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A History of Utah's Territorial Capitol Building at Fillmore, 1851-1969

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A HISTORY OF UTAH'S TERRITORIAL CAPITOL
BUILDING AT FILLMORE, 1851-1969

A Thesis
Presented to the
Department of History
Brigham Young University

In Partial Fulfillment
of the Requirements for the Degree
Master of Science

by
Richard W. Payne

May 1971
The author is deeply indebted to the many who assisted directly and indirectly in the preparation and completion of this thesis. Perhaps this work really began when the author, as a youngster, listened to his grandfather, Bill Payne, his father, LaFrance Payne, and many other Fillmore people talk of Fillmore's glorious past. It is to these people that he owes a debt of gratitude, because they sparked an interest in his mind that caused him to want to find out more about Fillmore's past and to attempt to separate truth from fiction.

The research for this study would have been impossible without the assistance of Professor Eugene E. Campbell who suggested sources that should be consulted, Dean C. Jessee who made sources available at the Church Historian's Office and who gave so freely of his own time in organizing and compiling these sources, and A. William Lund, Assistant Church Historian, who approved the use of materials from the Church Archives. In Fillmore the author is indebted to Park Ranger Max Martin who opened his files at the State House Museum, to Museum receptionists Glenda Cooper and Dean C. Robison who so graciously gave of their time in discussing the Museum and D.U.P. File with the author, to Mrs. Nellie Huntsman who gave the author access to personal papers and letters in her possession, and to the many townspeople who saw merit in this study and were willing to assist in any way.

To four people who assisted in the preparation and completion of this work, the author is especially grateful. Professor Gustive O. Larson, who graciously consented to serve on the thesis committee while
the other two members were leading tours in Asia and Europe, was especially helpful in the final stages of the thesis. Professor J. LaVar Bateman, the minor member of the thesis committee, has always played a major role in advising the author at Brigham Young University. Professor Eugene E. Campbell, who was so willing to go the extra mile in time, patience and correspondence, made the ultimate completion of this study possible. And finally, the author is indebted to his wife Nina, who besides making valuable suggestions while typing the several drafts of the thesis, also tolerated his love for the past which sometimes meant neglect for the present.
This work is dedicated to Nellie M. Huntsman, who besides being the granddaughter of William Felshaw, Foreman of construction of the State House, was also instrumental with Mary A. Dame and the East Millard Company of the Daughters of the Utah Pioneers in restoring the lone South Wing as a museum.
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INTRODUCTION

Of all the towns of Central and Southern Utah none were founded with as important a purpose as was Fillmore. Possibly no other town in Utah was given a more promising future at the time of settlement than was Fillmore, because under the direction of Brigham Young it was to be the capital of Utah, and was named in honor of Millard Fillmore, who was then President of the United States and a friend to the Mormons in the Territory of Utah. The President had earlier demonstrated his friendship to the Mormons by resisting pressure from political office seekers, and appointing Brigham Young Governor of the newly created Territory.

A tourist looking at a Utah road map today will notice that Fillmore is located fairly close to the center of the State and approximately 149 miles south of Salt Lake City via U.S. Highway 91. According to the 1970 census, there were approximately 1,388 people living in Fillmore. Since that census the population may have increased slightly, but hardly to the extent that would fulfill the optimistic predictions that accompanied the founding of that city in 1851. One important question today is: What evidence exists in Fillmore to prove that it was once a territorial capital? Some answers can be found within the town itself. The streets are laid out in a wide and stately manner, its townspeople still talk of a glorious past, but most importantly the old State House still stands as a monument to the fact that this was once indeed Utah's territorial capital. If the walls of the old building could speak, what a history they could tell. One life-long resident of Fillmore, Alonzo Huntsman, personified the State House in reverence and
respect when he wrote the following:

You, old museum, give us keen delight
To walk among the treasures here in sight.
You bring us memories of the past,
Which will be with us until the last
The kind of memories that never rust
Like gold that shines beneath the dust.

