some irrigation but

the practice degenerated. When the Mountain Men and, later, the Mormons came to Utah, remnants of this art were still existent among the Indian tribes.

"Modern" irrigation in Utah began on July 23, 1847. On this day five Mormons were assigned to locate suitable land in the Salt Lake Valley which could be used for cultivation. By mid-day a plot of ground had been selected and staked off for potatoes. Plows were immediately set to work. Others were sent to build a dam across a creek (City Creek) so that water might be forced out onto the dry land. The dam was not finished that day, however, and the plows found it hard to penetrate the baked earth. Several were broken during the afternoon. 2

Early settlers of Utah were among the first to try irrigation in the United States. They were not only unique in this respect, but exhibited the importance of organization and public control in the diversion and use of rivers.

Under the direction of their leaders the Mormons adapted their settlements and institutions to conform with the conditions in which they found themselves. Because of the semi-arid nature of their habitat, the irrigation canal became the basis of their agricultural and industrial development. Moreover, the concept of cooperation now found new meaning as the Mormons, with few capital resources, found it beyond the power of single individuals to convert the mountain streams into irrigational systems. Only through the labor of many individuals, working together under organization and discipline, could the necessary canals be built

and water distributed to each plot. Small farms were chosen, not because the people were less greedy for land than in other new countries, but because it was evident that the extent of the water supply was the measure of production.\(^3\)

The practice of irrigation was new to the pioneer farmers and presented many problems. The questions of how much water should be used and how often to irrigate were among the most immediate. As water was plentiful in some of the new canals, most of the men used too much water and it took several years of experience to train them to use only the amount that was necessary to produce a good crop.\(^4\)

During the first few years, when the corporation was brought into the structuring of canal companies, the settlers worked cooperatively together to build what canals they needed on a community basis. Each farmer would contribute labor and materials as the canal was being constructed; this entitled him to a share of the water from the canal when it was completed. As the process of building canals developed and more demand was placed upon the water supply, a new era emerged in the method of getting canals built.

To insure an equitable and conservative distribution of this scarce resource, companies had to be organized to administer the water. Of all the companies organized in the early territorial period, irrigation companies were probably the most important because of the value of the resource with which they were concerned. Under the direction of a canal


\(^4\)Kate B. Carter, *Heart Throbs of the West* (12 Vols.; Salt Lake City: Daughters of the Utah Pioneers, 1939-1951), I, p. 226.
company the canyon waters were diverted into canals, then into ditches, and ultimately spread upon the parched land. Following is a brief history of the irrigation companies incorporated in Utah Territory during the period from 1850 to 1867.

Provo Canal and Irrigation Company

The first irrigation company to be organized in the territory was the Provo Canal and Irrigation Company, with a capital stock of $200,000 in shares of $200 each. The act to incorporate this company was approved on January 17, 1853. The Mormons who had settled along the foot of the Wasatch Mountains in Utah Valley grouped together to form this corporation for the purpose of diverting water from the Provo River through canals to their farm plots. Orson Hyde, George A. Smith, and George W. Armstrong, none of whom were citizens of Utah County, were the principal organizers of the corporation. Under the terms of the charter the company was given the right to take out one-half of the waters of the Provo River near the mouth of the canyon of the north side of the river. The water was then to be conducted in a canal along the bench north of Provo (above the present cities of Orem and Pleasant Grove) along the most feasible route in order to irrigate the land. Any portion over one-half of the water in the river could also be taken out by the company, provided that the excess water taken would not retard, hinder, or obstruct the mills, machinery, or irrigation of the lands below which at the time were in operation or under cultivation or thereafter would be. The waters taken by the company could be used for irrigation, to run mills and machinery of all kinds, for navigation, and any other lawful purpose. The right was also given for the company to sell, lease, or dispose
of the water for the purposes just mentioned on any terms or conditions they saw fit. 5

The Provo Canal and Irrigation Company which was authorized to sell water or power, was the first commercial enterprise incorporated in the territory after its creation. 6 (The Church of Jesus Christ of Latter-day Saints had been previously incorporated in 1851, but, of course, was essentially a non-profit organization). However, many other canals and ditches had already been built by this time in the Provo area as in the territory. For example:

There were so many irrigation ditches in Provo in the early days that the maintenance of good roadways was a difficult matter, and owners of lots on the east side of main street, now Fifth West, were notified, "To make their water ditch on the east side of said street, as they would not be allowed to take water across Main street to irrigate their gardens." 7

These canals and ditches may have been a menace to the city and its traffic, but they furnished the water without which the city could not be developed and beautified. One observer, speaking of Provo, put it this way:

Their carefully cultivated farms and gardens spoke well for them. . .the numerous channels cut from the mountain and down through the streets of the town, were 7 for supplying a plentiful, convenient and healthful supply of pure water to every house. 8

5Territory of Utah, Legislative Assembly, Acts, Resolutions, and Memorials (Great Salt Lake City, 2nd Session, 1852-53), pp. 18-20. On microfilm in the Utah State University Library. (Hereafter referred to as Acts, Resolutions and Memorials).


8Ibid.
As population continued to increase in Utah Valley more irrigation companies were formed even though some of them were not officially incorporated. Apparently the name of the Provo Canal and Irrigation Company was changed to the Provo Bench Irrigation Company. In the summer of 1866, the Provo Bench Irrigation Company and the North Union Irrigation Company united and proposed that in the forthcoming fall and winter they would enlarge and complete the canal from the Provo River. This would furnish labor and good farm land for such as desired to locate in the vicinity. The Provo Company had levied an assessment of $150 per acre on the land to be benefited, payable in September of that year, and jobs were immediately let out on the canal.  

Great Salt Lake City Water Works Association

By 1853, Great Salt Lake City had become a city of considerable size with an estimated population of 6,000 people and several small industries. On January 21, 1853, an act was approved by the Territorial Legislature incorporating the Great Salt Lake City Water Works Association, with a capital stock divided into shares of $100 each. These were to be subscribed and paid for at the time, and in the proportions prescribed by the by-laws of the company. The principal incorporators of the company were Brigham Young, Heber C. Kimball, Ezra T. Benson, Jedediah M. Grant, Jesse C. Little, and Phineas W. Cook. The association

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9 *Journal History of The Church of Jesus Christ of Latter-day Saints* (hereafter referred to as JH), August 29, 1866, MSS, Church Historian's Office, Salt Lake City.

10 Andrew Jenson, *Church Chronology* (Salt Lake City, 1886), p. 45. Salt Lake City was referred to as Great Salt Lake City until 1867.
was given the power and authority to supply Great Salt Lake City and its citizens with water. To accomplish this task the company constructed pipelines and ditches through the streets and alleys of the city to the different lots, mills, factories, and public places. 11

The city was divided into different water districts which were usually determined by the creek which served them. Each water district was governed by a group of proprietors who appointed a watermaster and set up the by-laws. The watermaster appointed by this group was given general supervision over the ditch. He had the authority to call on users along the canal to help with the necessary repair work and controlled the use of water by each person on the canal. 12

Getting the manpower and money necessary to build or repair a ditch was sometimes quite difficult. On one occasion the watermaster of the Big Canyon Creek Water Sect levied a tax of two day's labor upon each owner of a five-acre lot and one day's labor upon the one-acre lot owners that used water from the canal. If the person failed to report for the repair detail, he was charged $2 for each day missed. If this was not enough to encourage the user to perform his duties, then the water was withheld from him. 13

As Great Salt Lake City continued to grow, improvements were made in the water distribution systems and institutions. The unique water system of the city made an impression upon Sir Richard Burton, an English

11 Acts, Resolutions, and Memorials, . . . (Great Salt Lake City, 1852-1853).

12 Deseret News (Salt Lake City), March 19, 1853.

13 Ibid.
traveler who visited the city in 1860:

... every meridional street is traversed on both sides by a stream of limpid water, verdure-fringed, and gurgling with a murmur which would make a Persian Moolah long for improper drinks. The supplies are brought in raised and hollowed water courses from City Creek, Red Buttes, and other Kanyons, lying north and east of the settlement. ... citizens can now draw with scanty trouble their drinking water in the morning, when it is purest, from the clear and sparkling streams that flow over the pebbly beds before their doors. The surplus is reserved for the purpose of irrigation. ... and what is not wanted swells the City Creek and eventually the waters of Jordan.\textsuperscript{14}

At this time the water for the city was controlled by a chief water-master or commissioner who was assisted by a watermaster in each ward (an ecclesiastical division of the city), and by a deputy in each block. At the corner of each ward there was a water gate which controlled the supply of water to the several blocks. Each lot of 1½ acres was allowed to use the water for about three hours irrigation during the week. For repairs and other expenses a property tax of one mill per dollar was raised and the total amount collected by this method in 1860 was $1,163.25.\textsuperscript{15}

\textit{Cottonwood Canal Company}

The limited supply of water in the Salt Lake Valley required that the settlers use every available drop that could be wrested from the canyon watersheds. As the settlement grew, water had to be brought from canyons further from the city than had been necessary before. Big and Little Cottonwood canyons emerged from the Wasatch Mountains 20 miles

\textsuperscript{14}Richard F. Burton, \textit{The City of the Saints and Across the Rocky Mountains to California} (London: Longman, Green, Longman, and Roberts, 1861), p. 266.

\textsuperscript{15}\textit{Ibid.}
south and east of the city and contained very substantial streams. As early as 1852, Brigham Young made mention that work was progressing rapidly on the Cottonwood Canal and that it would probably soon be completed.16 No distinction was made as to which canyon--Big or Little Cottonwood--was the one from which the canal was being constructed. It is logical to assume, however, that it was from Big Cottonwood Canyon, since it was the one nearest the settlement and also since, in January of 1853, the Territorial Legislature appropriated money to be used on completing the Big Cottonwood Canal.17

Two years later on January 15, 1855, a company was officially incorporated as the Cottonwood Canal Company for the purpose of digging a canal from Big Cottonwood Canyon into Great Salt Lake City. Under this act, Brigham Young, Isaac Chase, Feramorz Little, and their associates and successors were granted a strip of land one mile wide on the east and a half mile wide on the west side of the canal throughout its entire length. They were required to build bridges along the canal at convenient intervals as a part of their duties outlined by the legislature. The company was also given the right of perpetual succession for a period of fifty years.18

Not only was the canal constructed for culinary and irrigational purposes, but it was to serve an additional function as a navigation canal.

16 Message given by Brigham Young in Great Salt Lake City, December 15, 1852, taken from "Governor's Message" (hereafter referred to as "Governor's Message") a typescript compilation of messages given by successive governors in possession of the Utah Historical Society, Salt Lake City.

17 Acts, Resolutions, and Memorials. . . (Great Salt Lake City, 1852-53).

18 Ibid.
As a part of the public works system of the settlement, granite blocks were hauled from Big Cottonwood Canyon to build up the city, and provide material for the construction of the Salt Lake Temple. Hauling the blocks with teams of oxen was a slow and cumbersome method of transportation. Mormon leaders—at least Brigham Young—felt that the blocks could be easily floated along the canal on barges. He also felt that with the construction of the canal and its abundant supply of water the valuable lands along the canal could be brought into cultivation and more water could be used in the city to propel machinery and mills. 19

Plans were made to have the canal in readiness for boating rock by June of 1856. To expedite the construction it was proposed that contracts be let out for labor, payable in land along the canal or in credit on tithing. It was presumed that those anxious to pay their tithing, or secure a pleasant home or a valuable farm near the city would contribute the labor needed for the construction. 20

By mid-summer of 1855 the progress on public works was interrupted because enough feed could not be found to supply the teams. It was felt that little time would be lost in the stone business, however, since the laborers were transferred to work on the Cottonwood Canal. Brigham Young stated that had the canal been finished at this time and its waters used for irrigation, as it was contemplated, there would have been enough grain and vegetables saved in that season alone to pay the expense of the canal’s construction. The ground was particularly dry during these

19 Deseret News, February 1, 1855.

20 Ibid.
summer months and the laborers had trouble digging the parched earth. They did what work they could on the embankments, deep cuts, and dams, leaving the principal digging until the fall and winter rains came to soften the earth.  

By September 30, 1855, contracts had been let out for the construction of the most difficult parts of the canal. During the fall and winter much was accomplished toward the completion of the canal. In June of the next year, in a tabernacle sermon, Brigham Young complimented the brethren of the church for their progress on the canal and outlined further his plans for more extensive irrigation systems. The embankments formed by the Big Cottonwood Canal across the mouths of the canyons near the city were to serve as dams, creating a reservoir in each canyon for the storage of water to be used in time of drought. President Young held out as the ultimate objective that none of the fresh mountain water reached the Great Salt Lake until every drop had been extracted:

Shall we stop making canals, when the one now in progress is finished? No, for as soon as that is completed from Big Cottonwood to this city we expect to make a canal on the west side of Jordan, and take its waters along the east base of the west mountains, as there is more farming land on the west side of that river than on the east. When that work is accomplished we shall continue our exertions until Provo river runs into this city. . .Even then we do not intend to cease our improvements, for we expect that part of the Weber will be brought to the Hot Springs. . .Then we contemplate that Bear River will be taken out at the gates to irrigate a rich and extensive region on its left bank, and also upon the other side to meet the waters of the Malad.  

21 JH, July 30, 1855.

22 JH, September 30, 1855.

23 JH, June 8, 1856.
The canal was still not finished by the end of the summer of 1856. On April 1, 1857, Wilford Woodruff mentioned in a letter to George A. Smith that he felt the Cottonwood Canal would be finished by April conference of that year.\(^{24}\)

The canal eventually proved to be impractical as a navigation canal and was abandoned in this respect, but was used for irrigation and other purposes.

**Davis County Canal Company**

In outlining his plan for making the rivers and streams water all the land between the mountains and the Great Salt Lake, Brigham was not merely making hopeful predictions. On January 12, 1856, six months before his address explaining this extensive system to the church members, a company was incorporated by the legislature under the name of the Davis County Canal Company. The stated purpose was to construct a canal from the mouth of Weber Canyon along the most feasible and useful route to any point between the canyon and Great Salt Lake City. Brigham Young himself, along with William Smith, Lot Smith, Thomas Knighton, and James Leithead were the principal incorporators.\(^{25}\)

In place of prescribing any set amount of capital stock, the company was given the right to construct tow paths along the canal which could be used for pulling barges. They were given the right to collect toll along the canal which would help pay the costs of construction.

\(^{24}\)JH, April 1, 1857.

\(^{25}\)Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1855-1856).
The canal was to carry one-half of the water of the Weber River and was to be used for the irrigation of farms, for mills, and for other purposes that might arise.\textsuperscript{26} To facilitate its construction, tithing credit and valuable land along the canal were offered to laborers who would contract to do the construction work.

In February of 1857, Wilford Woodruff mentioned that the inhabitants of Davis County had commenced work on the canal.\textsuperscript{27} In a report to the Legislative Assembly in 1865, it was reported that construction on the Davis County Canal was still in progress.\textsuperscript{28} It is reasonable to assume that at that time part of the canal was being used, and that the canal was eventually completed as far as necessary to irrigate the land in Davis County under its jurisdiction.

**Jordan Irrigation Company**

By the early 1860's Great Salt Lake City had expanded to the point that farms were being developed on both sides of the Jordan River. On January 17, 1862, the Jordan Irrigation Company was incorporated for the purpose of building a dam or dams across the Jordan so that the water in the river could be taken out on both sides for irrigation. It was initially planned to build the dam at a point about half a mile above the bridge over the river on North Temple Street. Canal systems were built to carry the water throughout the city and county. The capital stock of the company was $50,000, made up of 2,000 shares of $25

\textsuperscript{26}Ibid.

\textsuperscript{27}JH, February 4, 1857.

\textsuperscript{28}JH, February 15, 1865.
At the first meeting of the company, held about a week after its incorporation, Wilford Woodruff was elected president, Robert L. Campbell, secretary, and George A. Smith, treasurer. Other prominent men that were principal incorporators were Brigham Young, Daniel H. Wells, and Jesse W. Fox. The latter was an outstanding figure in the field of irrigation surveying.

Committees were set up to study the lands to be brought under irrigation, present plans for possible systems to be employed, and estimate their cost. Little more is mentioned about the company's progress until November 2, 1864, when the following notice appeared in the Deseret News:

The Jordan Irrigation Company have completed the survey for their contemplated canal, and we are informed that the work of excavation commences this week. To those who have been in doubt in reference to the immediate prosecution of the work, we are authorized to state that enough has already been subscribed for carrying on the work to the completion of the canal.

During the winter and spring of 1864-1865 progress was made on the canal and a considerable amount of land brought under irrigation. In a report made to the Committee on Irrigation of the Territorial Legislature on February 15, 1865, is an estimate of the cost of canals in progress in Great Salt Lake County. Included is an estimate of $200,000 for a canal in the South West Jordan area and $60,000 for a canal in West Jordan.

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29 Acts, Resolutions, and Memorials. ...(Great Salt Lake City, 1861-1862).

30 Deseret News, January 29, 1862.

31 JH, February 15, 1865.
Officers of this company were apparently paid in land. On December 23, 1865, Wilford Woodruff met with the Jordan Irrigation Company, who voted to give him 20 acres of land anywhere in the survey free of charge, and also a city lot. George A. Smith was given 100 acres.32

By May of 1866, a considerable amount of land was being cultivated on the west side of the Jordan River which could be watered out of the West Jordan Canal. On the east branch of the canal a dam or levy, one mile in length, was being constructed which would allow the Jordan Irrigation Company to water a large tract of land adjacent to the city.33

On May 24, 1866, the Deseret News reported the results of an inspection tour made of the company's progress by its officers. They included George A. Smith, president; George R. Wallace, superintendent; Bishop N. Davis, director; and Jesse W. Fox, surveyor general. It was observed that quite a number of farming claims had been made on the west side of the Jordan River. Some of them were neatly fenced in with lumber fencing, and a large quantity of crops had been planted which were growing well. The water had not yet been turned into the canal but was to be turned in within that week. None of the crops were suffering from lack of water. A canal had also been dug--8 feet wide, 2 feet deep, and 1½ miles long--from the reservoir west of Brighton to irrigate a large tract of land. The large prairie surface thus brought under cultivation was expected to provide sustenance for an ever-increasing population. The company's reservoir would cover some land, but with the building of levies it could be compressed into a 60 acre area. An additional

32JH, December 23, 1865.

33JH, May 21, 1866.
advantage gained in connection with the construction of these canals and reservoirs was that range stock and travelers that during the dry season had to come from the West mountains to the Jordan for water could now obtain it without much travel.

In February of 1868, six years after the company's incorporation, a glance back over its accomplishments revealed that the costs had been far greater than the returns. The tract of land in the Jordan Irrigation District, consisting of about 11,000 acres, had been surveyed into 5, 10, and 20 acre lots and taken up by individuals of the district. The company by this time had been working within the districts for a total of ten years and had spent about $15 per acre on the land. During this time they had lost a dam and other works because of a flood, which cost them $20,000. They managed to succeed in getting less than 500 acres under proper cultivation. One thing that had been learned, however, was that the land required more water than had been anticipated. In order to do the job adequately, it was estimated that the canals would have to be enlarged to four times their capacity.34

The projects in the Jordan area continued to grow and new districts were formed to meet new needs. Late in the year of 1877, three new companies were formed, the North Jordan, the West Jordan, and the South Jordan. An assessment fee of $2 per acre was levied upon the users in each district. Jesse W. Fox and his party of surveyors made more studies to determine which system would produce the best results. Many felt that the area over Jordan would soon become "a fruitful field."35

34JH, February 17, 1868.

35JH, January 17, 1878; also Deseret News of same date.
The summer of 1864 was a dry hot summer in the Salt Lake Valley and many of the crops failed from lack of water. Progress on the Jordan Canal had been slow and great anticipation was arising as to what would be the fate of the city if more water could not be obtained. The demands of the increasing population were pressing heavily upon the limited supply from the streams. In August of that year a mass meeting was held at the Bowery for the purpose of considering the feasibility of bringing the waters of the Jordan into the city by cutting a canal along the foot of the mountains on the east side of the valley. The proposed canal would be taken out of the river near Point of the Mountain, cut in a northeasterly direction around the valley to form a junction with the Big Cottonwood Canal, and in this manner supply the city with water for irrigation during the summer season.