Apparently the preceding verse sums up the feelings of many of the townpeople of Fillmore, because this tribute is now placed on one of the walls within that marvelous old building.

Probably a more important question is: What has been written of the old State House? Some articles have appeared in pamphlets, newspapers, and periodicals. Some Utah history books refer to the building very briefly, but a detailed history of the State House is nonexistent. The purpose of this thesis is to trace the history of the Territorial State House at Fillmore, Utah, with emphasis on reasons for choosing Fillmore as a site for the capital, the building of the State House, reasons for abandoning the project, and the growth of a museum in the old Territorial Capitol.

For the purpose of clarification, the reader should realize that the term "State House" is inappropriately applied to the old building in Fillmore, but it continues to bear the title, because it was originally intended to be the capitol of the future State of Utah. It was used for a brief period as a territorial capitol, but by the time Utah achieved statehood in 1896, it had long since been abandoned as the official seat of government. With this in mind, the reader is reminded that when the author refers to the capitol as a "State House," he is referring to what the building was intended to be rather than what it actually became.
CHAPTER I

THE SELECTION OF A SITE AND THE APPROPRIATION OF FUNDS
FOR THE CONSTRUCTION OF A TERRITORIAL STATE HOUSE

It should be noted that the boundaries of Utah today are not the same as they were in 1851. They have been considerably reduced from those defined by the Organic Act of September 9, 1850. It should also be noted that the same act reduced considerably the size of the area which the Mormon colonists had included in their provisional State of Deseret. (See FIGURE 1) Under the Organic Act of September 9, 1850, Utah was bounded on the east by the Rocky Mountains, on the west by the Sierra Nevada, on the north by the 42nd parallel of north latitude, and on the south by the thirty-seventh parallel.¹

By 1851 the leaders of the Mormon Church had plans for the settlement of the entire territory. In June of 1851, Anson Call, who had been previously called to assist in colonizing Parowan in Little Salt Lake Valley, was called “to go a distance of about one hundred miles north and explore Pahvant Valley.” President Brigham Young, who was in Parowan at the time, instructed him that if he could make a settlement in that valley, he was to return to Salt Lake City and report his findings. If conditions were favorable for settlement, he was to persuade fifty families to settle Pahvant Valley. Anson Call proceeded as directed

FIGURE 1

THE TERRITORY OF UTAH 1850-1861 WITH REDUCTIONS THAT OCCURRED BETWEEN 1861 AND 1868 SHOWING THE APPROXIMATE LOCATION OF FILLMORE
He explored the valley, reported favorable conditions for settlement and proceeded to convince fifty families in Salt Lake and Davis Counties to settle Pahvant Valley in the fall of 1851.\(^2\)

With the plan for completely colonizing the Utah Territory in mind, the Mormon leaders preferred a geographically centralized location for their capital. Certainly the explorations of Anson Call, along with the recommendations of Jefferson Hunt, Orson Pratt, Parley P. Pratt and George A. Smith, did much to influence a joint resolution of the Legislative Assembly designating Pahvant Valley as the seat of government for the Territory of Utah. On the same day, by act of the Legislative body, Millard County was created, and Fillmore city was named as the site where the capitol was to be built. It should be noted that the same resolution of October 4, also authorized the Governor to appoint a committee of not less than two or more than five to proceed to Fillmore and locate the exact site for the construction of a new capitol building.\(^3\)

Governor Brigham Young chose Orson Pratt, Albert Carrington, Jesse W. Fox and William C. Staines, all prominent men in Church and civil affairs, to locate the exact site for the construction of the capitol. It is interesting to note that in addition to the four commissioners, the party that went to Fillmore was composed of several other men of high office in the Church and territorial government. Heading the list was Brigham Young, who drew a salary of $3.00 per day, the rate paid to teamsters, servants, and cooks. Heber C. Kimball, George A. Smith, and Daniel H. Wells also served at the same rate. The four Commissioners

\(^2\)Anson Call, Journal and letters on file at the Church Historian's Office, Salt Lake City, Utah.

\(^3\)Cooley, op. cit., 329-330.
were paid $5.00 per day for their services.  

On October 19, 1851, a meeting of those going to Pahvant Valley was held at the Governor's office in order to make arrangements for their journey south. Brigham Young, Willard Richards, George A. Smith, Orson Pratt, Wilford Woodruff, Judge Zurrubabel Snow, State Attorney Seth M. Blair, William C. Staines, Stephen B. Rose and Jesse W. Fox were present. Two days later the party left Salt Lake City and traveled south along the route now generally followed by U.S. Highway 91. The party met Anson Call and John D. Lee the following day, which was October 22. As previously mentioned, Anson Call was on his way to establish a settlement in Pahvant Valley. John D. Lee had been called to establish a colony at Santa Clara. These parties then joined forces and proceeded south to Chalk Creek in Eastern Millard County where on October 28, 1851, the site for the seat of government for the Territory of Utah was located, and Jesse W. Fox proceeded to lay out the capital city. The following is the camp clerk's account of what occurred that day:

We moved our camp 1½ miles up Nuquin (Chalk Creek), and on its left bank, from present and previous observations, the site for the seat of government was located in the immediate vicinity of our camp, about one mile above the ford, and four or five miles below the mouth of the kanyon, on both sides of the creek and at the western terminus of the table lands. Observations for latitude and declination were taken, and several readings of the barometer and thermonetus were noted. An inexhaustible supply of sandstone and limestone, well adapted to building purposes were found at the base of the

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4 Ibid., 330.

5 Journal History of the Church of Jesus Christ of Latter-day Saints, October 19, 1851, p. 1. (Hereafter cited as Journal History)

6 Cooley, op. cit., 331.
mountains about five miles south southeast from the site to which it can be easily conveyed down a long gentle slope. The camp clerk then wrote that Mr. Fox began the survey of the city, dividing it into square blocks of ten acres, and then subdividing them into eight lots of one and one quarter acres with streets eight rods wide. The streets crossed at right angles, north and south and east and west. It was recorded that the altitude of Fillmore City was 4,789 feet above sea level, and 151 1/2 odometer miles south of Salt Lake City.

Brigham Young and his party were not the only men in Pahvant Valley at that time. A few Pah-van-te Indians visited the camp and professed their friendship. Chief Kanosh remarked that he was not fond of roaming, and wished to be instructed in tilling the soil. He stated that part of the tribe resided on Corn Creek, which was about fifteen miles south of the site of the new territorial capital. The Mormons were encouraged when the Chief reported that the Indians had been successful in raising corn, beans, pumpkins, squash and potatoes year after year for a period that dated further back than their acquaintance with the Whites. They were thanked for their information and Major Rose, Indian Sub-Agent, made them some useful presents.

Fertile soil, adequate water for irrigation, and building materials were all factors to be considered in the selection of a

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7 Journal History, October 28, 1851, p. 1.
8 Today road maps show the altitude of Fillmore as 5,061 feet and the distance from Salt Lake City as 149 miles.
9 The odometer was hooked to the wagon in such a way that it kept a fairly accurate record of miles.
11 Ibid.
terrestrial capital. Brigham Young and Heber C. Kimball wrote the following to Mormon officials at Parowan:

During the day General Wells and two of the brethren reconnoitered and reported an abundance of sandstone and limestone easy of access to the inhabitants of this city. Professor Pratt was busy with observations to determine the variations of the needle, that Brother Fox may proceed to survey the city whose site we have this day located. Brother Anson Call arrived this afternoon with 28 wagons and will commence building here forthwith. There are several other families on their way to settle in this valley.\(^{12}\)

After spending two days in Pahvant Valley Brigham Young and his party left Chalk Creek and began their return trip to Salt Lake City. Surveyor Fox was left behind to complete the survey of the city of Fillmore and adjacent farm lands. Anson Call and company also were left behind and instructed to build their fort "near State House Square."\(^{13}\)