Abraham O. Smoot called the meeting to order and stated its objective. Speeches were made by Wilford Woodruff, A. P. Rockwood, and Zerubbabel Snow in which they argued the necessity of increasing the supply of water in the city. Mr. Rockwood stated that, in his opinion, the waters of the Jordan could be brought into the city by the proposed canal for $171,000. Judge Snow suggested that a tax of $15 per lot would provide sufficient money to sink artesian wells which could supply enough water to make up the deficiency. Brigham Young advocated both the sinking of wells and the cutting of a canal to carry the waters of Utah Lake into the city.36

36 JH, August 17, 1864.
Attempts were made to bore artesian wells but in no instance was a depth of more than 400 feet attained, and in every instance boulders and other obstructions caused the abandonment of this idea. The only alternative was to build the proposed canal.37

By November of 1864, after several meetings and much deliberation, preliminary arrangements were made for the formation of a company whose purpose was the construction of a canal from the Indian Ford, on the south side of Point of the Mountain near the outlet of Utah Lake, around the Point into Great Salt Lake Valley, to water the lands under cultivation and also "the thousands of acres that were wasting on the open prairie" between the city and Point of the Mountain.38 This was the most gigantic project undertaken by the Mormon people in the field of canal construction. To accomplish this task the leaders of the project planned to ask the Legislative Assembly to grant an act of incorporation under which a water assessment could be made upon all of the farms and town lots in Great Salt Lake County to help finance the construction.

From estimates which had been made of the damage to crops caused by drought the previous summer it was postulated that each owner of a lot in the city had lost from $100 to $500 worth of farm produce. Consequently the project was pushed with all possible speed.

On January 20, 1865, a General Incorporation Act providing for the incorporation of irrigation companies was passed by the Legislative

37 JH, February 17, 1868.

38 The information in this and the following paragraphs is based upon an article in JH, February 15, 1865, pp. 4-5.
This act, which will be discussed in more detail later, required that the newly elected trustees of any company should submit a report determining the amount and quality of the land to be benefited by the proposed canal and to estimate the cost of the canal including dams, flumes, locks, waste-weirs and all appurtenances.

A mass meeting was held February 4, 1865, at the Tabernacle for all those living in Great Salt Lake County on the east side of the Jordan River who were concerned with the construction of the canal. Twelve trustees, a secretary, and a treasurer were elected in accordance with the provisions of the General Act. At a Board meeting held immediately following the mass meeting, Brigham Young was elected president. He then appointed a committee of three, John Taylor, Joseph A. Young, and John Sharp, to make a report containing the specified estimates. The report, made from a survey by Jesse W. Fox, chief engineer, outlined the proposed project with accompanying estimates. The proposed canal was to be 32½ miles in length. It would commence a little below the Indian Ford at the north end of Utah Valley:

...would run through Willow Creek settlement, crossing Dry Creek above the Territorial Road [now State Street]; Little Cottonwood, near Union Fort; Big Cottonwood a little east of Bishop Brinton’s; Mill Creek between the upper and lower County roads; Kanyon Creek, on the west side of the County road, near the Sugar House, and thence northerly, through the five-acre lots, thence through the First, Eleventh, and Twelfth Wards, to its present terminus; opposite the northeast block of the Thirteenth Ward, near Mr. Camp’s house.

The canal was to be 20 feet wide at the bottom and 3½ feet deep. From the Jordan River to Canyon Creek the canal would have a drop of
20 inches to the mile and from Canyon Creek into the city it would be on the dead level.

A substantial dam was to be built in the Jordan River to divert the water into the canal, and a system of gates constructed to regulate the flow into the canal. In order to make the canal passable for navigation, ten locks varying from 6 to 10 feet in depth of fall were to be constructed between the entrance and terminus of the canal. These locks, which were to be made of timber, would be 14 feet wide and 70 feet long. Waste-weirs would be built a little above the locks to protect the locks from danger in times of high water by allowing any extra water that might come down the canal to overflow.

To carry the water across Willow Creek, Dry Creek, Little and Big Cottonwood Creeks, Mill Creek, and Big Canyon Creek, six flumes were to be built which would vary from 40 to 143 feet in length and 3.5 feet in depth.

Feeders from the various creeks and streams were to supplement the water supply in the canal. At intervals along the canal, loose temporary gates were to be installed to dam up and preserve water in the event that a break occurred in any part of it. Along the canal a large number of sluice ways of various dimensions would convey the water from the canal into the various ditches to be used for irrigation.

Two estimates were made as to the cost of the proposed project, one by John Sharp and the other by Chief Engineer Jesse W. Fox. From their estimates the following report was made and submitted to the Board of Trustees of the Deseret Irrigation and Navigation Canal Company:
For excavating canal and locks between the terminus in Great Salt Lake City and Little Cottonwood Canyon $110,000
For the construction of the dam, on the Jordan River 20,000
For materials and work upon ten locks 40,000
For ten waste-weirs 10,000
For sluice-ways 4,000
For flumes to cross the aforementioned creeks 40,000

Total $403,000

In accordance with the second requirement of the General Incorporation Act, Mr. Fox estimated the amount of land (at that time unoccupied) which could be brought into cultivation when the canal was completed to be 3,000 acres. He estimated the forthcoming income from this land which could be applied to the cost of the canal at $10 per acre. This would make $30,000 that could be subtracted from the total estimate. An additional $7,500 could be subtracted since the Jordan Irrigation Company had agreed to furnish this much in labor and materials. Subtracting these amounts from the initial estimates made, the actual cost to the people in the Salt Lake area was estimated at $365,500.

In conformance with other provisions of the General Act a report was made estimating the total amount of land to come under the jurisdiction of the new company. Engineer Fox summed up the estimated averages as follows:

<table>
<thead>
<tr>
<th>Type of Land</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>In city lots</td>
<td>2,000</td>
</tr>
<tr>
<td>In Five Acre lots</td>
<td>3,000</td>
</tr>
<tr>
<td>In Ten Acre lots</td>
<td>6,000</td>
</tr>
<tr>
<td>In Big and Little Cottonwood</td>
<td>8,560</td>
</tr>
<tr>
<td>In Jordan Bottoms</td>
<td>1,200</td>
</tr>
<tr>
<td>In Willow Creek</td>
<td>1,000</td>
</tr>
<tr>
<td>In Unsurveyed Lands</td>
<td>3,000</td>
</tr>
</tbody>
</table>

24,760 acres.

This report includes 1700 city lots.
600 Five Acre lots.
600 Ten Acre lots.
The Board of Trustees readily accepted the report and set about making final estimates of tax revenues needed to complete the project. A tax of $100 was to be charged for each city lot in Great Salt Lake City, and $100 for each five-acre and ten-acre lots in the five-acre and ten-acre lot surveys. Some $7.50 per acre would be levied on the Big and Little Cottonwood surveys, $10.00 per acre on the Jordan bottom surveys, and $15.00 per acre on the Willow Creek surveys. The committee felt that if 25 percent of this tax could be promptly paid the canal could be completed from the city to Little Cottonwood in that season.

Brigham Young exhorted the citizens to unite behind the Trustees and endeavor to complete the canal as soon as possible. The city had reached the point where the construction of the canal was absolutely necessary for further development of both city and county. He warned the people saying, "We will soon be in such a condition that the increase in our population must stop, or we will be subjected to privations that would be most inconvenient and disagreeable to bear."

In addition Brigham Young pointed out the advantages other than irrigation that would be a boon to the city. Water transportation would be available to facilitate the interchange of commodities and products between Great Salt Lake City and Utah County. This would be much less expensive, both in terms of time and teams and wagons spared. The first leg of the canal would provide transportation facilities to bring the granite blocks to the city that were so badly needed for the construction of buildings.

During the fall and winter of 1865-66, considerable labor was performed on the canal. By January 22, 1865, the excavation between Little Cottonwood Canyon and the terminus of the canal was nearly finished. A
considerable portion of the lumber for the locks and flumes had been assembled.\textsuperscript{40}

An Act incorporating the Deseret Irrigation and Navigation Canal Company was approved by the Territorial Legislature on January 18, 1867. The capital stock was set at $500,000, to be increased if necessary up to $1,200,000, in shares of $100 each.\textsuperscript{41} Even though the Act passed by a huge majority in two successive assemblies and much work had already gone into the construction of the canal, the Act was vetoed by the non-Mormon governor, Charles Durkee. While it "awakens my admiration by its magnitude and boldness," he wrote, "it would exclude competition, and create a possible great and burdensome monopoly."\textsuperscript{42}

General Incorporation Act
for Canal Companies\textsuperscript{43}

By 1865, well over 200 main irrigation canals had been constructed in the Utah Territory. Many companies beside those which were officially incorporated had been organized. To facilitate the process by which canal companies could be incorporated the Legislative Assembly passed a general Act to Incorporate Irrigation Companies on January 20, 1865. This act made it possible for companies to be incorporated through

\textsuperscript{40}JH, January 22, 1866.

\textsuperscript{41}Acts, Resolutions, and Memorials... (Great Salt Lake City, 1867).

\textsuperscript{42}Andrew Love Neff, History of Utah, 1847-1869 (Salt Lake City: Deseret News Press, 1940), p. 759.

\textsuperscript{43}Acts, Resolutions, and Memorials... (Great Salt Lake City, 1864-65).
the county court instead of being required to obtain a special act from the Territorial Legislature.

When a majority of the citizens in any county or part thereof could show that more water was necessary in their area and presented a plan for diverting the water of an unclaimed stream for use in cultivating their agricultural crops, the county court was to organize the county or section thereof into an irrigation district. Once the district had been established the water was to be distributed to its members according to their needs.

Once the district had been established its members were to meet in a mass meeting to elect between three and fifteen trustees, a secretary, and a treasurer to head the new company. Also in this meeting it was to be decided whether the taxes necessary for the construction of the canal should be levied on all taxable property in the area or just on the lands to be benefited.

The act required the newly elected company trustees to (1) locate the proposed route of the canal or ditch to be constructed, (2) determine the quantity of land to be benefited by it, (3) estimate the cost of the project, including dams, flumes, locks, waste-weirs, and other appurtenances, (4) determine the amount per acre or percentage on taxable property which would be necessary to finance the construction, and (5) make a report including these items to the county court.

The county court, after six days notice in each precinct of the irrigation district, was to hold an election at which the report of the trustees was to be made public. The electors were then to vote yes or no on the following questions: (1) "Do you mutually agree to pay _____ percent property tax or _____ per acre land tax, to construct the pro-
posed ditch or canal?" and (2) "Do you approve the action of the mass meeting in the election of officers?"

If two-thirds of the votes cast were in the affirmative, then the tax would be levied and became law in the irrigation district. Should less than two-thirds of the votes be in the affirmative, then all the proceedings that had been undertaken under the act would be null and void. Those objecting to the officers elected at the mass meeting were instructed to write in the names of those they would elect. The persons having the most votes would be declared elected.

Bonds were then filed by the officers of the company with the Clerk of the County Court to insure the performance of the company's duties. The amount of bonds to be filed was determined by the county court having jurisdiction.

All companies organized under this act were deemed liable for any damages which might be caused by the breakage of any canal or ditch. The Legislative Assembly also reserved the right to alter or amend the act at its pleasure.

Report of the Committee on Irrigation

Early in the 14th session (1864-1865) of the Territorial Legislature the Committee on Irrigation launched a study to determine the extensiveness of irrigation systems in the territory and compile statistics relating to them. Report blanks were sent out to each county requesting the desired information.

44JH, February 15, 1865.
On February 15, 1865, the committee presented the resulting report to the Assembly. The report showed that at that time there had been constructed at public expense more than 923 miles of irrigating canals, with an average width of 5 feet 7 inches, and a depth of 2 feet. These canals conveyed enough water to irrigate 160,970 acres of land and represented an aggregate cost of $1,580,945. Beside those already completed there were extensive works in progress in Salt Lake County with an estimated cost of $1,010,000; in Davis County an estimated $300,000 worth of projects in progress; and in Utah County an estimated $60,000.

The data gathered from the survey was compiled into a chart showing the number of main canals in each county and pertinent facts about them. That chart has been reproduced in Appendix A. From this report the committee estimated the cost of canals and water ditches constructed by private enterprise to be about equal to the amount spent on main or "public" canals.

Conclusion

Irrigation was an imperative practice in the Territory of Utah. The measure of the pioneer farmer's productive capacity was meted out by the amount of water he could obtain for his crops. A lack of capital and the ability of the individual to direct the mountain streams into canals and ditches required that joint efforts be undertaken to accomplish this task.

Schooled in the doctrine of cooperation and discipline, the Mormon people worked together to build canal systems. Bringing together the concept of cooperation and the characteristics of the corporation, companies were formed to add new administrative power and authority to the
irrigation districts. These companies were granted power by the Legislative Assembly to assess taxes, manage the distribution of water, accumulate capital stock, and in many cases given grants of land and water to be disposed of at the discretion of the company to help finance the construction costs of the canal.

Even with the powers and advantages given to these companies, they usually failed in accomplishing their desired goal. Their failures could generally be attributed to the lack of capital and labor at the time they were needed most. The greatest fault in the planning of the canal system, however, was the underestimation of how much water the land really needed. On several occasions large amounts of money were lost as dams washed out and crops were flooded. The canals were never used for navigational purposes but did furnish water to propel mills and machinery.

Despite many failures, the canal companies made significant contributions to the development of the territory. Without the life-giving water, Utah's farmers could not have provided for the ever-growing population.
CHAPTER III

ROAD COMPANIES INCORPORATED IN
UTAH TERRITORY, 1850 TO 1867

Introduction

Along with the doctrine of cooperation already referred to in connection with the formation of economic, social, and political institutions in early Utah Territory, two other prominent teachings of the Mormon Church contributed to the necessary development of the companies discussed in the present chapter. One was the belief among Mormons that it was their duty to send missionaries throughout the world to convert new members to the "Restored Gospel" and gather them back to "Zion." The other was the idea propounded by Brigham Young that the Mormon settlers in Utah should establish an autonomous society with a self-sufficient economy which could stand independent from "Gentile" influences and ties. ¹ To accomplish these two objectives the leaders of the Mormon Church sought to expand their "kingdom" over the western part of the United States so that the necessary resources could be obtained to successfully execute this bold plan and provide sufficient space for the contemplated increase in population.

Members of the church living near Great Salt Lake City were called by church authorities to lead trains of settlers into different areas

of the West and supervise the establishment of communities where resources could be produced which would help to strengthen the Kingdom. Settlements were established as far south as San Bernardino, California, and as far north as the Lemhi River in Idaho, and eventually even in Canada.²

Obviously, transportation and communication between different parts of the kingdom were very important. As the settlers moved into new valleys they built roads along the same routes which had been traversed by the Indians and Mountain Men who preceded them. Similar in magnitude to the construction of irrigation canals, road building was a mammoth undertaking that required the cooperation and united efforts of many people.

The earliest roads built by the different communities were roads used for hauling timber out of the canyons to be used in building the settlements. The amount of timber a person was allotted from a certain canyon depended upon his contribution toward the construction of the timber road into the canyon. This was usually a community project, so that the timber was shared by all.³

In the early 1850's, however, a policy was introduced putting control over public lands in the hands of the Territorial Legislature, which began granting to individuals and companies the rights pertaining to a certain canyon or canyons. These rights included the control of grazing lands and timber in the canyon and also the right to collect

²Milton R. Hunter, Brigham Young the Colonizer (Salt Lake City: The Deseret News Press, 1940), p. 15.

³Arrington, Great Basin Kingdom, pp. 53-54.
toll on the canyon road. Public support of this policy is evidenced by the following resolution adopted at the October Conference of the Mormon Church in 1852:

The motion is, that we the Church of Jesus Christ of Latter-day Saints, in the capacity of a General Conference assembled, and embracing the whole community in the midst of the mountains, recommend and give it as our opinion, that the best method of disposing of the canyons is to put them in the hands of individuals to make good roads in them, and obtain their pay by taking toll from those who use the roads, at a gate erected for that purpose at the mouth of each canyon.4

It was not long, however, before the legislature was swamped with petitions requesting that they take from private men and companies these monopoly powers. It had become the opinion of many people that road companies were entitled to a just return from tolls on road construction to reimburse them for their expenditures and labor, but that any profit taken therefrom should be used by the public and not by private companies.5 As the result of such protests, several of the road companies formed during this early territorial period were given the right to collect toll only until the construction cost had been recovered.

**Big Kanyon Road Company**

Several canyon franchises were given to leading authorities in the Mormon Church. In the summer of 1848, Parley P. Pratt was given a franchise in Big Canyon for the purpose of building a road from Great Salt Lake City to Wanship. This road--one of the earliest toll roads built in the territory--was finally completed in the summer of 1850. A

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5 *Journal of the House of Representatives* (Great Salt Lake City, 1853), pp. 15-16.
celebration was held on July 4th honoring the formal opening of the road. The first year of operation was financially profitable, and the company received $1,500 from toll collected.\textsuperscript{6}

Some time after the establishment of the Territorial Legislature in 1851, an act was passed authorizing the Territorial Road Commissioner to build a road to the farthest end of Big Canyon. Under the terms of the act, which was read from the pulpit, the Commissioner was instructed to erect a toll gate along the road for the purpose of collecting enough funds to remunerate the builders of the road. This toll was to be taken until 100 percent of the expenditures had been collected. The schedule of rates to be collected was set by the legislature as follows:\textsuperscript{7}

\begin{align*}
\text{For every load of wood, timber, coal, rock or lime drawn by two animals} & \quad \text{\$0.25} \\
\text{For every such load drawn by four or more animals} & \quad \text{\$0.37\frac{1}{2}} \\
\text{For the Traveling Community} & \\
\text{For every wagon or carriage drawn by two animals, each} & \quad \text{\$1.00} \\
\text{For every additional pair of animals to such wagon or carriage} & \quad \text{\$0.50} \\
\text{Loose animals (except sheep and hogs) each} & \quad \text{\$0.10}
\end{align*}

Used extensively by immigrants coming into the valley from the East, the road was popular. The responsibility of keeping the road in good condition was lodged with the Territorial Road Commissioner.\textsuperscript{8}

Increased use of the road through Big Canyon prompted the Legislative Assembly to incorporate the Big Kanyon Road Company on January 19,

\textsuperscript{6}Kate B. Carter, \textit{Heart Throbs of the West} (12 Vols.; Salt Lake City: Daughters of the Utah Pioneers, 1939-1951), I, p. 194.

\textsuperscript{7}\textit{Ibid.}

\textsuperscript{8}\textit{Ibid.}
This company was charged with the responsibility and right of making and maintaining a road running from the mouth of Big Canyon, by way of Parley's Park, to Kamas Prairie. Heber C. Kimball, Jedediah M. Grant, and Samuel Snyder were the principal incorporators and were granted power to take toll on the road. In 1860, this road was designated as a territorial road and eventually required much attention from the legislature because of the extensive use of it.

**Weber Canyon Road Company**

The earliest wagon trains through Utah came into the Salt Lake Valley through Weber Canyon. This canyon was almost impassable for wagons because of the precipitous cliffs near its mouth that forced the river into a narrow ravine. Early trains threaded their wagons through this narrow gorge by steadying them with ropes as they were driven into the river bottom and guided over huge boulders.

This natural barrier somewhat isolated Weber Valley from some of the Salt Lake Valley settlements. On January 19, 1855, the legislature passed an act giving the arduous task of building a road through this narrow gorge to the Weber Canyon Road Company. Ira N. Spaulding, Abiah Wardsworth, and Thomas J. Thurston provided the leadership of the company. The road was to be built from the mouth of Weber Canyon up the river through Weber City to the point where the emigration road crossed the Weber River, which was presumably at the mouth of Lost Creek Canyon in Morgan County. The company was granted the right to charge toll on

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9 *Acts, Resolutions, and Memorials.* (Great Salt Lake City, 1855). For several years after settlement, the word canyon was spelled "kanyon."
the road, as well as the responsibility to keep the road in good repair. 10

The act incorporating the company was repealed by the legislature on January 20, 1860. The purpose of this action was to place the road within the jurisdiction of the county, which would then act as agent of the territory in the collection of all tolls, and in making the necessary repairs. 11

Five years later, on January 20, 1865, a second Weber Canyon Road Company was incorporated by special act of the Legislative Assembly, for a period of 30 years. Principal incorporators were William H. Hooper, a prominent merchant; Ben Holladay, a prominent freighter; and Lorin Farr, a Weber County leader. The company was organized to build (or rebuild) a wagon road from the mouth of Weber Canyon to the mouth of Lost Creek Canyon, on the north side of the river. The toll rates set on the road were:

10Acts, Resolutions, and Memorials. . . (Great Salt Lake City, 1855).

11Manuscript signed by Daniel H. Wells, president; John Taylor, speaker; and A. Cumming, governor, in the archives of the Utah State Historical Society, Salt Lake City. The fact that the act incorporating the Provo Canyon Road Company was also repealed on this day has given rise to several conjectures as to why this action was taken. Since one of the differences between Federal officials and local authorities which led to the Utah Expedition of 1857-58 was the "monopoly power" granted to the Mormon Church and its leaders to build roads, graze livestock, build factories, and so on, this repeal of exclusive charters in 1860 may have been part of a general movement to conform more closely to practices elsewhere, and may have been suggested or recommended by the new governor, Alfred Cumming. The legislature could also have been motivated by the hope that by having all three vital gateways from the East--Big Canyon Road, Weber Canyon Road, and Provo Canyon Road--under direct territorial control, the possibility of receiving assistance from the Federal government would be strengthened in the event that any one of these roads could be made available to serve as the route chosen for the hoped-for Federal road from the East.
For each vehicle drawn by one or two teams $1.00
For each horse or mule, with rider or being led .25
Loose animals of the cattle or horse type--each .10
Sheep, goats and swine--each .05

Stipulations placed upon these rates were: (1) If any person returned along the road the same day he was to be given the return ticket free, and (2) any person who paid $50 to the toll keeper automatically received a share of stock in the company which gave him the right to one vote. Each additional $50 investment gave entitlement to an additional share of stock. 12

One citizen of Weber City in a letter to the Deseret News expressed his feelings toward the new road company by saying:

One great drawback here is that awful gorge between Morgan City and Davis. It is impossible for three months in the year to travel through the Canyon with safety, but our hopes brighten. Judging from the reports of some of the directors and superintendents of the Weber Canyon Road Company, we will have a highway that is passable ere long. 13

January 19, 1866, the Legislative Assembly passed a resolution authorizing the Territorial Road Commissioner to expend the $1,500 which had been appropriated for help on the road in lower Weber Canyon in assisting with the building of a bridge across the Weber River near Weber City. On this day the charter of the company was amended by the legislature which set the capital stock of the company at $50,000. 14

It was not long until the Weber Canyon Road Company decided to extend the road along the Weber River. A resolution was passed through the Legislative Assembly January 18, 1867, extending the right of the

13 JH, May 24, 1866.
company to make a road from the mouth of Lost Creek, to the mouth of Echo Canyon, in Summit County. The original powers of the initial charter were extended. The company was allowed to erect a toll gate on the east end of the road, not less than one mile below the mouth of Echo Canyon and collect toll at the same rates provided in the original charter.15 This road was later turned over to county and subsequently to state jurisdiction.16

Provo Canyon Road Company

On the date that the original Weber Canyon Road Company was chartered in 1855, an act was also passed incorporating the Provo Canyon Road Company. Aaron Johnson, Thomas S. Williams, Evan Greene, and William Wall were the principal incorporators. They were given the exclusive right of constructing a "good road" from the mouth of Provo Canyon in Utah County, to Kamas Prairie. From there the road was to continue in a northeasterly direction on the most feasible route until it intersected the main traveled road built from the United States to Salt Lake City. The intersection would be near Black's Fork, in Green River

15 A manuscript signed by George A. Smith, President of the Council; John Taylor, Speaker of the House of Representatives; and Charles Durkee, Governor, in the archives of the Utah State Historical Society.

16 The coming of the railroad in 1869 resulted in the discontinuation of most toll roads. As a consequence many roads in the territory fell into disrepair. Ultimately, however, the counties, and later the state, assumed the responsibility of maintaining the principal roads in the territory. In 1896, roads were put under the direction of county boards, which undertook a program for graveling the roads in each county. A State Road Commission was set up in 1909 to administer road maintenance and determine future policies. By 1921 most of the principal roads in the state had been paved. Milton Lynn Bennion, "Highway Development in Utah" (unpublished Master's Thesis, University of Utah, 1932).
County, Utah Territory. The company was required to bond itself for $5,000 before construction could commence. The company was given the usual powers and responsibilities which included keeping the road in good repair.\textsuperscript{17}

The act incorporating the Provo Canyon Road Company was also repealed by the Territorial Legislature January 20, 1860, and the exclusive control of the road was turned over to the County Court of Utah County as agent of the territory.\textsuperscript{18} The Court was assigned the duty of establishing the rates of toll and to keep the road in good repair from these proceeds. A report was to be made to the Legislative Assembly during the first week of each session, stating the amount of receipts which had been taken from toll on the road, how much had been spent for repairs, and all other pertinent business transactions.\textsuperscript{19} The legislature also appropriated the sum of $18,998 to reimburse Brigham Young (presumably representing the Mormon Church) and Feramorz Little for their investment in the construction of the road during the Utah War period. This was to be paid in six equal annual payments.\textsuperscript{20}

\textsuperscript{17}Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1855).

\textsuperscript{18}According to one authority, this was done in order to assist the Utah Territorial Delegate, William H. Hooper, and Captain James L. Simpson in their efforts to obtain Federal-aid for improvement of a road to enter Salt Lake Valley by way of Provo Canyon, or Timpanogos Canyon as it was then known. Ezra C. Knowlton, "History of Highway Development in Utah," typescript in possession of the Utah State Highway Department, Salt Lake City, chap. 5, p. 13.

\textsuperscript{19}A manuscript signed by Daniel H. Wells, president; John Taylor, speaker; and A. Cumming, governor, in the archives of the Utah State Historical Society.

\textsuperscript{20}Ibid. There is some evidence that this was partly a make-work project during the Move South. See Leonard J Arrington, "Mormon Finance and the Utah War," Utah Historical Quarterly, XX (July, 1952), 228.
When these payments were completed, the road was to become the property of the territory and all monies received from toll, over and above that needed for repairs, was to be paid into the Territorial Treasury every three months.

Once again, on the same day the second Weber Canyon Road Company was incorporated, January 20, 1865, the second Provo Canyon Road Company was also incorporated to expand and improve the road in Provo Canyon. The incorporators of the company included three men in Wasatch County—Joseph S. Murdock, Isaac Decker, and David Van Wagoner, who were at the northeastern terminus of the road; and two men from Provo City, William Miller, and Shadrack Holdaway, who were at the other end of the road.

The stated objective of the new company was the construction of a suitable road, at least 20 feet wide, through Provo Canyon from Utah Valley to Provo Valley. The capital stock was set at $50,000 in 1,000 shares of $50 each. The legislature retained the right to seize the toll gates if the company failed to keep the road in good repair. 21

Once the road had been approved by the selectmen of Wasatch and Utah counties the company would be allowed to collect toll on the road according to the following schedule: 22

<table>
<thead>
<tr>
<th>Description</th>
<th>Toll</th>
</tr>
</thead>
<tbody>
<tr>
<td>For carriage and vehicle with two animals</td>
<td>$1.00</td>
</tr>
<tr>
<td>For carriage and vehicle with four animals</td>
<td>2.00</td>
</tr>
<tr>
<td>For carriage and vehicle with six animals</td>
<td>2.50</td>
</tr>
<tr>
<td>For carriage and vehicle with one animal</td>
<td>.75</td>
</tr>
<tr>
<td>Each additional pair of animals</td>
<td>.50</td>
</tr>
<tr>
<td>For each horse or mule led, rode, or packed</td>
<td>.25</td>
</tr>
<tr>
<td>For sheep, goats, and swine--each</td>
<td>.05</td>
</tr>
<tr>
<td>Every loose animal of the horse or cattle kind--each</td>
<td>.15</td>
</tr>
</tbody>
</table>

21 Acts, Resolutions, and Memorials. . . (Great Salt Lake City, 1865-66).
22 Ibid.
This second company apparently failed to accomplish the desired goal, for two years later, on January 15, 1867, the charter and act incorporating the 1865 Provo Canyon Road Company was repealed. A new company was incorporated for 25 years as the Provo Canyon Road Company, with a capital stock of $50,000, which could be increased to $1,500,000 if necessary, in shares of $50 each. The principal incorporators were Alexander F. McDonald, Warren N. Duesenbury, and Shadrack Holdaway of Utah County, and William M. Wall and Nymphas Murdock of Wasatch County. The purpose again was that of building a substantial wagon road between the two counties via Provo Canyon. Toll rates to be charged by the company were slightly higher than for its predecessor.

For each vehicle drawn by two animals $1.50
For each vehicle drawn by four animals 2.00
For each vehicle drawn by six animals 2.50
For each vehicle drawn by one animal .75
For each additional pair of animals 1.00
For each animal used for packing .15
For each horseman .15
For loose cattle, horses, or mules--each .10
For loose goats, swine, or sheep--each .05
Persons hauling timber, or fuel and produce, could only be charged for one way travel, if it was being hauled from within 30 miles of Provo.23

Presumably this company was more successful than its predecessor in accomplishing its objective. This road eventually came under county and state jurisdiction and is today a well paved highway.

Deseret Express and Road Company

As early as 1852 a resolution was presented before the House of Representatives urging members to consider the propriety of incorporating

a trade company which would provide for the transportation of cattle or stock to the nearest and best cash markets, and bring in return consumer goods to the territory. 24

The first enterprise of a nature similar to this was the Brigham Young Express and Carrying Company. The factors prompting the formation of this company were: (1) To provide a system of way stations and supply depots to accommodate the handcart companies and other overland migrations of Latter-day Saints; (2) to establish an overland passenger line for Mormons who could afford this type of transportation and also provide income from paying travelers enroute to California; (3) to provide an overland freight line to supply the expanding Mormon Kingdom with an increasing supply of merchandise, machinery, tools, and equipment at reasonable rates; and (4) to provide a regular and dependable mail service. 25

Plans for an extensive overland express and carrying company were first outlined in November of 1855. Little was done immediately with this complete proposal, but on January 17, 1856, an act was passed by the Territorial Legislature incorporating the Deseret Express and Road Company. Numerous men were listed as incorporators of this company, some of whom were Almon W. Babbitt, William H. Hooper, Orson Hyde, and Parley P. Pratt. The right to collect toll along the road was given by the Legislative Assembly. This company, which was part of an overall plan, was assigned the responsibility of constructing a road from the

24Journal of the House of Representatives (Great Salt Lake City, 1853), pp. 15-16.

25Arrington, Great Basin Kingdom, pp. 162-63.
north or east line of the territory near South Pass, on the most practicable route through Great Salt Lake City, to intersect the California road in Carson County on the western boundary of the territory.\textsuperscript{26} The legislature memorialized Congress for \$200,000 with which to build the road and ask for the daily mail contract. The appropriation was not given, so the Mormons fell back upon their own resources to provide materials for the overall project.\textsuperscript{27}

Eventually a mail contract was given to the company to cover the period from December 1, 1856, to November 30, 1860.\textsuperscript{28} With this came the organization of the Brigham Young Express Company, and the first mail was carried east from Salt Lake City on February 8, 1857.

The company sought to establish settlements all along the route from Independence, Missouri to Salt Lake City where those traveling to Utah could obtain supplies and mail carriers could stop over. For this mammoth undertaking, members of the church were called upon to donate goods and supplies. They contributed horses, mules, flour, wagons, blacksmithing equipment, and many other articles. Some were called to go on an "express" mission. Those that were called to do this were "set apart" by the "laying on of hands" and blessed for the mission they were to

\textsuperscript{26}Acts, Resolutions, and Memorials. . . (Great Salt Lake City, 1855-56), manuscript in possession of Utah State Historical Society, Salt Lake City, Utah. Other incorporators of the Deseret Express and Road Company were Jesse C. Little, Leonard W. Hardy, Orrin P. Rockwell, Franklin Neff, Thomas L. Williams, Joseph L. Heywood, Albert P. Rockwell, Enoch Reese, Judson Stoddard, George D. Grant, William H. Kimball, John L. Fullmer, and William A. Hickman.

\textsuperscript{27}Arrington, Great Basin Kingdom, pp. 162-63.

\textsuperscript{28}Ibid.
undertake. 29

Several settlements were established on the route before the ominous threat of "invasion" by United States troops led to the abandonment of the project. These settlements were situated upon lands the use of which for this purpose had not been approved by the government nor the Indians who owned the lands. 30

The Mormons were well on their way to establishing the necessary settlements for the company when the government suddenly cancelled the mail contracts, July 10, 1857. On July 23rd news reached Salt Lake Valley that the contracts had been cancelled and government troops were on their way to the valley to quiet the "Mormon menace." The Deseret Express and Road Company and the Brigham Young Express and Carrying Company were abandoned as the Mormon people prepared for the Utah War. 31

Uintah Road Company 32

On January 20, 1865, the day on which the Weber and Provo Canyon companies were incorporated, the Uintah Road Company was created for the purpose of constructing a wagon road from Utah County to the eastern boundary of the territory. The road was to pass through Uinta Valley and connect with the road running westward from Denver through the

29 Ibid., p. 166.
30 Ibid., p. 169.
31 Ibid.
Colorado Territory at the boundary of the Utah and Colorado territories. The company was required to build bridges wherever necessary to cross streams and rivers. Toll gates were to be erected along the road no less than 20 miles apart and at every bridge. Five percent of the tolls taken therefrom were to be used for the benefit of common schools.

William H. Hooper, the merchant; Ben Holladay, the freighter; and W. L. Halsey, the banker, were the principal incorporators. The company was to exist for fifteen years. The toll to be charged for crossing the bridges was:

- Wagon drawn by two animals: $1.00
- Each additional animal: .25
- Vehicles drawn by one animal: .50
- Each horse or mule with rider: .10

The toll to be collected on the road was set at:

- For wagon or vehicle drawn by one pair of horses, mules, or cattle: $0.25
- For each additional pair: .10
- For each riding horse or mule: .05
- For horses, mules, cattle or other animals driven loose--per head: .05

If any section of the road was not kept in good repair the travelers were to report it to the Justice of the Peace in that area. Upon verifying the company's neglect, the Justice of the Peace was empowered to seize the toll gate along that section of the road and use the receipts gained thereby to finance the necessary repairs. Also the company was forbidden to charge local citizens who used the road merely to get from one place to another along the road. The exact outcome of this company's endeavors is undetermined, but it is reasonable to assume that the road was constructed since no further action was undertaken by the legislature to provide for other companies or appropriations for this project. This road today is one of the major paved highways leading
out of Utah to the East.

**Ogden Canyon Road Company**

Prior to 1856, there were no settlers in Ogden Valley. The only access to the valley was through a pass over the mountain from North Ogden Canyon. Timber was getting scarce in the lower canyons near Ogden by this time, so settlers began hunting for new sources of supply. In his diary, Charles F. Middleton gives an account of his first trip into the Ogden Valley:33

The first wagon that was taken into the Valley was taken in by the hand of man. No mules or oxen hauled that vehicle. I steered the wagon. The wheels were locked and my companions held on to the vehicle with ropes to prevent it from breaking loose and dashing down the steep incline.

The pressing need for timber in Ogden forced the settlers to go higher into the canyons to get timber. On many occasions during the Fall a gang of sturdy pioneers would shoulder their axes, climb into the low mountains on the south side of Ogden Canyon, and then descend into the gorge near the present site of Hermitage. Once there they would cut the trees along the river bank, each man putting his mark upon the logs as they were thrown into the river. The following spring when the floods had washed the logs out upon the valley floor near Ogden, each man would take his team, search the river bank for his timber, and haul it off to Lorin Farr's sawmill nearby. The logs would then be processed at a charge of one-half the lumber to pay for the milling. 34

33 Cited in Carter, op. cit., pp. 197-98.

34 Ibid.
The need for an easier way of getting to these timber deposits led to the commencement of construction on a road into Ogden Canyon. Lorin Farr, Isaac Goodale, and others surveyed and staked out the road in July of 1857. The construction of the road was undertaken as a cooperative project of the interested parties. Because of the Utah War and the Move South, however, the actual construction did not begin until September 8, 1858. Blasting operations could not be carried out, but where it was necessary "cribs" of logs were built from the sides of the mountains out into the river. These projecting structures were then filled with rocks and dirt, making a fairly good road.35

Every spring the floods would wash away part of the road in their fury. One spring the floods swept away a portion of the road it had taken years to build. This portion was soon rebuilt by the veteran repairmen who annually were called on to make such repairs. These workers usually hauled their tools and provisions to the mouth of the canyon and from there carried them in on their backs to the spot where the repairs were to be made. In payment for their work they were given tickets which permitted them to take out lumber at $1.00 a ticket.36

The $60,000 road was finally completed and opened to the public as a toll road on November 15, 1860. It ran a distance of 7 miles, from the mouth of Ogden Canyon to Ogden Valley.37

35Ibid.

36Ibid.

In 1865, the Ogden Canyon Road Company applied to the Legislative Assembly for papers of incorporation which were approved on January 20, 1865. At that time the company had accumulated a capital stock amounting to $4,158. Lorin Farr, Isaac N. Goodale, and Apostle John Taylor were the largest stockholders. The rates of toll to be collected were:

- For vehicle drawn by two animals: $1.50
- For each additional two animals: $.50
- For sheep, goats, and swine--each: $.05
- For loose animals of the horse or cattle type--each: $.10

Any person paying the company $25 became an associate shareholder, and was allowed one vote for each share of stock he held. 38 On January 19, 1866, the charter of the company was amended increasing the capital stock to $50,000. 39

The lumber problem was greatly alleviated with the construction of the road. A number of sawmills were built at different points along the road and a great quantity of lumber was taken out each year. This contributed to the building up of the city. 40

The road between Warm Springs (now called Utah Hot Springs) and Ogden Canyon was very steep and narrow. There were only two places along it where teams could pass. The story is told of how teamsters, in order to get their wagons around the blind stretches, would train their dogs to "back signal." The dogs would run ahead of the wagon and if there was a team approaching from the other direction, he would signal

38 Acts, Resolutions, and Memorials. . . (Great Salt Lake City, 1865-66).

39 Ibid.

40 Tullidge, loc. cit.
the driver to pull out and wait for the other team to pass. 41

Eventually the superintendent of the company, Isaac N. Goodale, directed the continuation of the road through Huntsville, South Fork Canyon, Beaver Canyon, Pisse Ant Valley, Blacksmith Fork Canyon, to the Hardware Ranch, then over the mountain to Bear Lake. This shortened the distance between Ogden and Bear Lake by 50 miles. 42

The road continued to be used as a toll road until February 20, 1882, when it was turned over to the county at the rate of 50 cents for each dollar of cost, and became a public road. In 1896, the road was macadamized at a cost of $12,000. It became a paved highway in 1921. 43

Wasatch Wagon Road Company

One company that was organized during this period but never functioned as a corporation was the Wasatch Wagon Road Company. An act was read in the Legislative Council on January 9th and 10th, 1866, to incorporate the Wasatch Wagon Road Company, which was passed. The House of Representatives concurred in accepting all fifteen sections of the charter, but it was never sent to the Governor for his approval. 44

John Sharp, Hiram B. Clawson, John W. Young, and William S. Godbe were to be the principal incorporators. The company was to have perpetual succession for a period of 25 years and the capital stock was set

41 Carter, loc. cit.
42 Tullidge, loc. cit.
43 Carter, loc. cit.
44 "An Act to Incorporate the Wasatch Wagon Road Company." Manuscript in possession of the Utah State Historical Society, Salt Lake City.
at $150,000 in 1,500 shares of $100 each. The purpose of the company was to be that of constructing a road from Great Salt Lake City, via Big Canyon and Parley's Park, to Wanship in Summit County. Toll rights were also sought by the company.45

The Territorial Legislature must have decided shortly after passing this act to place this stretch of road under the supervision of the Territorial Road Commissioner. Just eight days later, on January 19, 1866, an act was passed to establish a territorial road over this same route. Under this act $6,000 was appropriated which was to be drawn and spent by the Territorial Road Commissioner for the construction of a road from Great Salt Lake City via Big Canyon Creek, over the summit of the Wasatch range to Parley's Park and across East Canyon Creek, thence over the summit and down Silver Canyon to Wanship in Summit County. The regulations for the road stated that it was to be at least 20 feet wide and divided into four sections.46

The Road Commissioner was instructed to make a survey on the proposed road and to use the money appropriated to finance the construction and needed improvements. He was to see that no more than one toll gate was erected for each of the four sections outlined. The toll set by the legislature was:

- For vehicle with one or two animals $0.25
- For each additional team .15
- For horse or mule, led or ridden .10
- For each score of cattle, horses, or mules .50
- For each score of sheep .25

45 Ibid.
Persons hauling fuel or produce on the road from within 60 miles of Great Salt Lake City were to be charged for only one way travel along the road. No one could be required to pay toll for more than one section at a time. The Commissioner was to see that a gatekeeper was always on duty at the toll gates from 6:00 a.m. to 9:00 p.m. and from 9:00 p.m. to 6:00 a.m. Any wagonmaster or agent for a company moving along the road became liable for a fine of not more than $500 and also for any damages done if he was caught allowing his company to camp along the road or obstruct travel in any other way. Money collected from such violations was to be placed in the territorial treasury to be used for upkeep of the road.47

This stretch of road was evidently very hard to keep in good repair. Governor Charles Durkee in a speech to the Legislative Assembly, on December 10, 1866, importuned the members to do something about improving the road. "The road," he said, "is an extremely difficult one, and, it is still, for much of the year, almost impassable." He pointed out to them that previous measures to curb the problem had been effective and asked that new appropriations be made or the existing law concerning it revised.48

47 Ibid.

48 Deseret News, January 2, 1867.
Logan Canyon Road Company

Much of the country through which roads had to be constructed in Utah was mountainous and of steep terrain. One especially difficult stretch of country to get a road through was between the settlements in Cache Valley and those on the shores of Bear Lake in Richland County. On January 19, 1866, a company was incorporated under the title of the Logan Canyon Road Company for the purpose of locating and constructing a good wagon road from Logan, through the Logan Canyon, to the summit of the range of mountains dividing Cache and Richland counties. The company set its capital stock at $50,000, to be sold in shares of $25 each. The principal incorporators were William Hyde, Thomas E. Ricks, William Budge, George L. Farrell, and Thomas Tarbett.49 Another group of citizens from the Bear Lake area were to build a road from Bear Lake to meet the Logan Canyon Road at the summit of the divide.50

There is no record of much being accomplished on the road between 1866 and 1870. In 1870, reports were received in Salt Lake City stating that as soon as harvest was over, the people of Bear Lake were set to go to work in earnest to complete their part of the road. Also work on the Logan Canyon part of the road was being undertaken with vigor. It was reported that while those from Cache Valley were working in the canyon they discovered a huge natural cave with a stream of water flowing from its entrance.51 This cave—known today as the Logan Cave, located

49Acts, Resolutions, and Memorials... (Great Salt Lake City, 1865-66).

50JH, August 19, 1870.

51JH, September 7, 1870.
about 15 miles northeast of Logan--has become quite a tourist attraction along the Logan Canyon Road. Now much improved and expanded, the road offers a breathtaking view to travelers at all seasons of the year.

Kaysville Wagon and Road Company

The last road company to be incorporated prior to the passage of general incorporation acts, was the Kaysville Wagon and Road Company. Incorporated on January 16, 1867, this company was directed to construct a new road, not less than 20 feet wide, near the old road which passed from Kay's Creek on the north, through the settlement of Kaysville, to the mouth of Haight's Creek south of Kaysville in Davis County. Christopher Layton, Roswell Hyde, and John S. Smith formed the body of the corporation which was to exist for a period of ten years. The toll was set as follows:

- For vehicle drawn by one or two animals: $0.25
- Each additional pair: $0.25
- For every horse or mule ridden or led: $0.10
- For every score of cattle, horses or mules: $0.10
- For every score of sheep: $0.25

The capital stock of the company was set at $10,000 to be sold in shares of $50 each. This road was presumably completed, later to be taken over by county and state administration.

Conclusion

Incorporation of road companies made it possible for Utah's early settlers to bring together the resources necessary to build roads for transportation and communication between the settlements. These roads

52Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1867).
also made it possible for the settlers to obtain timber and other commodities which they needed.

During the 1850's there was very little money available in the territorial treasury for building roads, or for any other purpose for that matter. Throughout the entire decade from 1850 to 1860 less than $5,000 was appropriated for roads.\textsuperscript{53} Reliance for highway financing during this period was placed on the poll or head tax and upon toll road and bridge franchises. The poll tax--also called statute labor--was a levy upon an individual, payable in hours of labor or a cash payment in lieu thereof. In 1852, the legislature set up a levy of one day (ten hours) of labor annually from every able bodied male over 18 years of age to build and keep the roads in good repair. If the work was not done, a payment of $1.50 was to be given in lieu. This act was changed in 1862, requiring two days labor per year, or $1.50 in lieu thereof, for every male between the ages of 16 and 50.\textsuperscript{54}

After 1860, the territorial government assumed greater responsibility relating to road maintenance and improvement. At the beginning of the 1860-1870 decade the legislature empowered county courts to divide counties into a convenient number of districts with a supervisor in charge of each to designate the county roads necessary within or extending through each town or city.\textsuperscript{55} The removal of Federal troops in the early 1860's and an abundance in crop yields were also factors in allowing the legislature and the people to turn their attention to public improvements.

\textsuperscript{53} Knowlton, op. cit., chap. 5, p. 3.

\textsuperscript{54} Ibid., chap. 3, p. 2.

\textsuperscript{55} Bennion, op. cit., p. 72.
During this decade $224,396 was appropriated for roads, which was 56 percent of the total amount ($401,407) spent for all purposes.  

By far the most generous appropriation during this period was applied to the Salt Lake City-Wanship Road. Upwards of $50,000 was spent on the road during this decade. In the years of 1866, 1867, and 1868 alone, the legislature appropriated between $35,000 and $40,000 for the road in addition to that received in tolls.

At the closing of the 1866 session of the Legislative Assembly its members were looking toward the need for road construction in the future. A memorial was passed asking the United States Congress for an appropriation to help with construction of roads in the Utah Territory and other territories. Specifically the memorial asked for a grant of $100,000 to help with the construction of a road between the Missouri River and Great Salt Lake City. An additional $50,000 was sought to finance the construction of a good road from Great Salt Lake City to Callville, the head of navigation of the Colorado River.

Our review of the road companies incorporated in the early territorial period reveals that most of the important segments of Utah's road systems were encumbered with toll franchises, especially at stream crossings, and at the important canyon gateways leading into the Salt Lake Valley. These companies were generally given the power to collect enough toll upon the roads to recover the expenses incurred in their

56 Knwolton, op. cit., chap. 5, p. 3.

57 Ibid.

58 Acts, Resolutions, and Memorials. (Great Salt Lake City, 1865-66).
construction.

It will be noticed from the toll rates that were set, that the toll allowed by the Legislative Assembly was usually determined by the amount of cost incurred by the company in constructing the road. If the cost was high because of difficult physiographic characteristics of the land, the company was allowed to collect a higher toll.
CHAPTER IV

CHURCH-ASSOCIATED COMPANIES INCORPORATED
IN UTAH TERRITORY, 1850 TO 1870

The pervasive influence of the Mormon religion upon institutions formed during the territorial period prevents us from forming a dichotomy which completely separates church and non-church companies. All corporations discussed thus far differ from those discussed below by the degree in which the church was directly involved in their formation. The companies discussed here were formed directly under church auspices and received direct financial and organizational backing from the church and its leadership.

Since much has been written about the church and the enterprises associated with it, we shall review only briefly the history of each of these corporations and their influence upon early Utah.

Incorporation of The Church of Jesus Christ of Latter-day Saints

To enable itself to form an organization capable of accomplishing the work of disseminating the "Restored Gospel" throughout the world and establishing the Kingdom of God, The Church of Jesus Christ of Latter-day Saints was incorporated as the "Church of Christ" in 1830 in the state of New York.¹

The church was later incorporated in the Provisional State of Deseret by an act of the General Assembly of February 8, 1851, shortly before Utah was given territorial status. When the territorial government was organized later that year, the newly elected assembly considered and approved the act on October 4, 1851. With some revision the charter grant was finally confirmed on January 19, 1855.  

Through this act the church was given the power "to establish order, and regulate worship, and hold and occupy real and personal estate," as long as the property received "was not incompatible with the principles of righteousness, or the rules of justice." The property thus acquired was to be "used, managed, or disposed of for the benefit, improvement, erection of houses for public worship, and instruction, and the well being of said Church." Along with these more material advantages, the church was given the right to worship God according to the dictates of truth, and to solemnize marriage compatible with the revelations of Jesus Christ.  

All rights given were predicated upon the premise that none of the doctrines, principles, or practices developed should be repugnant to the Constitution of the United States or the Territory of Utah, and that all would be founded upon revelations from the Lord. Several practices resulting from doctrines which evolved from "revelations" received by church leaders led to eventual conflict with the laws passed by the

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3Ibid.

4Ibid.
United States Congress.

The widespread notoriety of polygamy focused the attention of Easterners upon rendering the Mormon Church impotent through legislative controls. In 1862, Congress passed the Anti-Bigamy Act which prohibited polygamy, disincorporated the church, and prohibited it from owning more than $50,000 worth of property other than that used directly and exclusively for devotional purposes. Even though this law was generally considered to be unconstitutional, the church complied partially with its demands by transferring properties held by the church into the hands of Brigham Young.

Unsuccessful in their attempt to settle the "Mormon Question" in 1862, Congress continued discussing possible legislation to accomplish this end. In March of 1882, the Edmunds Act was passed which was designed to put teeth into the 1862 law. This law sought to take away church power by vesting the political machinery of the territory in the hands of Federal non-Mormon appointees. It also levied heavy penalties upon those guilty of plural marriage and set up the "Utah Commission" for the regulation of territorial elections.

Although the Edmunds Act was upheld by the United States Supreme Court in 1885, it did not compel a change in attitude among Mormon leaders who were reluctant to relinquish control to the Federal government. Consequently, Congress increased the pressure by passing the


7Ibid., p. 358.
Edmunds-Tucker Act in February of 1887. The passage of this act signaled the decline of Mormon economic power in Utah. The corporation of the Church of Jesus Christ of Latter-day Saints was dissolved through proceedings instituted by the United States Attorney General. All property in excess of the $50,000 limitation released by the dissolution of the church corporation escheated to the United States and was to be disposed of by the Secretary of the Interior. Proceeds received from the sale of the properties was to be used for the benefit of public school districts in Utah.9

Once church institutions and practices had been brought into conformity with the moral conscience of the rest of the nation, Utah was given statehood on January 4, 1896. The church eventually was allowed to accumulate property and regain its status.

The Deseret Iron Company10

The idea taught by church leaders that a self-sufficient economy must be established in the territory prompted the sending of exploration parties into different parts of the territory once it had been determined that the settlers would remain in the Great Basin. These parties tried to estimate the extent of resources, and reported their findings to church leaders.

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9Arrington, Great Basin Kingdom, p. 361.

In November of 1849, a group of fifty men, known as the Southern Exploring Company, was sent to survey the resources in southern Utah. Among those found were deposits of coal and iron ore near present day Cedar City. Upon receiving the report of the exploring party, Brigham Young made plans to send a group of settlers to the area to develop an iron industry. Volunteers were called for, and by late 1850 the first company left to colonize the "Iron Mission."

This company arrived in southern Utah on January 13, 1851, and began building the foundation of their new settlement. Various members were assigned to build fences, plant crops, construct bridges and dams, do blacksmith work and other projects necessary in establishing the "Mission." Church leaders in Salt Lake City continued to call additional missionaries to support the Iron Mission. By the fall of 1851, nearly every man in the territory who understood the working of coal or iron had been sent to Parowan. 11

Late in the fall of 1851 and in the early spring of 1852, the Iron Mission grew as newly-converted iron workers arrived from Europe. Throughout the summer workers labored to construct a blast furnace and other equipment used in the process of making iron. Finally, on September 29th of 1852, the furnace was charged with iron ore. The next morning the first small quantity of iron produced was taken from the furnace.

Even though the accomplishments of the colony in manufacturing iron were meager during this first year, church officials were greatly encouraged by the possibilities of strengthening the Mormon economy through

a further increase in iron production.

While these activities were taking place in southern Utah, church leaders were instigating new programs to lend financial and technical assistance to iron manufacturing. In 1851, while the colonists were establishing their settlements, President Young wrote to the president of the Mormons in England, Franklin D. Richards, and directed him to find members of the church in Scandinavia or Great Britain who could make different kinds of iron from magnetic ore and send them to the Salt Lake Valley. Richards immediately set about recruiting workers from among the English converts. Shortly thereafter these same instructions were extended to the missionaries in all European countries.

In obedience to these instructions, President Richards and Erastus Snow, president of the Mormons in Scandinavia, discussed the matter in a number of church assemblies in England and finally called a special European conference in London on April 6, 1852, at which they presented to the thousands of members the necessity of establishing manufacturing in Utah, particularly iron.

As a result of this conference a meeting was held in London on April 28 and 29, 1852 with the ironmasters and men of means who expressed an interest in the project. At this meeting, the "Deseret Iron Company" was organized with a capital stock of £1,000,000 ($4,840,000) consisting of 2,000 shares at 500 pounds each. Erastus Snow was elected president of the company; Franklin D. Richards, secretary; and Thomas Tennant, treasurer. Snow and Richards were appointed to be active agents of the company's affairs. At this initial meeting, eight shares, valued at £4,000 ($19,360) were subscribed.
Arrangements were made soon after the meeting to purchase and transport to Utah, wire-making machines, a blowing machine, and other machinery that would be needed. On May 8, Snow and Richards left for Utah, arriving in Cedar City in November 1852. The small blast furnace and equipment that had been used by the earlier Pioneer Iron Company was purchased by the Deseret Iron Company at a low price of $2,866.

Brigham Young solicited the support of the legislature in helping to "promote the cause of Home manufactures," by appropriating what it could to provide capital equipment for the new company. Shortly thereafter, the legislature appropriated $3,000 "to advance the iron interest in Iron County," and an additional $2,000 to improve the road to the coal mines. On January 17, 1853, the legislature also approved the incorporation of the Deseret Iron Company with substantially the same charter that had been drawn up in London.¹²

With renewed hope, workers from the area were hired by the new company and construction commenced on road building and the erection of furnace facilities. A new furnace was completed in the summer of 1853 to facilitate the separation of richer ores without using a blast.

Despite all the enthusiasm and hopeful labor, a number of circumstances were to delay the work. Near the end of July news reached the southern settlements that an Indian War had commenced. The iron work was suspended as the colonists devoted their time to building fortifications and collecting food and wood for the winter. On September 3, a flood swept down Coal Creek carrying before it all bridges and dams.

¹² Acts, Resolutions, and Memorials . . (Great Salt Lake City, 1852-1853).
completely destroying the site of the iron works, and carrying off much of the company's property. The remainder of the year was spent repairing the dams and bridges and reconstructing the property. Accumulations of ice and snow in Coal Creek Canyon during the winter rendered the ore deposits inaccessible. Some iron was produced in the spring but production was slowed during the summer months while a new furnace was being constructed.

Responding to the suggestion of Brigham Young, the territorial legislature again advanced the company another $4,840 on January 19, 1855, by authorizing the governor to purchase two shares of stock on behalf of the territory. Brigham Young also subscribed for two shares.\(^{13}\)

Feeling that all problems had been solved, new workers were acquired in the summer of 1855 and work resumed. Small amounts of iron were produced that fall, but once again winter came, rendering the coal and iron deposits inaccessible. Little was accomplished in 1856 because of faulty furnaces "blowing out," causing a delay while new ones were constructed. In the early part of 1857, Brigham Young visited the iron works and suggested that the scene of operations be moved to a new site where it would be safe from flood dangers. Several weeks later as the move was nearing completion word was received from Brigham Young that United States troops were being sent "to oppress the Saints." The colonists were counseled to suspend all business and concentrate upon producing food. In September 1857 many of the settlers in southern Utah were involved in the Mountain Meadow Massacre, which left a spirit of disunity among them. As a result of the Utah War and other obstacles experienced

\(^{13}\) *Acts, Resolutions, and Memorials.* . . (Great Salt Lake City, 1855).
by the company, the Iron Mission was officially abandoned in 1858. Almost ten years of labor had resulted in nothing more than a few andirons, kitchen utensils, flatirons, wagon wheels, molasses rolls, and machine castings.

Provo Manufacturing Company

Heavy expenses incurred in the importation of sugar into the territory prompted church leaders to encourage the production of a substitute for it. Success of sugar beet production in France in previous years led church officials to announce that attempts to "relieve the sugar market" would be made by the cultivation and processing of sugar beets.

To promote the production of sugar beets among the settlers it was necessary to acquire some knowledge of the processes and machinery involved. In a letter to Apostle John Taylor, who was serving a mission for the church in France, Brigham Young asked that ideas and machinery necessary to the production of sugar be sought out and sent to Utah to help build up her industries. Taylor and a recent convert, Phillip De La Mare, investigated the beet industry in France and decided that it would be feasible in Utah. A short time later, in August of 1851, they organized a company under the name of the Deseret Manufacturing Company, with a capital stock of £12,000 ($58,080).

With this capital stock the new company purchased made-to-order beet processing machinery in Liverpool, England. This machinery was shipped by sailing vessel to New Orleans, then up the Mississippi and

14 Much of this section is based upon Arrington, Great Basin Kingdom, pp. 116-120.
Missouri rivers to Fort Leavenworth. There it was loaded into wagons
drawn by oxen and transported to its destination near Provo. Before a factory to house the machinery had been built, the company
experimented to test the technical efficiency of the machinery in separa-
ting sugar from the beets. These attempts failed to yield the anticipated
results because of chemical and mechanical problems. The company had
expended all of its resources, and had no other recourse but to fall
back on the church which had already come to its rescue during the jour-
ney to Utah. Brigham Young, as trustee-in-trust of the church, felt the
construction of a factory to house the equipment could be built best by
the Public Works Department of the church. As a result of this counsel,
the machinery was moved to Salt Lake City in December of 1852, and set
up on the corner of Temple Block. The Deseret Manufacturing Company
had failed.

A new company formed under church auspices was incorporated on
January 17, 1853, to provide organization for the sugar industry. This
company, called the Provo Manufacturing Company, was given the right to
use its capital and means for the erection and maintenance of machinery,
dams, buildings, races, water courses, and other equipment necessary to
to accomplish its ends. The capital stock was set at not to exceed
$1 million, in shares of $50 each. The principal incorporators were

15 Edward W. Tullidge, "History of Provo," Tullidge's Quarterly
Magazine (Salt Lake City), III, (July, 1884), 243.
Orson Hyde, George A. Smith, Edson Whipple, and Evan M. Green.  

Beginning in February 1853, the Sugar Works became a church public works enterprise and Apostle Orson Hyde was appointed to oversee its operations. The following April the public works began the erection of a factory on the Church Farm, four miles south of Salt Lake City, in what is now Sugar House.

At much expense a suitable factory was finally completed in the early spring of 1855. That season about 300 acres of beets were planted in the Salt Lake Valley in anticipation of finally getting sugar produced. In the fall more than 22,000 bushels of beets were harvested but the production of sugar turned out to be a "complete failure." The factory was not used to produce sugar after the fall of 1856.

The direct loss to the church and its investors by being involved in this enterprise was about $100,000. While the loss to those who had based their private expectations upon the success of the enterprise must have amounted to an additional $50,000. The equipment salvaged from the enterprise was used for various purposes, such as the manufacture of linseed oil, paper, iron, and wool. The factory building housed, in turn, wood carding machines, a machine shop, and a paper factory.

San Pete Coal Company

The importance of coal as an indispensable ingredient in a self-sufficient economic unit increased with the development of industry and

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16 Acts, Resolutions, and Memorials . . (Great Salt Lake City, 1852-53).
an increase in its domestic use. Coal was first discovered in Utah in the spring of 1851 near Parowan where it was used in connection with the iron industry. The first coal mined commercially, however, did not come until a few years later.

The story of the first coal mines in Utah began at a conference of Mormon settlers in the San Pete Valley at Ephraim in 1854. Since Brigham Young had come to conduct the conference and be the principal speaker, a group of Indians gathered to listen. During President Young's address, one of the Indians arose. He was Tabiona, one of five Indian brothers who claimed ownership of the valley and the canyons surrounding it. In his hand Tabiona held a black rock, which he handed to Brigham Young saying, "Heap burn." After President Young had examined the rock he inquired if anyone in the audience was acquainted with coal mining. John C. Reese replied that he had worked in the coal mines as a young man in Wales. John Price was also mentioned as one who understood coal mining and had tools necessary for it. In a meeting with Brigham Young following the conference, Price and Reese were given a special mission to go with Tabiona in search of the coal deposits.¹⁷

A few days later they set out in a wagon with Tabiona to locate the coal. As they neared the canyons on the west side of the valley, Tabiona jumped from the wagon and disappeared. Price and Reese, somewhat at a loss as where to look for the coal, began to search each canyon. In the bottom of one of the canyons they discovered pieces of coal. After walking

¹⁷Daughters of the Utah Pioneers, These Our Fathers: A Centennial History of Sanpete County, 1849 to 1947 (Sanpete County: Sanpete County Daughters of the Utah Pioneers, 1947), p. 211.
a distance they came upon Tabiona sitting on vein of coal. He was reluctant to allow them to extract the coal, thus destroying his beautiful canyon. After much talk, however, he finally agreed to sell the coal for a few head of cattle and some sheep.  

In May of 1855, Brigham Young and a company of church officials visited the coal beds and were gratified to find that the presence of coal was no hoax. They took samples of coal with them which they tested in the blacksmith's forge at Ephraim. The value of the Sanpete coal for development of the territory was seen at once and Brigham Young immediately engaged men from Manti and Ephraim to build a road to the coal beds and begin mining operations. Within less than two weeks miners were at work in the coal beds preparing to ship coal to Salt Lake City. On June 6, 1855, the following advertisement appeared in the Deseret News soliciting orders for coal from the mine:

As some of the brethren in San Pete are mining in the newly discovered coal bed, and will soon be hauling coal into this city for sale, all who wish to purchase are requested, at the earliest opportunity, to leave their names at Governor Young's office, with the quantity they wish to buy, the kind of pay they intend to offer, and the time they require in which to make payments. The price will be determined as soon as colliers and wagoners can learn the cost of mining and hauling, and then it can be decided whether coal or wood can be afforded at the cheapest rates; but in either event it will be politic to encourage the trade, for though wood may be more readily procured by some, still there are blacksmiths and many others who will doubtless prove coal to be the most economical fuel for their use, and it is anticipated that in a short time it will be much the cheapest.

To facilitate the extraction of coal from the Sanpete mine, Brigham Young and other church leaders apparently set about organizing the San  

18 Ibid.  

Pete Coal Company. An act to incorporate this company was approved by the legislature on January 3, 1856. The company was given "the exclusive right of controlling the road and coal beds in Coal Canyon in San Pete County, during the pleasure of the Legislative Assembly." Along with this right was given the responsibility of completing the road into the canyon and keeping it in good repair, and to "use due diligence to keep a supply of coal mined, and in a convenient place for loading the same, for the accommodation of the inhabitants of the Territory." The principal incorporators of the company were Brigham Young, Isaac Morley, George Peacock, and Benjamin F. Johnson.  

To further encourage the company to carry out their responsibility, the legislature granted to the incorporators of the San Pete Coal Company a portion of San Pete County to "use as a herd ground and for other purposes." This act was approved January 17, 1856. Nothing in the act was to be "so construed as to interfere with any previous rights; or to prevent any settler from getting timber, wood, or poles; or to permit baiting their teams while engaged in so doing; or preventing the traveling public from camping privileges."  

Apparently little was accomplished by the San Pete Coal Company between its organization and the cessation of hostilities at the end of the Utah War. In 1859, fifteen Welshmen under the leadership of Bishop John Reese settled near the coal beds in San Pete County.

20 Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1855-56).

The settlement was called Coalbed until September 6, 1869, when the name was changed to Wales in honor of the miners' homeland. A new company was formed under the name of the Wales Coal and Coke Company, which is accredited as being the first company to mine coal from the deposits in San Pete County. Coal from Coalbed was transported to Camp Floyd where it was sold to the remainder of Johnston's Army located there, who paid for it in gold.

Between 1860 and 1866, the settlers at Coalbed were periodically raided by unfriendly Indians. The raids during 1866 became so hostile that Brigham Young instructed all settlers to move to the nearby settlement of Moroni. A peace treaty made with the Indians in 1868, permitted the miners to return to Coalbed and resume operations.

The mine proved unprofitable when a better grade of coal was discovered in other parts of Utah and operations were discontinued. In 1872, John Reese and John Price sold the mines to John T. Lynch and C. C. Perkins who attempted the organization of a company for the making of coke. The expense of this enterprise far outweighed its profitability which resulted in the sale of the company to the Central Pacific Coal and Coke Company Ltd., of London. In 1879-1880 this company sponsored the building of the Sanpete Valley Railway from Nephi to Wales for the purpose of transporting coal and coke.

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22Inventory of the County Archives of Utah, Number 20, Sanpete County (Manti), p. 19.

23Daughters of the Utah Pioneers, These Our Fathers, p. 212.

24Ibid.

25Ibid.; Inventory of the County Archives, Sanpete County, p. 36.
Mormon leaders devised several methods and programs to encourage families in the territory to become self-sufficient. One of these programs undertook to allot each family enough irrigated land to permit them to raise their own fruits and vegetables.

In conjunction with this drive for individual production the church leaders sponsored a society for the promotion and encouragement of activities in the field of domestic industry. This society, incorporated on January 17, 1856 as the Deseret Agricultural and Manufacturing Society, was established "with a view of promoting the arts of domestic industry, and to encourage the production of articles from the native elements in the Territory." An annual exhibition was held in Great Salt Lake City for the displaying of agricultural products, stock, and domestic articles which helped stimulate people of the territory to get involved in agricultural and industrial pursuits. At these exhibitions awards were given for the best specimens entered.

The Society was very closely associated with the Mormon Church and in some cases church meeting time was relinquished for the discussion of its business. Bishops and their counselors constituted agents of the society to help with the preparation of and advertise the annual fair.

26 Much of this section is based upon Leonard J. Arrington, "The Deseret Agricultural and Manufacturing Society in Pioneer Utah," Utah Historical Quarterly XXIV (April, 1956), 165-170.
In addition to sponsoring the territorial fair, the society held monthly meetings at which lectures were given on the culture of different tree and row crops and breeding of livestock. In 1869, the Society succeeded in getting the legislature to appropriate $5,000 to be expended in importing improved breeds of sheep. Three years later, the Society imported about $12,000 worth of breeding cattle. The Society also invested in a fish farm and introduced the Angora goat into Utah.

Following the attainment of statehood in 1896, the Society came under the control of the state government. Officials of the organization were then appointed by the governor with the consent of the legislature, and the annual exhibitions became known as "State Fairs." In 1907, the name of the Society was changed to the Utah State Fair Association by which it is still known today.

The Deseret Telegraph Company

One of the most successful Mormon economic enterprises was the construction and operation of the Deseret Telegraph Company. It involved the cooperation and unified effort of Mormon settlers the entire length of the territory.

The passage of the Pacific Telegraph Act in 1860, provided the incentive for companies to engage in the building of a transcontinental line from the Missouri River to San Francisco. The Great Basin lay directly in the path of the transcontinental route and the companies

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27 Acts, Resolutions, and Memorials. . .(Salt Lake City, 1869).

28 Much of this section is based on Leonard J. Arrington, "The Deseret Telegraph--A Church Owned Public Utility," Journal of Economic History XI (Spring, 1951), 117-139.
undertaking the construction of the line soon realized they would need assistance from the Mormons in building the line across the Great Basin. Emissaries of the companies were sent to Salt Lake City to enlist the cooperation and assistance of the Mormon people. They found Brigham Young and other church leaders anxious to assist the project in every way. During the few months it took to construct the line in the late summer of 1861, the Mormons furnished poles for almost a thousand miles of line as well as a large share of labor, food, feed, and transportation. The church itself, received $11,000 in gold for its assistance in the project.

Experience connected with the construction of the transcontinental line prompted church leaders to examine the possibility of constructing a territorial line which would connect all Mormon settlements with Salt Lake City and the "outside" world.

A few months later in February of 1862, Brigham Young made public the intention of building the territorial line. Telegraphic instruments were sent for and a telegraphy school was set up in Salt Lake City where young men could be instructed to become telegraph operators. Actual construction on the line, however, was not begun until 1866.

In a special meeting held following the conclusion of April Conference of the church in 1865, prominent church leaders, who had gathered for the conference, affirmed the decision to commence construction on the territorial line from St. Charles in the north to St. George in the south. During the following months meetings were held in the various settlements to solicit contributions for the erection of the line. It is recorded that the settlers in southern Utah subscribed "$633.33 in cash and $890 in labor, or a total of $1,573.33." Most of the cash contribu-
tions were promise of poles rather than money. 29

In May, church leaders visited the various settlements encouraging the settlers to give full support to the project. Little was accomplished during the summer because of preoccupation with farm work. In November, when the fall harvests were in, the First Presidency of the church issued a "Circular Letter of Instruction" to the Bishops and presiding leaders of all the settlements along the proposed route. This document urged that each settlement exercise expediency in completing its assigned segment of the line. Specifically, they counselled that during the fall and winter, all poles be hauled and set along the line so that the wire could be stretched as soon as it arrived the next season. Each community was also instructed to send representatives to the telegraphy school in Salt Lake City for instruction during the winter months.

With this instruction and encouragement, construction of the Deseret Telegraph line commenced. Poles were cut and set, surveying was done, and more funds were collected. Thirty young men and women, supported by their parents, were in Salt Lake City by December 15, to begin school.

The poles for the line were set and ready by the fall of 1866. By this time "500 miles of wire, the necessary supply of insulators, chemicals, and so on," had been ordered and arrived by wagon train October 14, 1866. 30 The total cost of the wire for the 500 mile line was estimated at $56,000 or an average of $112 per mile.

By December 1, 1866, the line from Salt Lake City to Ogden had been completed. The first message sent over the line was more or less a

29JH, April 17, 1865, cited in Ibid., p. 120.
30JH, October 14, 1866, cited in Ibid., p. 125.
"dedication" by Brigham Young:

To President Lorin Farr and Bishop Chauncey W. West, and the Saints in the northern country, who gave up freely when called upon: Greeting. In my heart I dedicate the line which is now completed and being completed, to the Lord God of Israel, whom we serve, for the building up of His Kingdom, praying that this and all other improvements may contribute to our benefit, and the glory of our God; until we can waft ourselves by the power of the Almighty from world to world to our fullest satisfaction.31

At this time men were working to extend the line north from Ogden to Logan and south from Salt Lake City to St. George. Telegraphic communication between Logan and St. George was opened by January 15, 1867, and the remainder of the projected line was in operation within thirty days.

Three days later, on January 18, the Legislative Assembly incorporated the Deseret Telegraph Company. The stockholders listed were Brigham Young, Edward W. Hunter, A. M. Musser, E. D. Woolley, A. H. Raleigh, and John Sharp, all of Salt Lake County; William Miller of Utah County; John W. Hess of Davis County; A. J. Moffatt of Sanpete County; and Robert Gardner of Washington County. The capital stock was set at $500,000 in 5,000 shares of $100 each.32

From the time of its organization until it was sold to Western Union in 1900, the president of the Deseret Telegraph Company was also the president of the church. Upon completion of the organization of the company, almost all shares of stock reverted to the trustee-in-trust (or president) of the church.

31Deseret News, December 1, 1866.

32Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1867).
The company was never financially profitable from its inception until it was sold in 1900. Under the Edmunds-Tucker Act in 1888, the company was confiscated by the United States Government and eventually returned to church ownership in 1894. The church continued operating the company while competition increased from the Rocky Mountain Telephone Company and Western Union. A deal was concluded February 20, 1900, by which Western Union agreed to pay the church $10,000 in cash for the company and its properties.

The total outlay by the church upon the telegraph line over its lifetime was about $150,000. Circumstances forced them to take a vast reduction in sale price as compared to their investment. However, considering the obsolescence of the line by that time and the use of the line by the church and its members, the line was a sound investment.

Other Companies Incorporated in Utah Territory, 1850 to 1870

Placerville, Humbolt and Salt Lake Telegraph Company. An act was approved by the Territorial Legislature January 21, 1859, providing for the incorporation of the Placerville, Humbolt and Salt Lake Telegraph Company. Frederick A. Bee, Peter Loveall, Edgar Bogardus, Hosea Stout, and Jesse C. Little were the principal incorporators. The purpose of the company was the construction and operation of a telegraph line from Placerville in California to Salt Lake City. The capital stock was set at $15,000 which could be increased to $150,000.\(^{33}\) The com-

\(^{33}\) Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1858-59).
pany did not complete its intended purpose; the construction of the proposed line was completed in 1861 as part of the Pacific Telegraph line. 34

California State Telegraph Company. This company was initially formed in the state of California with its principal offices in San Francisco. As the company extended its business to the Utah Territory it applied for incorporation in Salt Lake City. On January 16, 1863, the company was incorporated by the Legislative Assembly and given the same rights in the Utah Territory as it had been given in California. 35

Conclusion

The desire to develop a self-sufficient economic unit in Utah Territory was underlain with many inherent limitations not easily visible to the leaders of the church and its membership. Failure to consider these limitations and the inability in many cases to overcome them caused several church enterprises to end in economic disaster.

The single most limiting factor was the lack of necessary natural resources to support the autonomous economic unit envisioned by Brigham Young. Certain basic commodities had to be imported from the East where the facilities and raw materials needed in their production could be obtained.


35 Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1862-63).
The other most important limiting factor was technical proficiency. Without knowledge of how to produce iron, it was impossible to make the Iron Mission profitable. If more knowledge of how to process sugar beets had been available, the outcome of this industry might have been considerably different. The Mormon pioneers who sought to build a civilization in Utah were of a different class than the technicians and engineers of Europe and the East who designed and built the infrastructure that Utah lacked.

As one views the enterprises of the 1850's and 60's, he is tempted to question the Mormon pertinacity in trying to accomplish so much with their limited natural, capital, and human resources. The nature of Mormonism and a desire to withdraw from a society which persecuted its adherents provided the incentive to wrestle with insurmountable barriers.
CHAPTER V

GENERAL INCORPORATION ACTS PASSED BY
THE TERRITORIAL LEGISLATURE

Introduction

Mention has been made of the many demands upon the Legislative Assembly which led to the enactment of general incorporation laws. Historical evidence, however, reveals that increases in the number of applications for corporate charters were not solely responsible for the move toward general legislation. Eastern governmental appointees, anxious to provide business opportunities for non-Mormon capitalists, were constantly urging the legislature to initiate general incorporation laws which would entice new industry into the territory and promote the formation of domestic enterprises.

The legislature made its entry into the field of general legislation during the 1860's by passing laws dealing with specific categories or types of companies to be incorporated. The first of these general laws dealt specifically with telegraph companies, the second with irrigation companies, and the third with railroad companies. The general law of 1870, providing for the incorporation of mining, manufacturing, commercial and other industrial companies, was much broader in its scope and was regarded by the citizens of the territory as superseding all previous general laws.

Examination of the charters of companies incorporated between 1870 and 1884—even telegraph and irrigation companies—reveals that they
were submitted in accordance with the general law of 1870, rather than under their respective specific laws of the 1860's. On March 13, 1884—the same day an act was passed providing for the organization of telephone companies—the Legislative Assembly passed an act compiling and amending the laws relating to private corporations. This brought together under one general law the incorporation procedure for all types of private companies organized in the territory.

The state of New York, which was the first to introduce general incorporation laws in 1811, seems to have provided the example upon which members of the legislature depended in structuring general legislation. By this time, of course, several states had followed the leadership of New York in the field of general incorporation laws.

It is the purpose of this chapter to review and discuss the general laws passed by the Utah legislature, and to discuss briefly their effect on the formation of companies in that territory.

An Act to Provide for the Incorporation
of Telegraph Companies

The completion of the transcontinental telegraph line in 1861, not surprisingly, generated great interest in the telegraph business. Coupled with the fact that the legislature was experimenting with general legislation, this interest produced the first general incorporation law, which was approved on January 14, 1864.

1Acts, Resolutions, and Memorials. ...(Great Salt Lake City, 1863-64).
Under the provisions of this law, a telegraph company could be legally organized by three or more persons, two-thirds of whom must be residents of the territory. The actual formation was consummated once the organizers submitted a certificate containing the following information: (1) The name of the corporation, (2) the general line or lines to be constructed and the principal points to be connected by them, (3) the amount of capital stock to be subscribed and the number of shares into which it was to be divided, (4) the names and residences of the principal shareholders and the number of shares subscribed by each, and (5) the period of existence of the company which was not to exceed sixty years.

Once this certificate had been drawn up it was to be filed with the County Clerk in the county in which the principal offices of the company were to be located, and a copy sent to the Secretary of the Territory. When these steps were completed the company was considered legally incorporated and given all privileges, powers, and authority of a corporation.

In retrospect, this law could be regarded as quite ineffectual and even unnecessary, since it is doubtful that any telegraph companies were incorporated under its provisions prior to the enactment of the general law of 1870. Charters of the only telegraph companies incorporated in Salt Lake County during the latter part of the territorial period—the Park Telegraph Company incorporated August 30, 1879, and the District Telegraph Company incorporated November 10, 1883—were filed in accordance with the general law of 1870 rather than the 1864 law providing for the incorporation of telegraph companies. Although one cannot eliminate the possibility that other telegraph companies were incorpora-
ted in less significant Utah counties, we may tentatively conclude that no telegraph companies were actually incorporated under the provisions of this law.

An Act to Incorporate Irrigation Companies

The second general incorporation act passed was approved January 20, 1865, by the Legislative Assembly. This act made it possible for irrigation companies to be more quickly and uniformly organized through filing their articles with the county court rather than being required to obtain a special act from the legislature.

Provisions of this law required that once a prospective company had been set up its newly-elected trustees must submit to the county court a statement indicating (1) the proposed route of the canal or ditch to be constructed, (2) the quantity of land to be benefited by it, (3) the estimated cost of the project including dams, flumes, locks, waste weirs, and other pertinent materials, and (4) the amount per acre or percentage on taxable property which would be necessary to finance the construction.

The county court was then required to hold an election to determine if all those affected by the proposed canal or ditch were willing to accept the burden placed upon them by the new tax and support the new trustees appointed to direct the company. Once the proposal had been approved by two-thirds of the electorate involved and bonds were filed

2Acts, Resolutions, and Memorials. . .(Great Salt Lake City, 1864-65).
to insure performance of its duties, the company was given official
corporate status.

Only one company—the Deseret Irrigation and Navigation Canal
Company incorporated January 18, 1867—was formed in Salt Lake County
under the provisions of this law prior to 1870. One authority attributes
the ineffectiveness of this law of 1865 to its inadequacy to provide the
money necessary to finance a company's undertaking.\(^3\) The law provided
for the organization of districts which were permitted to raise the cost
of providing a water supply and to meet the cost of operation and main-
tenance. The intent of this method of raising money in these districts
was to make desert land provide directly for its own reclamation through
taxes levied upon the potential land to be benefited. In this intention,
however, lay an inherent weakness since it attempted to make land that
had little or no value security for considerable sums of money. Another
provision of this law—which gave the state the power to enforce contribu-
tions from the land—was ineffectual since at that time there was no
United States' land office in Utah and the settlers had only squatter's
rights. Consequently, the land could not be sold for taxes leaving no
real force behind the law. The final weakness of this law was that it
did not contain a bonding feature which would have given the companies
the power of postponing for a period of years the financial cost of
construction.

Between 1870 and 1884, irrigation companies were organized in
accordance with the provisions of the general act to provide for the

\(^3\)R. P. Teele, "The Financing of Non-governmental Irrigation Enter-
prise," Journal of Land and Public Utility Economics, II (October, 1926),
428-429.
incorporation of mining, manufacturing, commercial and other industrial purposes enacted February 18, 1870. Seven irrigation companies were incorporated in Salt Lake County during this period. Their names and dates of incorporation were as follows:

East Jordan Irrigation Company
Agricultural Park Irrigation Company
Utah and Salt Lake Canal Company
North Jordan Irrigation Company
South Jordan Canal Company
Riverside Canal Company
Brighton North Point Irrigation Company

East Jordan Irrigation Company, May 8, 1878
Agricultural Park Irrigation Company, September 17, 1879
Utah and Salt Lake Canal Company, October 2, 1880
North Jordan Irrigation Company, November 10, 1880
South Jordan Canal Company, October 30, 1880
Riverside Canal Company, October 11, 1882
Brighton North Point Irrigation Company, May 15, 1882

The law passed in 1884 relating to the incorporation of private companies specifically placed irrigation companies under the same general provisions as mining, manufacturing, commercial, industrial, and religious undertakings. The following irrigation companies were organized in Salt Lake County in accordance with the provisions of this law throughout the remaining years of the territorial period:

Jordan and Salt Lake Surplus Canal Company
North Point Irrigation Company
Summit Range Irrigation Company
Idaho Irrigating and Colonization Company
Chapman Canal Company
Coons Canyon Irrigating Company
Beckstead Irrigating Company
North Salt Lake Irrigating Company
North Point Consolidated Irrigation Company
Deseret and Salt Lake Agricultural and Manufacturing Canal Company
Buckhorn Reservoir and Canal Company
Hydraulic Canal Company
Alturas Land and Irrigation Company
Utah Water Company
Payette River Canal and Land Improvement Company
Marble Land and Irrigation Company
Bell Canyon Irrigation Company
Harriman Irrigation Company
Leamington Water Land Company
Spring Creek Irrigation Company
Armstrong Land and Water Company
South Side Water Company
Central Utah Land and Irrigation Company

Jordan and Salt Lake Surplus Canal Company, March 9, 1885
North Point Irrigation Company, May 19, 1886
Summit Range Irrigation Company, July 10, 1886
Idaho Irrigating and Colonization Company, July 30, 1887
Chapman Canal Company, Missing
Coons Canyon Irrigating Company, August 22, 1887
Beckstead Irrigating Company, November 27, 1888
North Salt Lake Irrigating Company, July 22, 1889
North Point Consolidated Irrigation Company, July 29, 1889
Deseret and Salt Lake Agricultural and Manufacturing Canal Company, August 29, 1889
Buckhorn Reservoir and Canal Company, November 13, 1889
Hydraulic Canal Company, December 27, 1889
Alturas Land and Irrigation Company, April 9, 1890
Utah Water Company, April 24, 1890
Payette River Canal and Land Improvement Company, May 5, 1890
Marble Land and Irrigation Company, October 30, 1890
Bell Canyon Irrigation Company, April 25, 1891
Harriman Irrigation Company, January 2, 1892
Leamington Water Land Company, January 6, 1892
Spring Creek Irrigation Company, April 20, 1892
Armstrong Land and Water Company, October 3, 1892
South Side Water Company, October 22, 1892
Central Utah Land and Irrigation Company, November 28, 1892
An Act Providing for the Incorporation
of Railroad Companies

The fact that the first two general laws were quite limited in their
scope was a point of concern for many advocates of general legislation.
Governor Charles Durkee discounted the significance of these two acts by
declaring in January 1868: "No law at present exists relative to the
formation of joint stock companies. A special act of the legislature is
necessary for the organization of such companies." 5

A law had been passed on March 2, 1867, by the United States Congress
which prohibited territorial legislatures from granting private charters
or special privileges, but allowed general incorporation acts permitting
persons to associate themselves together as corporations for mining,
manufacturing, and other industrial pursuits. To this law Governor
Edwin Higgins referred in a speech given in January of 1869, in which
he encouraged the legislature to promote industrial development. "An

4 Acts, Resolutions, and Memorials . . . (Great Salt Lake City, 1869).

5 Message given by Governor Charles Durkee to the Legislative Assembly,
act of that character," he stated, "properly defining the rights, powers, and liabilities of the stockholders, would be of great utility in forwarding the commercial and other interests of the people, and should be incorporated among the statutes of the Territory."  

The people of Utah at this time had mixed emotions as to whether they really wanted to encourage "outside" industry and commercial activity in their "Kingdom." The transcontinental railroad threatened to bring an influx of "Gentile" merchants and an increase in mining activity into the territory. This attitude may be interpreted as having much to do with the reluctance of the legislature to initiate more general legislation. Recognizing, however, that the railroad was both desirable and inevitable, Mormon leaders considered ways in which the railroad could be used to help them attain their goals.

Even before the transcontinental railroad was completed, Mormon leaders planned the construction of a railroad from Salt Lake City to Ogden. To aid them in forming companies to build this and other railroads, Mormon leaders encouraged the legislature to pass a general law relating to the incorporation of railroad companies.

An act of the Legislative Assembly, approved February 19, 1869, provided for the incorporation of railroad companies. Structured very similar to that dealing with telegraph companies, the act required a minimum of ten incorporators, two-thirds of whom had to be residents of the territory. Whenever stock to the amount of at least $1,000 for each mile of the proposed railroad had been subscribed, the 10 percent thereof

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had been paid to a treasurer selected by the subscribers, the subscribers were allowed to meet together and select the company directors. The company was then required to submit articles setting forth: (1) the name of the corporation, (2) the period of expected existence, (3) the amount of capital stock, which was to be in shares of $100 each, (4) the contemplated cost of the proposed railroad including all appurtenances, and (5) the proposed route of the road and through which counties it would pass. Once these articles had been filed with the Auditor of Public Accounts of the territory and certified, the company was considered to be a legal corporation.

The following companies were incorporated in Salt Lake County under the provisions of this general law dealing with the formation of railroad companies:

- Utah Central Railroad Company: March 8, 1869
- Utah Southern Railroad Company: January 17, 1871
- Utah Northern Railroad Company: August 23, 1871
- Summit County Railroad Company: 1871
- Salt Lake City Railroad Company: January 1872
- Second South Street Cable Tramway Company: September 25, 1883

The law of 1884 dealing with private companies extended and further explained the procedure for incorporating railroad companies.

General Act Providing for Incorporating Associations

Minning, Manufacturing, Commercial, and Other Industrial Pursuits

The advent of the railroad into Utah gave great impetus to the mining industry. Transportation was available to connect the miner with

7Acts, Resolutions, and Memorials. ...(Salt Lake City, 1870).
markets where ore could be sold. An increase in imported goods also introduced new opportunities for commercial business enterprises.

Governor S. A. Mann in an address to the legislature in January of 1870, pleaded for legislation which would encourage all types of commercial and industrial endeavors. "The Territory of Utah," he argued, presents an ample field for the highest civilization and improvement. With resources surpassed by few of her sister states or Territories, ... there is no physical reason why it should not be among the foremost in the race for commercial empire, power and greatness.

He cautioned, however, that in order to achieve this success a great deal had to be done in the field of encouraging legislation in all its branches:

In the furtherance of this end, I would particularly call your attention to the desirability of the enactment of a general incorporation law, pursuant to the Act of Congress of March 2nd, 1867, and also of an Act authorizing the formation of limited partnerships. The benefits arising from corporations, in the consolidation of means for the attainment of objects beyond the power of individual effort are so manifest as hardly to require at this day any argument to enforce the utility of such institutions. From the earliest times have these advantages been recognized and utilized by the wisest legislators and in modern days incorporations for the accomplishment of great public ends have become a part of the legislation of every civilized State. With the proper checks limitations and safeguards to protect the rights of the people they are justly regarded as essential to the well being and continual advancement of every community. The law governing corporations and defining their rights and privileges had been digested by the wisdom of ages, and it is therefore, not an untried or uncertain field of legislation which is thus commended to your favorable consideration. Nearly all works of a public nature require the expenditure of large amounts of money, and while individuals may be induced, by public spirit or the hope of gain to invest a portion of their means few are found who are willing to embark all their capital in an enterprise, the management of which must, in most instances, necessarily be left to others. Through the agency of corporations most of the great works of the past have been and all the great works of the present are being accomplished. Through their means

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oceans and rivers are navigated, telegraphs are constructed, canals and irrigation ditches are dug, factories are run, mines are worked, schools and banking houses are established. The passage of a wise and judicious incorporation law would have a great tendency to bring hither that capital which is so much needed in the development of the many and varied resources of the Territory, and especially would it aid in the development of the mines. There is no place in the United States where the influx of capital would so materially increase the prosperity of the people. It would expel that spirit of desolation and of solitude which broods over and guards some of the richest mines and most bright treasures from the rocked ribbed fortresses of nature.

One month after Governor Mann's forceful speech, the move toward general legislation reached its apex with the approval of "An Act Providing for Incorporating Associations for Mining, Manufacturing, Commercial and other Industrial Pursuits," on February 18, 1870.

This act was the most comprehensive of the general acts passed, and was divided into five major areas: (1) How to proceed to be incorporated, (2) powers of the corporation, (3) how the capital stock may be increased, (4) how the corporation may dissolve itself, and (5) other miscellaneous provisions.

(1) How to incorporate. Similar to previous acts, the legislature set a minimum of six persons, two-thirds of whom must be residents of the territory, who could legally establish an association for a mining, manufacturing, commercial or industrial enterprise. A written agreement was to be submitted, outlining the basic information about the name, capital stock, and proposed intentions of the company, to the Probate Judge in the county in which the company was incorporated, within ten days from the time it was drawn up.

(2) Powers of the corporation. Once the initial step was completed, the company was given the power to make contracts, to sue and be sued, to have a seal, to buy, use, sell, or dispose of personal property
necessary for the general business of the company. It was also empowered
to make all by-laws, rules, and regulations which were not inconsistent
with the laws of the territory or its given corporate rights.

(3) How capital stock could be increased. Capital stock could be
increased by a two-thirds vote of all the stockholders and an increase
in the sale of shares. In no case, however, was the stock allowed to
exceed $2 million. A further stipulation was that the additional stock
subscribed must be taken by persons, of whom two-thirds must be residents
of the territory.

(4) Dissolution of a corporation. To dissolve or disincorporate a
company, its officers were required to present a statement to the Probate
Judge, setting forth that at a meeting of the stockholders it had been
decided by a two-thirds vote that the company should be dissolved.

(5) Miscellaneous provisions. Other provisions provided methods
for collecting and paying debts, outlined procedures pertaining to elec-
tions of officers, required that specific records be kept, and defined
the liability of the individual stockholders.

The passage of this act quieted the clamor for more general legis-
lation. It was felt this law had provided what was needed. It was not
until several years later, in 1874, that another governor asked for
additional minor legislation to help foster the concentration of capital
in Utah Territory. On January 13, of that year Governor George L.
Woods pointed to a weakness in the law which needed correction:

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9 Message given by Governor George L. Woods to the Legislative Assembly,
Section 1, of an Act entitled "an Act providing for Incorporating Associations, for Mining, Manufacturing, Commercial, and other Industrial pursuits," approved February 18, 1870, requires that two-thirds of the whole number of Directors of all Corporations organized within the Territory shall be residents of the Territory. Capitalists, from all parts of the Republic, are making investments in our midst, for mining, manufacturing and other purposes; and in the organization of Companies, under the law as it now stands, they are compelled to have no personal interest whatever in the enterprise over which they are to exercise control. The effect of such a law is to prevent capital from coming to the Territory. I hope that it may be repealed. Before dismissing this subject I would also suggest that all incorporations organized in this territory be required to file their Articles of Incorporation in the office of the Secretary of the Territory.

Following the advice of Governor Woods, the Legislative Assembly passed an act one month later amending the General Act. It required that only one-third instead of two-thirds of the directors of a company must be residents of the territory. Legislation was also passed requiring companies to file their articles of incorporation with the Secretary of the Territory once they had been filed with and certified by the Probate Judge of the County Court.

Act to Provide for the Organization and Regulation of Telephone Companies

The last two general incorporation acts were passed March 13, 1884, one of which provided for the organization of telephone companies. Following the same outline as its predecessors, the law required that a minimum of three persons, two-thirds of whom must be residents of the territory, were necessary to form a telephone company. It required

10 Acts, Resolutions, and Memorials. . . (Salt Lake City, 1874).

11 Acts, Resolutions, and Memorials. . . (Salt Lake City, 1884).
that articles of incorporation be filed with the Secretary of the Territory and the Clerk of the County Court. Certification by the Probate Judge of the county court indicated the legality of the corporation. One company—the Utah Telephone Company incorporated in Salt Lake County on September 28, 1881—is the only known company incorporated under the provisions of this law and its amendments.

An Act Compiling and Amending the Laws
Relating to Private Corporations

The other general act passed March 13, 1884, brought together into one law all laws relating to the organization of private corporations. The opening paragraph of the act stated:

Hereafter, whenever any number of persons, not less than five, one-third of whom being residents of this territory, and desirous of associating themselves together for establishing and conducting any mining, manufacturing, commercial, or other industrial pursuit, or the construction or operation of wagon roads, irrigating ditches, or the colonization and improvement of land, or for colleges, seminaries, churches, libraries, or any benevolent, charitable or scientific association, or for any rightful subjects consistent with the Constitution of the United States and the laws of this Territory, and who wish to incorporate for that purpose, may, by complying with the provisions of this act, become a body corporate.

Further contents of the act outlined the procedures for incorporation which were similar to those of the 1870 law and extended the general laws of telegraph and railroad companies. Today most of the original articles of incorporation of companies filed under the General Law of 1870 and the Act of 1884, can be found in the county records center at the Capitol Building in Salt Lake City.

12 Laws of Utah, 1884, chap. XIV, p. 78.
Companies Incorporated Under the General Acts

The passage of the general acts greatly facilitated the process of incorporation. Completion of the transcontinental railroad in 1869 brought many new industries and enterprises into Utah Territory. This increase in population and movement of civilization westward resulted in a proliferation in the number of corporations organized after 1870.

Between 1870 and the time Utah gained statehood in 1896 there were approximately 1,300 companies incorporated in Salt Lake County alone. An examination of the articles filed by these companies reveals that about 45 percent were organized for mining purposes, 34 percent for commercial enterprises, 6 percent associations, 5 percent ecclesiastical organizations, 4 percent manufacturing companies, and 3.5 percent were irrigation companies. Classification of the companies into these different categories is somewhat arbitrary but does give an indication of the relative importance of the different enterprises. Several of the companies incorporated in Salt Lake City under the general laws were formed for operations in surrounding counties and territories, but listed Salt Lake City as the location of their principal office.

Appendix B lists the companies incorporated between 1870 and 1882—the year in which the Edmunds Act was passed. A look at this list of 363 companies tells much about the development of the different industries in the late territorial period. Mining was by far the most prominent industry during the 1870's and into the 1880's. Commercial enterprises

13 Original charters of these corporations are in possession of the County Records Center, Capitol Building, Salt Lake City.
followed closely on its heels and increased as time passed.

Another interesting aspect is the increase in the number of Latter-day Saint ecclesiastical wards incorporated in 1882, shortly after the passage of the Edmunds Act. About 52 percent of all the ecclesiastical organizations formed during the territorial period were incorporated in this year. This is not hard to understand, since it permitted ecclesiastical wards and stakes to own property formerly held by the central church. Inasmuch as the Congress threatened to disincorporate the Mormon Church, and dispose of its properties, one way of avoiding the loss of this property was by the transfer of ownership to individuals and organized corporations. Thus, following the incorporation of the various wards, property was transferred to them, out of the reach of existing or contemplated Federal law.

This outline of the history of acts of incorporation in the early years of Utah Territory is, of course, only an introduction to a topic much wider in dimension. A welcome sequel would discuss and analyze the operation of Utah's general incorporation act from 1870 to 1896, when statehood was granted. Special emphasis could then be given to the years after 1882, at which point the present study concludes. It would also be useful and interesting to study the operation of corporation law in Utah since statehood and to compare this law with that of other states in the region and nation. Finally, it would be instructive to compare acts of incorporation in Utah, during both the territorial and statehood periods with those of other territories and states in which Mormonism had no influence.
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Table 1. Report of the Committee on Irrigation. \(^a\) (Showing the expense of the main irrigating canals, and the amount of land irrigated by the same in Utah Territory)

<table>
<thead>
<tr>
<th>Counties</th>
<th>No. of Canals</th>
<th>Mean Length Rods</th>
<th>Mean Width ft. in.</th>
<th>Mean Depth ft. in.</th>
<th>Total Cost of Length Construction</th>
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<td>19</td>
<td>2363</td>
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<td>1359</td>
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<td>1</td>
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<tr>
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<td>1374</td>
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<td>2</td>
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Remarks:
- Deseret Irrigation and Navigation Canal $750,000
- South West Jordan 200,000
- West Jordan 60,000
- $1,010,000
- 60,000 For to bring the water of Provo River to Lehi.
- 300,000 Davis County canal.
- Not Reported

\(^a\)Source: Journal History of the Church of Jesus Christ of Latter-day Saints, February 15, 1865. Manuscript in possession of Latter-day Saints Church Historian's Office, Salt Lake City, Utah.
Companies incorporated in Salt Lake County from 1870 to 1882, their date of incorporation, purpose, proposed period of existence, and capital stock.

1. Lost

2. Zion's Cooperative Mercantile Institution. Nov. 18, 1870.
   Objects of this institution are to establish and carry on in Salt Lake City and other places as may be determined, the business of manufacturing and general merchandising. For 25 years.
   Capital stock of $1,000,000 divided in shares of $100 each.

   General mining business in the Territory of Utah, particularly upon certain mining grounds and claims in Little Cottonwood Mining District, known as the Susquehanna Lode. 25 years. $300,000 in 3,000 shares of $100 each.

   General mining business in Little Cottonwood Canyon. 25 years. $2,000,000 in 20,000 shares of $100 each.

   General Mining business in the Territory of Utah. 25 years. $30,000 in 3,000 shares of $100 each.

6. Silver Shield Mining Company. March 27, 1871.
   General mining business. 25 years. $480,000 in 1,600 shares of $300 each.

   General mining business. 25 years. $500,000 in 5,000 shares of $100 each.

   General mining business in Little Cottonwood Mining District, especially the claims of the Great American Basin Company. 20 years $2,000,000 in 40,000 shares of $50 each.

   General mining business in Summit County. 25 years. $1,000,000 in 10,000 shares of $100 each.

    General mining business in Little Cottonwood Canyon. 10 years. $1,800,000 in 18,000 shares of $100 each.
   General mining business in Little Cottonwood Canyon, especially in the "California," "Colorado," "San Jose," "San Francisco," and any other lodes this company may locate or acquire. 25 years.
   $2,000,000 in 20,000 shares of $100 each.

   General mining business in Little Cottonwood Mining District. 20 years.
   $1,000,000 in 10,000 shares of $100 each.

   General insurance business. 25 years.
   $500,000 in 5,000 shares of $100 each.

   General mining business in Little Cottonwood Mining District, especially with the mining claims known as the Creek Lode, Silver Lode, Copper Lode, Galena Lode, and the Powerful Lode. 10 years.
   $500,000 in 20,000 shares of $25 each.

15. Lost

   General lumber business. 5 years.
   $75,000 in 750 shares of $100 each.


   General business of mining the property situated in Little Cottonwood Mining District known as the claims and property of the Ely Tunnel Company.
   $1,400,000 in 28,000 shares of $50 each.

   General mining business in the Tintic Mining District. 20 years. $240,000 in 6,000 shares of $40 each.

   Business of mining a certain tunnel claim in the Little Cottonwood Mining District known as the Chicago Tunnel. 25 years.
   $2,000,000 in 100,000 shares of $20 each.

   General mining business, especially to operate a certain tunnel claim known as the "Lincoln Tunnel" on Cherokee Hill in East Canyon, Ophir Mining District in Tooele County. 25 years.
   $100,000 in 1,000 shares of $100 each.
General business of mining--especially for operating a certain tunnel claim west of Emma Mine in Little Cottonwood Mining District. 20 years.
$500,000 in 10,000 shares of $50 each.

General business of mining a certain tunnel claim situated near the Emma Mine in Little Cottonwood Mining District, known as the Phenix Tunnel. 20 years.
$500,000 in 20,000 shares of $25 each.

Object shall be to receive deposits, buy and sell, exchange and do a general brokerage and banking business. 25 years.
$250,000 in shares of $100 each.

General mining business. 25 years.
$25,000 in 250 shares of $100 each.

General mining business in Little Cottonwood Mining District.
$330,000 in 6,600 shares of $50 each.

General mining business in Little Cottonwood Mining District.
$100,000 in 8,000 shares of $12.50 each.

General business of mining--especially for working the lode known as the Hidden Hand, and other lodes that this company may acquire.
$2,000,000 in 20,000 shares of $100 each.

29. Lost

General printing and publishing business, and especially to continue the publication of the Daily and Weekly Tribunes. 3 years.
$11,000 in 11 shares of $1,000 each.

31. The Manhatten Tunnel and Mining Company. Nov. 21, 1871.
General mining business, and more particularly the working of a certain tunnel claim in Little Cottonwood Mining District known as the Manhattan Tunnel and Mining Company. 25 years.
$500,000 in 20,000 shares of $25 each.

32. The Red Wing Mining Company. Dec. 6, 1871.
General mining business--especially the working of the Red Wing Mining Lode in West Tintic Mining District, Tooele, County.
$2,400 in 2,400 shares of $1 each.
33. The Utah Cashmere Goat Company. Dec. 6, 1871.
To carry on and conduct the business of rearing Cashmere Goats, and by crossing the same on the common Goat. 10 years. $6,000 in shares of $50 each.

General business of running the "Pioneer Tunnel" mining claim in the Little Cottonwood Mining District. 25 years. $200,000 in 4,000 shares of $50 each.

35. The Snow Storm Tunnel and Mining Company. Dec. 12, 1871.
General mining business in the Ophir Mining District. 10 years. $2,000 in 10 shares of $200 each.

36. Lost

General business of working the Gladiator Tunnel in the Little Cottonwood Mining District. 10 years. $500,000 in 10,000 shares of $50 each.

General business of raising, buying, selling, and slaughtering sheep, hogs, cattle and other stock. 10 years. $200,000 in shares of $100 each.

General printing and publishing business and to continue the publication of the Salt Lake Daily and Weekly Tribune Newspaper. Initially established for 3 years, but by a majority vote of the stockholders its existence could be extended up to a maximum of 20 years. $30,000 in 300 shares of $100 each.

Business was to gather and disseminate information and statistics relating to mineral locations and mining property throughout Utah; to aid in advancing and developing the interests of worthy and legitimate mining enterprises, and to establish a general office where parties seeking purchase or sale of ground may find facilities. 25 years. $25,000 in 250 shares of $100 each.

41. Emma Hill Consolidated Mining and Tunnel Company. May 10, 1872.
General business of mining and selling of mines and mining stocks in Little Cottonwood Mining District. $400,000 in 20,000 shares of $20 each.

42. Friction Car Brake Company. May 8, 1872.
Manufacturing and vending the "Friction Car Brakes" for use on street and railway cars. 20 years. $1,000 in 1,000 shares of $1 each.

44. The Utah Silver Mining and Prospecting Company. May 27, 1872.
   Business of mining the Lady Emma Tunnel located on Emma
   Hill in the Little Cottonwood Mining District.
   25 years. $100,000 in 100,000 shares of $1 each.

   General mining business in Little Cottonwood Mining
   District. 25 years.
   $500,000 in 5,000 shares of $100 each.

   General mining business. 5 years.
   $120,000 in 1,200 shares of $100 each.

47. The Mount Nebo Mining and Smelting Company of Utah. July 9, 1872.
   General mining business. 10 years.
   $10,000 in 100 shares of $100 each.

   General mining business--especially to operate the mines
   known as the "Constitution," the "Queen of the West," and
   the "Tiger," situated in the Hurdscrabble Mining District,
   Morgan County, and also in the "Fallen Tree" Lode in the
   Big Cottonwood Mining District. 25 years.
   $12,000 in 120 shares of $100 each.

49. Livingston Mining Company. July 26, 1872.
   General mining business--especially in the "Livingston"
   and the "Charles the Twelfth" Lodes in the Little Cotton-
   wood Mining District. 25 years.
   $50,000 in 2,000 shares of $25 each.

   General mining business in the Cottonwood Mining District.
   10 years. $100,000 in 10,000 shares of $10 each.

51. Anti-Friction and Journal Box and Divided Car Axle Company.
    Aug. 5, 1872.
   Set up in Salt Lake City and such other places as may
   be determined by the board of directors, the business of
   selling patent rights for, and manufacturing and selling
   anti-friction journal boxes, divided car axles and rail-
   road danger signals. 25 years.
   $1,000 in 1,000 shares of $1 each.

52. Bingham Gold and Silver Mining Company of Utah. Aug. 6, 1872.
   General mining business. 25 years.
   $2,000,000 in 20,000 shares of $100 each.
Business of developing and working the North Eureka Mine, the Hebrew Chief Mine, the Silver Star Mine, the Warrior Mine, the Quaker Mine, the United States Mine, and the Jackson Mine in the Greely Springs Mining District. 20 years. $500,000 in 10,000 shares of $50 each.


General mining business—especially the Jones and Paddock Lode, the Jones and Paddock Lode Lumber Company, the Juniper Lode, the Central Lode, and the Skipper Lode. 5 years. $1,000,000 in 10,000 shares of $100 each.

For establishing and conducting the business of concentrating, amalgamating, smelting, and otherwise chemically and mechanically treating every mind of minerals and ores and reducing the same to commercial products. 25 years. $2,000,000 in 20,000 shares of $100 each.

56. Missing

57. Missing

58. The Blue Jacket Mining and Tunnel Company of Utah. Nov. 6, 1872.
General mining business. 5 years. $500,000 in 50,000 shares of $10 each.

59. The Peninsular Tunnel and Mining Company. Dec. 11, 1872.
General mining business. 25 years. $2,000,000 in 20,000 shares of $100 each.

60. Cap Wing Gold and Silver Mining Company Limited. Dec. 16, 1872.
General mining business throughout the United States of America and its Territories and more especially the Territory of Utah. 25 years. $100,000 in 5,000 shares of $20 each.

General mining business. 20 years. $20,000 subscribed at the time articles were filed which could be increased up to $1,000,000; in 200 shares of $100 each.
   Business of manufacturing, using, buying, selling, and dealing in fire-bricks, fire cement and all kinds of fire materials. 10 years.
   $30,000 in 1,500 shares of $20 each.

63. Morning Lake Mining Company. Feb. 8, 1873.
   General mining business. 25 years.
   $10,000 subscribed at the time articles were filed which could be increased up to $1,000,000; in 100 shares of $100 each.

64. The Lafayette Mining Company of Utah. March 3, 1873.
   General mining business. 25 years.
   $1,200,000 in 12,000 shares of $100 each.

65. The Young America Tunnel Company. March 10, 1873.
   General mining business in Bingham Canyon, West Mountain Mining District. 25 years.
   $500,000 in 10,000 shares of $50 each.

   Business of mining in and upon the "Lightning Tunnel and Mining Claim," situated on the Lion Hill in the Ophir Mining District in Tooele County. 10 years.
   $160,000 in 3,200 shares of $50 each.

67. Missing

68. Utah Mutual Tunnel and Silver Mining Company. March 29, 1873.
   General mining business. 20 years.
   $200,000 in 2,000 shares of $100 each.

69. Missing

70. Utah Belcher Gold and Silver Mining Company. April 11, 1873.
   General mining business--especially for the working of the Lincoln Mine, the Eureka Mine and the California Tunnel, all situated in the Little Cottonwood Mining District. 20 years.
   $1,000,000 in 20,000 shares of $50 each.

71. The Rocky Mountain Smelting Company. April 11, 1873.
   General mining business. 25 years.
   $1,000,000 in 10,000 shares of $100 each.

72. The Far West Mining and Tunnel Company. April 23, 1873.
   General mining business--especially in the "Genevieve," the "Magnolia," the "Della," and the "Choctaw" lodes and the tunnel known as the "Far West." 20 years.
   $450,000 in 4,500 shares of $100 each.
73. Golden Gate Tunnel and Mining Company. May 1, 1873. General mining business in the Golden Gate Tunnel location in Butterfield Canyon in the West Mountain Mining District. 20 years. $1,000,000 in 10,000 shares of $100 each.

74. Wachurett Mining and Smelting Company. June 5, 1873. Mining and working the lode known as the Cedar Lode and the Cedar Tunnel claim. 20 years. $2,000,000 in 20,000 shares of $100 each.

75. Bald Eagle Tunnel and Mining Company. June 17, 1873. General mining business in the Bald Eagle location in Bingham Canyon, West Mountain Mining District. 20 years. $750,000 in 7,500 shares of $100 each.

75-A Salt Lake Ice Company. Missing

76. Missing

77. The Oneida Silver Mining and Milling Company of Utah. June 30, 1873. General mining business. 20 years. $10,000 subscribed at the time articles were filed which could be increased up to $500,000; in 400 shares of $25 each.

78. Richmond and Anaconda Consolidated Mining Company. Missing


80. Bear River Valley Manufacturing, Mining, and Railroad Company. July 22, 1873. Business shall be to acquire timber lands, erect sawmills, and manufacture and sell lumber and charcoal; mine for sulphur, coal and other minerals in Summit County; and build, equip, and operate a railroad in connection therewith from a point on the Union Pacific Railroad in Uinta County, Wyoming Territory, within one mile of Tie Side Station, in a southerly direction into Summit County, a distance of 20 miles, to a point at or near Silver Spring. 25 years. $1,000,000 in 20,000 shares of $50 each.

81. Missing

82. Zions Saving Bank and Trust Company. Aug. 6, 1873. To carry on, manage, operate, and conduct a savings bank, banking business and trust company. 25 years. $200,000 in 4,000 shares of $50 each.

83. Ophir Hill Mining Company of Utah. Aug. 11, 1873. General mining business. 20 years. $320 subscribed at the time articles were filed which could be increased to $2,000,000; in 32 shares of $10 each.
General mining business. 25 years.  
$100,000 in 2,000 shares of $50 each.

85. Missing

86. The Osborn Mining Company of Utah. Aug. 27, 1873.  
General mining business--especially in the American Fork  
Mining District and in the section of country known as "Mineral Flat." 25 years.  
$250,000 in 2,500 shares of $100 each.

To own and operate a theater within Salt Lake City.  
25 years. $120,000 in 1,200 shares of $100 each.

88. Missing

89. Missing

90. Missing

General mining business. 25 years.  
$250,000 in 10,000 shares of $25 each.

General mining business. 5-25 years.  
$250,000 in 25,000 shares of $10 each.

To transact a general mining stock business in Salt Lake  
City. 10 years.  
$25,000 in shares of $100 each.

94. The Enterprise Gold and Silver Tunnel and Mining Company of Utah.  
Oct. 29, 1873. General mining business in the Enterprise  
Mine and Tunnel location situated in Little Cottonwood  
Mining District. 25 years.  
$1,000,000 in 50,000 shares of $25 each.

95. Oquirrh Silver Mining Company of Utah. April 7, 1874.  
Business of working and developing the mines found in the  
Nabob, Seaman, Whale, Kissum, George B. McClellan,  
Kingsburry, and Orleans mine and tunnel locations situated  
in the West Mountain Mining District. 25 years.  
$950,000 in 9,500 shares of $100 each.

96. Indian Silver and Gold Mining Company. Feb. 6, 1874.  
General mining business in the State of Nevada and the  
Territory of Utah. 25 years.  
$100,000 in 2,000 shares of $50 each.
   General mining business in the West Mountain Mining
   District. 25 years.
   $5,000 subscribed at the time articles were filed which
   could be increased to $200,000; in 100 shares of $50 each.

98. Buckhorn Silver Mining Company. Feb. 9, 1874.
   General mining business. 25 years.
   $100,000 in 10,000 shares of $10 each.

   General mining business. 20 years.
   $100,000 in 4,000 shares of $25 each.

100. Bingham Toll Road Company. Feb. 26, 1874.
    To establish, maintain, and conduct a toll road from the
    present western terminus of the Camp Floyd and Bingham
    Canyon Railroad, up main Bingham Canyon and Carr and Bear
    Forks of the canyon. 5 years.
    $6,000 in 300 shares of $20 each.

    To establish and carry on in Salt Lake City and other
    places deemed necessary the business of manufacturing
    boots and shoes, and dealing in leather products.
    25 years. $10,000 in 1,000 shares of $10 each.

    General mining business. 25 years.
    $300,000 in 3,000 shares of $100 each.

103. Fairview Coal Mining and Coke Company. June 30, 1874.
    General coal mining business in San Pete County.
    20 years. $1,000,000 in 20,000 shares of $50 each.

104. General Logan Mining Company. May, 1884.
    Articles missing.

    General mining business. 25 years.
    $2,000,000 in 80,000 shares of $25 each.

    General mining business. 25 years.
    $30,000 in 3,000 shares of $10 each.

    To receive in trust for the use and benefit of this church
    the title to all property here or hereafter to be
    acquired. 25 years. $500 in 500 shares of $1 each.

    General printing and publishing business.
    25 years. $50,000 in 500 shares of $100 each.
    Business of importing and manufacturing drugs and chemical merchandise. 20 years.
    $25,000 in 1,250 shares of $20 each.

    General mining business. 25 years.
    $56,000 in 5,600 shares of $10 each.

    General mining business--particularly in the following names claims: The Evergreen Lode, and the Our Evergreen Lode, in the Big Cottonwood Mining District; also Our Evergreen Lode #2, The Ivy Green Lode 1 & 2, The Our Evergreen Tunnel location, and The Our Evergreen Mill Site. 25 years. $1,000,000 in 40,000 shares of $25 each.

    General sulphur mining business. 25 years.
    $600,000 in 6,000 shares of $100 each.

    Business of furriery hatting and general merchandising. 25 years. $2,000 in 200 shares of $10 each.

    Business of operating the Evergreen Mine in Little Cottonwood Canyon. 25 years.
    $90,000 in 9,000 shares of $10 each.

    The objects of this corporation are for mining, manufacturing, commercial, and other industrial pursuits, and the construction and operation of wagon roads, irrigation ditches, and the colonization and improvement of lands, and for establishing and maintaining colleges, seminaries, churches, libraries etc. 25 years.
    $50,000 in 2,000 shares of $25 each.

    Business of running an iron foundry and machine shop. 25 years. $25,000 in 500 shares of $50 each.

    To establish, build, maintain and operate a wagon and toll road in and through Little and Big Cottonwood Canyons and to cross the divide between said canyons or in, through, or across any part or portion of said canyon or divide. 10 years. $10,000 in 500 shares of $20 each.

    General forwarding, commission and trading business. 10 years. $4,000 in 400 shares of $100 each.
118. United Order of Tailors. Feb. 2, 1875. General merchant tailors and outfitting trade. 25 years. $10,000 in 1,000 shares of $10 each.

119. The United Order of Big Cottonwood Ward. March 3, 1875. For mining, manufacturing, commercial, and other industrial pursuits, and the construction and operation of wagon roads, irrigation ditches, and the colonization and improvement of lands, and for establishing and maintaining colleges, seminaries, churches, etc. 25 years. $5,000 in 1,000 shares of $5 each.

120. The Summit and Red Bird Consolidated Mining Company Limited. March 30, 1875. General mining business. 25 years. $120,000 in 12,000 shares of $10 each.

121. South Cottonwood Co-operative Mercantile Institution. May 22, 1875. General trade in all kinds of merchandise, products, manufactures and commodities, in the South Cottonwood Precinct. 25 years. $5,000 in 100 shares of $5 each.

122. Black Warrior Silver Mining Company. June 1, 1875. General mining business. 25 years. $500,000 in 5,000 shares of $100 each.

123. The Castle Valley Coal and Mining Company. July 16, 1875. General mining business. 25 years. $2,000,000 in 20,000 shares of $100 each.


125. The Lion Tunnel and Mining Company. Oct. 1, 1875. General mining business. 25 years. $600,000 in 30,000 shares of $20 each.

126. Eureka Hill Mining Company. Nov. 12, 1875. General mining business. 25 years. $1,000,000 in 10,000 shares of $100 each.

127. Virginia Consolidated Mining Company of Utah. Nov. 17, 1875. General mining business. 25 years. $1,000,000 in 10,000 shares of $100 each.

128. The Mail Printing and Publishing Company of Utah. Dec. 7, 1875. General printing and publishing business. 20 years. $6,000 in 300 shares of $20 each.
   General mining business.
   $150,000 in 1,500 shares of $100 each.

130. Union Mining Company of Utah. Jan. 27, 1876.
   General mining business in Ophir Mining District in
   Tooele County. 25 years.
   $100,000 in 10,000 shares of $10 each.

131. Central Smelting Company. March 2, 1876.
   General mining business.
   $300,000 in 3,000 shares of $100 each.

132. Utah Coal Mining and Coke Company. Aug. 12, 1876.
   Mining business in San Pete County. 25 years.
   $1,000,000 in 20,000 shares of $50 each.

   To carry on the business of printing and publishing
   generally, and for the purpose of publishing a newspaper
   to be named the "Utah Skandinav."
   25 years. $2,000 in 200 shares of $10 each.

134. The United Order of West Jordan, Salt Lake County. June 19, 1876.
   For manufacturing, commercial and other industrial pur-
   suits. 25 years.
   $20,000 in 800 shares of $25 each.

   General mining business. 20 years.
   $2,000,000 in 20,000 shares of $100 each.

136. Saginaw Mining Company. Dec. 9, 1876.
   General mining business.
   $200,000 in 1,600 shares of $125 each.

137. The South Star Mining Company. Dec. 11, 1876.
   General mining business. 10 years.
   $50,000 in 500 shares of $100 each.

   General mining business. 20 years.
   $360 subscribed at the time articles were filed which
   could be increased up to $2,000,000; in 36 shares of $10
   each.

139. Alta Consolidated Mining Company. Dec. 30, 1876.
   General mining business. 10 years.
   $500,000 in 5,000 shares of $100 each.
General mining business. 25 years.
$600 subscribed at the time articles were filed which could be increased up to $10,000,000; in 12 shares of $50 each.

General mining business. 10 years.
$200,000 in 2,000 shares of $100 each.

General mining and manufacturing business. 20 years. $150,000 in 15,000 shares of $10 each.

143. Germania Smelting and Refining Company. March 17, 1877.
General mining business. 25 years. $100,000 in 1,000 shares of $100 each.

144. Old Jordan Mining and Smelting Company of Utah. April 16, 1877.
General mining business. 20 years. $175,000 in 35,000 shares of $5 each.

General merchandising business in West Jordan Precinct, Salt Lake County. 25 years. $10,000 in 400 shares of $25 each.

146. Frisco Smelting Company. May 26, 1877.
General mining business. 20 years. $12,000 subscribed at the time articles were filed which could be increased up to $60,000; in 12 shares of $100 each.

147. Royal Tunnel and Mining Company. Sept. 20, 1877.
General mining business. 25 years. $10,000,000 in 100,000 shares of $100 each.

Business of tanning and currying leather and other manufactures connected therewith. 25 years. $25,000 in 5,000 shares of $5 each.

149. The Silver Reef Consolidated Mining Company. Nov. 5, 1877.
General mining business. 25 years. $1,000,000 in 100,000 shares of $10 each.

General mining business. 25 years. $1,000,000 in 100,000 shares of $10 each.
To establish and operate a wagon and toll road in Salt Lake County which will commence at the east side of Grisley Platt, run easterly about 5 miles to Twin Lakes in Little Cottonwood Canyon. 20 years.
$2,000 in 80 shares of $25 each.

152. Granite Ward, Road, Reservoir and Lumbering Company. May 6, 1878.
To carry on and conduct the business of making roads, reservoirs, and lumbering in the Territory of Utah. 15 years. $3,000 in 120 shares of $25 each.

To construct and operate a canal extending from the Jordan Dam in a northerly direction on the east side of the Jordan River to a point near Salt Lake City. The purpose of this canal shall be to direct a portion of the waters of the Jordan River to be appropriated, used, disposed of, sold and distributed.
$200,000 in shares of $25 each.

General mining business in the Uintah Mining District, Summit County. 25 years.
$1,000,000 in 100,000 shares of $10 each.

General coal mining business. 25 years.
$1,000,000 in 20,000 shares of $50 each.

To procure suitable grounds and improvements for the purpose of trotting racing and pleasure driving under the management of a regular association conforming to the rules and regulations now generally observed in the United States for promoting trotting racing. 25 years. $2,500 in 100 shares of $25 each.

To establish and conduct an institution of learning on the academic and collegiate plain. 25 years.

158. First Presbyterian Church of Salt Lake City. Sept. 2, 1878.

General mining business. 25 years.
$600,000 in 60,000 shares of $10 each.

General mining business. 25 years.
$6,000,000 in 60,000 shares of $100 each.

General mining business. 25 years.
$10,000,000 in 400,000 shares of $25 each.
   General mining business in the Territories of Idaho, Utah, and Nevada. 50 years.
   $500,000 in 100,000 shares of $5 each.

   General mining business in the Idaho Territory. 20 years. $70,000 subscribed at the time articles were filed which could be increased up to $140,000; in 700 shares of $100 each.

   General mining business. 25 years.
   $1,000,000 in 10,000 shares of $100 each.

165. Emily Silver Mining Company. March 28, 1879.
   General mining business. 25 years.
   $300,000 in 60,000 shares of $5 each.

166. Oregon Silver Mining Company. May 19, 1879.
   General mining business. 25 years.
   $1,000,000 in 100,000 shares of $10 each.

167. Bonanza Toll Road Company. Missing

   Manufacturing and vending a writing machine to be known as the Crandall Typewriter. 25 years.
   $250,000 in 100,000 shares of $2.50 each.

   General mining business. 25 years.
   $20,000 subscribed at the time articles were filed which could be increased up to $10,000,000; in 200 shares of $100 each.

   Carrying on the general business of a hospital. 25 years. $10,000 in 100 shares of $100 each.

   Business of mining in the following lodes and claims: "Free Silver Mine," "Ontario Bonanza," and "Ontario Number Two," situated in the Blue Ledge Mining District, Wasatch County. 25 years.
   $100,000 in 100,000 shares of $1 each.

   For the purpose of owning a marble quarry, and of quarrying, sawing and preparing marble for market in Snake Creek, Wasatch County, and for vending the same in Salt Lake City, and also for the purpose of owning and working silver and other mines in Snake Creek and other places. 25 years. $250,000 in 250,000 shares of $1 each.
General mining business. 25 years.
$2,500,000 in 100,000 shares of $25 each.


General mining business. 25 years.
$1,000,000 in 100,000 shares of $100 each.

General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.

176. Alta Consolidated Mining and Tunnel Company of Utah.
25 years. $900,000 in 90,000 shares of $10 each.

General mining business. 25 years.
$10,000 subscribed at the time articles were filed which could be increased up to $10,000,000; in 100 shares of $100 each.

General mining business. 25 years.
$3,000,000 in 30,000 shares of $100 each.

General mining business in Wasatch, Summit and Salt Lake Counties. 25 years.
$500,000 in 100,000 shares of $5 each.

For the purpose of owning, holding, and working lines of telegraph in the Territory of Utah. The general route of the principal line of telegraph shall be from Salt Lake City to the mouth of Parley Park Canyon, thence up said canyon by the most practicable route to the summit of the divide between Summit and Salt Lake Counties, and from thence to Park City in the County of Summit. Principal offices to be in Salt Lake City and Park City and branches may be extended from these points. 50 years.
$5,000 in 100 shares of $50 each.

181. The Jones Silver Mining Company. Sept. 8, 1879.
General mining business. 25 years.
$1,000,000 in 100,000 shares of $10 each.

General mining business. 25 years.
$2,000,000 in 80,000 shares of $25 each.
General mining business. 25 years.
$1,000,000 in 100,000 shares of $10 each.

Business of building dams, canals, gates, locks, flumes, ditches, irrigating land and manufacturing.
25 years. $3,000 in 600 shares of $5 each.

General machine and foundry business. 25 years.
$2,000 in 200 shares of $10 each.

186. Imperial Mining, Milling, and Smelting Company of Big Cottonwood.
Sept. 30, 1879.
General mining business. 25 years.
$1,000,000 in 100,000 shares of $10 each.

Business of mining at the Fairview mine, situated in Uintah Mining District, Summit County. 25 years.
$10,000,000 in 100,000 shares of $10 each.

Articles missing.

189. Essex Gold and Silver Mining Company. Nov. 12, 1879.
General mining business. 20 years.
$280 subscribed at the time articles were filed which could be increased up to $2,000,000; in 28 shares of $10 each.

General mining business and to acquire and hold the Pittsburgh and War Eagle mining claims in American Fork Mining District in Utah County. 5 years.
$300,000 in 30,000 shares of $10 each.

General mining business. 25 years.
$1,000,000 in 100,000 shares of $100 each.

General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.

General mining business in Mill Creek Mining District, Morgan County. 25 years.
$1,000,000 subscribed at the time articles were filed which could be increased to $5,000,000; in 100,000 shares of $10 each.
General mining business. 25 years.
$2,500,000 in 100,000 shares of $25 each.

General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.

General mining business in the Territory of Idaho.
25 years. $2,500,000 in 100,000 shares of $25 each.

$10,000,000 in 100,000 shares of $100 each.

198. The Park City Mining Company of Utah Territory. Dec. 6, 1879.
General mining business. 25 years.
$10,000,000 in 100,000 shares of $10 each.

199. Sampson Silver Mining Company. Nov. 18, 1879.
General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.

General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.

201. Wilson and Barratt Mining Company. Dec. 6, 1879.
General mining business—especially in the "Wilson and Barratt" mine, in the Blue Ledge Mining District, Wasatch County. 25 years.
$500,000 in 50,000 shares of $10 each.

General mining business—especially to purchase the Richmond and Teresa mines in Big Cottonwood Mining District. 25 years. $500,000 in 50,000 shares of $10 each.

General mining business. 25 years.
$10,000,000 in 200,000 shares of $50 each.

General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.
General mining business. 25 years.
$10,000,000 in 100,000 shares of $100 each.

General mining business in Blue Ledge Mining District, Wasatch County. 25 years.
$1,000,000 in 100,000 shares of $10 each.

To promote the cultivation of silk worms adapted to the climate of Utah, to manufacture silk from the raw material, to engage in the business of buying and selling or otherwise disposing of all silk products; to buy, sell and distribute the silk worm egg; to encourage the growth of the best varieties of mulberry trees and also to own and operate a silk factory of factories, and do all other business connected therewith. 25 years.
$10,000 in 1,000 shares of $10 each.

General mining business. 25 years.
$7,500,000 in 150,000 shares of $50 each.

To contract for and execute either or all of the work of locating, grading, bridging, tieing, ironing and equipping steam, horse or other railways; laying out and constructing wagon roads, canals, reservoirs, aqueducts, dams, tanks, etc.; laying out and grading streets, side walks, parade grounds, and race tracks; excavating for building foundations, cellars, drains, etc.; and for every and all other kinds of work whatever requiring the removal of earth, gravel, cement, stone, etc. 25 years.
$100,000 in shares of $100 each.

General mining business in the Uintah Mining District, Summit County. 25 years.
$10,000,000 in 100,000 shares of $100 each.

General mining business. 25 years.
$1,000,000 in 100,000 shares of $10 each.

212. The Hamlin Mining Company of Bingham Utah. March 1, 1880.
General mining business in Salt Lake County. 50 years. $10,000,000 in 100,000 shares of $100 each.

213. Alturas Gold and Silver Mining Company. March 1, 1880.
General mining business in the "Sunnyside," the "Scorpion," and the "Last Chance" mines in Mineral Hill Mining District, Alturas County, Territory of Idaho. 25 years. $2,500,000 in 100,000 in shares of $25 each.
214. Mineral Point Consolidated Mining and Milling Company. March 9, 1880. General mining business. 25 years. $10,000,000 in 200,000 shares of $50 each.

215. Alice Gold and Silver Mining Company. March 16, 1880. General mining business in the Utah, Idaho, and Montana Territories. 50 years. $10,000,000 in 400,000 shares of $25 each.

216. Metropolitan Ladies Furnishing Store. March 19, 1880. General merchandising business in Salt Lake City. 10 years. $50,000 in shares of $25 each.

217. Romeo Consolidated Mining Company. March 20, 1880. General mining business in the Juliet, Romeo, Augustus, and Summit mines in the Blue Ledge Mining District, Wasatch County. 25 years. $10,000,000 in 100,000 shares of $100 each.

218. Park Consolidated Mining Company. April 2, 1880. General mining business. 50 years. $1,000,000 in 100,000 shares of $10 each.

219. Hooper Silver Mining and Milling Company. April 3, 1880. General mining business. 50 years. $10,000,000 in 100,000 shares of $100 each.

220. Old Jordan Mining and Milling Company. April 26, 1880. General mining business. 50 years. $10,000,000 in 100,000 shares of $100 each.

221. The Live Pine Consolidated Mining Company. April 28, 1880. General mining business. 25 years. $1,000,000 in 100,000 shares of $10 each.

222. Summit Mining Company. May 3, 1880. General mining business. 50 years. $2,000,000 in 200,000 shares of $10 each.

223. Hudson Mining Company. May 18, 1880. General mining business. 25 years. $2,000,000 in 200,000 shares of $10 each.

224. Hopewell Mining and Milling Company. May 18, 1880. General mining business in the Sulu Levant, Noonday, Tulare, and Major mines situated in Carr Fork, Bingham Canyon. 50 years. $2,000,000 in 200,000 shares of $10 each.
   To quarry, manufacture and vend marble in various forms from quarry claims, and to mine in the "Wasatch Copper Mine" in the Snake Creek Mining District. 50 years. $3,000,000 in 300,000 shares of $10 each.

226. Snake Creek Gold and Silver Mining Company of Utah. May 25, 1880.
   General mining business. 50 years.
   $3,000,000 in 300,000 shares of $10 each.

   General mining business. 25 years.
   $3,000,000 in 150,000 shares of $20 each.

   General mining business. 50 years.
   $2,500,000 in 250,000 shares of $10 each.

229. Golden King Mining Company. Missing

   General mining and quarrying business. 50 years.
   $3,000,000 in 300,000 shares of $10 each.

   General mining business. 50 years.
   $3,000,000 in 300,000 shares of $10 each.

   General mining business. 25 years.
   $2,000,000 in 200,000 shares of $10 each.

   General mining business. 50 years.
   $600,000 in 100,000 shares of $6 each.

   General mining business. 50 years.
   $7,500,000 in 150,000 shares of $50 each.

235. The Albion Mining Company of Salt Lake City, Utah. June 28, 1880.
   General mining business. 50 years.
   $2,500,000 in 250,000 shares of $10 each.

   General mining business. 25 years.
   $10,000,000 in 100,000 shares of $100 each.

   General mining business. 50 years.
   $1,000,000 in 100,000 shares of $10 each.
   General mining business. 50 years.
   $1,000,000 in 100,000 shares of $10 each.

239. The Royal Mining Company of Utah. July 8, 1880.
   General mining business. 50 years.
   $5,000,000 in 500,000 shares of $10 each.

   General coal mining business. 50 years.
   $1,000,000 in 200,000 shares of $5 each.

   General mining business. 25 years.
   $1,000,000 in 40,000 shares of $25 each.

   General mining business. 25 years.
   $2,500,000 in 100,000 shares of $25 each.

   General printing and publishing business. 50 years.
   $100,000 in 1,000 shares of $100 each.

244. Prince of Wales Consolidated Gold and Silver Mining Company.
   25 years. $1,000,000 in 100,000 shares of $10 each.

   The final completion, operation and maintainance of the
   Utah and Salt Lake Canal located in West Jordan Irriga­
   tion District. 50 years.
   $250,000 in 10,000 shares of $25 each.

   General coal mining business. 50 years.
   $250,000 in 25,000 shares of $10 each.

   General mining business. 50 years.
   $1,000,000 in 100,000 shares of $10 each.

   General mining business. 50 years.
   $1,250,000 in 250,000 shares of $5 each.

249. Mexican Mining Company. Nov. 6, 1880.
   General mining business. 25 years.
   $1,000,000 in 100,000 shares of $10 each.

250. The Golden Treasure Mining Company. Nov. 6, 1880.
   General mining business. 50 years.
   $32,000 in 3,200 shares of $10 each.
251. **Salt Lake Power, Light, and Heating Company.** Nov. 8, 1880.
   General power and heating business.
   50 years. $50,000 in 500 shares of $100 each.

252. **North Jordan Irrigation Company.** Nov. 10, 1880.
   Business shall be the widening, expanding, and maintaining of the North Jordan Canal, located in North Jordan Irrigation District in Salt Lake County.
   50 years. $100,000 in 4,000 shares of $25 each.

253. **Ornament Gold and Silver Mining Company.** Nov. 15, 1880.
   General mining business. 20 years.
   $10,000,000 in 100,000 shares of $100 each.

254. **South Jordan Canal Company.** Oct. 30, 1880.
   Business shall be the final completion, operation and maintenance of the South Jordan Canal, located in South Jordan Irrigation District, Salt Lake County, now partially completed and in operation, and to convey through said canal a portion of water of the Jordan River and said water to be disposed of, sold, distributed and used annually under the direction and supervision of this association for irrigating and culinary purposes, and to this end the said association shall construct and maintain all necessary dams, headgates, flumes, conduits, pipes or any other and different means which may be found necessary and in the interest of the association to facilitate, control, regulate, and distribute said water within said South Jordan District as it now exists or hereafter may be altered. 50 years.
   $150,000 in 60,000 shares of $2.50 each.

255. **Moulton Mining Company.** Dec. 2, 1880.
   General mining business in the Utah, Idaho, and Montana Territories. 50 years.
   $10,000,000 in 400,000 shares of $25 each.

256. **Tiewaukee Gold and Silver Mining Company.** Nov. 25, 1880.
   General mining business. 50 years.
   $2,500,000 in 100,000 shares of $25 each.

257. **Marysvale Gold and Silver Mining Company.** Dec. 14, 1880.
   General mining business. 50 years.
   $1,000,000 in 100,000 shares of $10 each.

258. **Elk Mountain Silver Mining Company.** Dec. 17, 1880.
   General mining business. 25 years.
   $2,500,000 in 100,000 shares of $25 each.

259. **Coventry Mining and Milling Company.** Dec. 18, 1880.
   General mining business. 20 years.
   $1,000,000 in 100,000 shares of $10 each.
   Iron mining and pig iron manufacturing business.
   50 years. $100,000 in 20,000 shares of $5 each.

   General mining business. 50 years.
   $500,000 in 5,000 shares of $100 each.

   General mining business in the Utah and Idaho Territories.
   25 years. $10,000,000 in 100,000 shares of $100 each.

   General mining business. 50 years.
   $2,000,000 in 200,000 shares of $10 each.

   General mining business. 25 years.
   $20,000,000 in 200,000 shares of $100 each.

   General mining business. 50 years.
   $1,000,000 in 100,000 shares of $10 each.

   General mining business. 25 years.
   $2,500,000 in 250,000 shares of $10 each.

267. The Board of Directors of the University of Utah. Feb. 4, 1881.
   For the purpose of establishing, owning, conducting, and
   controlling in the County of Salt Lake and Territory of
   Utah, an educational, scientific, and literary institution,
   under the auspices of the Methodist Episcopal
   Church, and pecuniary profit not being our object.
   50 years.

   General mining business. 25 years.
   $10,000,000 in 400,000 shares of $25 each.

269. The Montreal Mining Company. Feb. 9, 1881.
   General mining business. 50 years.
   $1,000,000 in 100,000 shares of $10 each.

   General mining business. 50 years.
   $2,000,000 in 200,000 shares of $10 each.

   General mining business. 25 years.
   $1,000,000 in 100,000 shares of $10 each.
Objects are religious, social, and educational, and not for pecuniary profit. Purpose of holding to, and striving to propagate the religion of Our Lord and Savior Jesus Christ, as that religion is understood in the doctrines and discipline of the Presbyterian Church in the United States. 50 years.

Purpose of erecting a large and commodious public building for educational and philanthropic purposes and for the permanent establishment of free library and reading rooms under the supervision of the association known as the "Salt Lake McKenzie Temperance Reform Club" which is to have the use of the public hall in said building under such rules and regulations as may be prescribed by the Board of Directors. 50 years.
$50,000 in 50,000 shares of $1 each.

General mining business. 25 years.
$1,000,000 in 100,000 shares of $10 each.

275. Climax Consolidated Mining Company. March 26, 1881.
General mining business. 20 years.
$1,000,000 in 100,000 shares of $10 each.

Religious and educational, and not for pecuniary profit, but for exercising, enjoying and propagating the religion of the Bible. 50 years.

General mining business—especially in the "Red Warrior Lode: in the Uintah Mining District, Summit County. 50 years. $1,000,000 in 100,000 shares of $10 each.

278. Cariboo Mining Company. April 11, 1881.
General mining business. 50 years.
$5,000,000 in 200,000 shares of $25 each.

279. Missing

280. The Lead Mine Company. April 27, 1881.
General mining business. 50 years.
$500,000 in 5,000 shares of $100 each.

281. The Great Western Match Factory Company. April 9, 1881.
Business of manufacturing matches. 25 years.
$12,000 in shares of $25 each.
282. The Old Hickory Mining and Smelting Company. May 9, 1881.
General mining business—especially in the Old Hickory Lode in the Rocky Mining District, Beaver County.
50 years. $1,000,000 in 20,000 shares of $50 each.

To carry on a general electric light business in the towns and cities in the Utah Territory and in the towns and cities in any or all of the other Territories, and in any or all of the states in the United States.
50 years. $100,000 in 5,000 shares of $20 each.

284. The Silver Mining Company. May 28, 1881.
General mining business. 50 years.
$500,000 in 100,000 shares of $5 each.

General mining business. 50 years.
$1,000,000 in 100,000 shares of $10 each.

General mining business. 50 years.
$1,125,000 in 125,000 shares of $10 each.

287. Quigg Mining Company. July 1, 1881.
General mining business. 50 years.
$1,000,000 in 100,000 shares of $10 each.

General mining business. 50 years.
$2,500,000 in 250,000 shares of $10 each.

To build a toll bridge over and across the Snake River near Blackfoot in the Territory of Idaho, and maintain and operate the same, to buy and sell land in the vicinity of Blackfoot, to buy, construct, maintain, operate, and sell irrigating ditches and water rights and powers and sell waters conducted in the same, and generally to do and transact all business incidental to or connected with the objects above named.
10 years. $25,000 in 1,000 shares of $25 each.

General mining business. 50 years.
$50,000 in 500 shares of $100 each.

General mining business. 50 years.
$1,000,000 in 200,000 shares of $5 each.

General iron and coal mining business. 50 years.
$100,000 in 1,000 shares of $100 each.
Iron mining and manufacturing business. 50 years.
$50,000 in 500 shares of $100 each.

294. The Utah Telephone Company. Sept. 28, 1881.
Telephone business in the Utah Territory. 25 years.
$50,000 in 500 shares of $100 each.

General mining business in the Cold Spring Mining
District, Wasatch County. 50 years.
$36,000 in 72 shares of $500 each.

General mining business. 50 years.
$500,000 in 100,000 shares of $5 each.

General mining business in the Idaho Territory.
50 years. $1,250,000 in 125,000 shares of $10 each.

298. The Utah Ore Reduction Company. Nov. 5, 1881.
General mining business. 50 years.
$100,000 in 10,000 shares of $10 each.

299. Aspinwall Mining Company. Nov. 28, 1881.
General mining business. 50 years.
$1,250,000 in 125,000 shares of $10 each.

300. The Overland Mining Company of Wood River, Idaho. Nov. 14, 1881.
General mining business. 50 years.
$1,250,000 in 125,000 shares of $10 each.

General mining business in the Idaho Territory.
50 years. $3,000,000 in 150,000 shares of $20 each.

General mining business in the Idaho Territory.
50 years. $2,000,000 in 200,000 shares of $10 each.

Articles missing.

General mining business. 50 years.
$2,000,000 in 200,000 shares of $10 each.

General mining business. 50 years.
$10,000,000 in 400,000 shares of $25 each.
306. The Conqueror Mining Company. Nov. 21, 1881.
  General mining business. 50 years.
  $1,500,000 in 150,000 shares of $10 each.

  General mining business in the Idaho Territory.
  50 years. $500,000 in 100,000 shares of $5 each.

308. The Corporation of the Members of the Church of Jesus Christ of
  Latter-day Saints, residing in the Fifteenth ecclesiastical Ward of the
  Salt Lake Stake of Zion. April 3, 1882.
  Objects of said corporation are religious, social, charitable, and educational
  and not for pecuniary profit. 50 years.

309. Eighth Ward, Salt Lake Stake of Zion. April 3, 1882. 50 years.

310. West Jordan Ward, Salt Lake Stake of Zion. April 3, 1882. 50 years.

311. Seventh Ward, Salt Lake Stake of Zion. April 3, 1882. 50 years.

312. Sixth Ward, Salt Lake Stake of Zion. April 5, 1882. 50 years.

313. South Jordan Ward, Salt Lake Stake of Zion. April 10, 1882.

314. Herriman Ward, Salt Lake Stake of Zion. April 11, 1882. 50 years.

315. Twenty-First Ward, Salt Lake Stake of Zion. April 11, 1882. 50 years.

316. Union Mining Company. April 15, 1882.
  General mining business. 25 years.
  $2,000,000 in 200,000 shares of $10 each.


318. The American Fork Consolidated Gold and Silver Mining Company.
  50 years. $2,500,000 in 250,000 shares of $10 each.


320. LDS Tenth Ward. April 26, 1882.


322. LDS Thirteenth Ward. May 19, 1882.

323. LDS Millcreek Ward. April 22, 1882.


325. Red Cloud Mining and Smelting Company. May 27, 1882.
  General mining business in the Utah and Arizona Territories.
  25 years. $72,000 in 7,200 shares of $10 each.
326. LDS Twentieth Ward. May 9, 1882.

   General mining business. 50 years.
   $2,500,000 in 100,000 shares of $25 each.

   General mining business. 25 years.
   $500,000 in 100,000 shares of $5 each.

329. LDS Eleventh Ward. May 1, 1882.


   General mining business. 50 years.
   $500,000 in 500,000 shares of $1 each.

   General mining business—especially in the "Cactus" and "Massachusetts" mines in the San Francisco Mining District, Beaver County. 50 years.
   $5,000,000 in 200,000 shares of $25 each.

333. Lexington Mining and Milling Company. March 26, 1881.
   General mining business. 50 years.
   $500,000 in 100,000 shares of $5 each.


337. LDS Fifth Ward. April 21, 1882.


   To buy, own, and operate sandstone, limestone, and other quarries and lands in the canyons in Salt Lake County. 50 years.
   $100,000 in 1,000 shares of $100 each.


343. LDS South Cottonwood Ward. Aug. 12, 1882.
    General coal mining business.
    $200,000 in 2,000 shares of $100 each.

    General mining business. 25 years.
    $1,000,000 in 100,000 shares of $10 each.

    General mining business. 50 years.
    $15,000,000 in 600,000 shares of $25 each.


    Business of buying and selling wagons, carriages, and
    all kinds of vehicles, reapers, mowers, and threshing
    machines, and other farming implements. 10 years.
    $80,000 in 800 shares of $100 each.

349. LDS Eighteenth Ward. March 27, 1882.

    To complete and maintain the Riverside irrigation canals,
    located in Riverside Irrigation District in Salt Lake
    County, now partially completed, and to convey through
    said canal the waters of Mill Creek Canal. 50 years.
    $12,500 in 500 shares of $25 each.

    To quarry and sell limestone and rock for building,
    smelting, and all other purposes for which limestone and
    rock may be used. 50 years.
    $100,000 in 10,000 shares of $10 each.

    General mining business. 50 years.
    $2,000,000 in 2,000 shares of $10 each.


    General mining business. 50 years.
    $5,000,000 in 200,000 shares of $25 each.
General mining business. 50 years.
$500,000 in 100,000 shares of $5 each.


To establish, maintain, and carry on a society for the
promotion and general development of knowledge among its
members and the public in matters of science, art,
literature, and other branches of the higher education
of women. 50 years.

General mining business.
$1,000,000 in 100,000 shares of $10 each.

To provide for the irrigating of agriculture lands and
water for culinary and other purposes within the precincts
of Brighton and North Point, Salt Lake County through the
Brighton Canal and its branches. 50 years.
Capital stock may be increased or diminished in any way
and manner as provided for by law but shall not exceed
$140,000.