Apparently Brigham Young was well satisfied with the selection of that particular site for a capital, and his feelings were later reinforced by a letter submitted to him by his four Commissioners. Pahvant Valley seemed to offer fertile soil, an adequate water supply, adequate building materials, and most importantly a central location in the newly created Territory of Utah. The letter, filled with optimism, reads as follows:

Pauvan [sic] is a very large fertile valley, reaching north westerly across the Sevier, and south easterly to the canyon of Corn Creek, and bounded north easterly and south westerly by ranges of mountains apparently from 50 to 60 miles apart. South of the Nu-quin there are four goodly sized streams; the most southerly, or Corn Creek (distance fifteen miles by the road) affording abundance of water for irrigating the thousands of rich level soil laying adjacent.

Inexhaustible beds of limestone and sandstone crop out, at many accessible points, along the western base of the mountain range that forms the north eastern boundary of this valley.

\(^{12}\)Ibid., p. 2.

\(^{13}\)Cooley, op. cit., 331.
Having all the observations and taken into account all the con­siderations in the case, that our judgement allowed, we located the site for the seat of government of the Territory of Utah on the east side of Pauvan Valley, on both sides of the Nu-quin, about one mile east of the present ford, some four or five miles from the mouth of Nu-quin Canon near the western terminus of the table lands, in Latitude 38° 58' 40" North.

Counting on the parallels of latitude and longitude, this location is as nearly central as the nature of the country will admit; and your Excellency is perfectly aware that our most populous settlements are, and of necessity will be made in the chain of vallies stretching along the western base of the Wasatch Mountains, from Latitude 42° north to 37°, which will make our capital nearly, or quite central as to pop­ulation; for though we have a few settlers on the Salmon Trout River, near our western border, it is presumable, that ere long, we will have an equal or greater number at the rich coal and iron beds on the waters of Bitter Creek near our eastern border; and the same may be said of other localities at corresponding distances and in opposite directions within our territorial boundaries.14

The four Commissioners who had been selected to lay out a site for the capital had done so with optimism, and now it was up to Anson Call and his party to colonize the area while plans were being made for the building of the state capitol. There was an abundance of building materials in Pahvant Valley but it would cost money to pay men to do the skilled work of carpenters and stone masons. Dr. John K. Bernhisel was the man entrusted with the task of getting the U.S. Congress to appropriate more money for the building of the State House. He had been unanimously appointed delegate to Congress by the Territory on August 4, 1851, and on September 1, he was on his way to Washington D.C. in a mail coach.15 Congress had already appropriated $20,000 for the construction of public buildings in the Territory of Utah, but according to Daniel H. Wells, who was Church Superintendent of Public Works, this was hardly enough.

14 Ibid., pp. 334-336.

15 Journal History, September 22, 1851, p. 3.
He advised Dr. Bernhisel that the $20,000.00 would be expended by the end of the current fiscal year, and that Bernhisel should get Congress to appropriate at least twenty-five or thirty thousand more until a complete estimate could be made concerning the total cost of the state capitol. Daniel Wells also advised Dr. Bernhisel that he expected, whether Congress made any further appropriations or not, the building committee would go ahead with the building, but Congress did not have to know of that intention.  

Daniel H. Wells seemed fairly optimistic about the chances of getting Congress to appropriate more money for public buildings, because in a letter to Dr. Bernhisel he wrote the following:

They certainly do not expect that suitable public buildings can be erected and finished in this far off country, where there is little or no timber suitable for lumber, and where we have to pay such prices for every article that we cannot as yet manufacture for the pitiful sum of twenty thousand dollars. I cannot for a moment believe that that appropriation was meant or intended for more than a commencement, and intended to be followed up annually until a sufficient sum should be appropriated to accomplish the work.

Dr. Bernhisel’s task in Washington D.C. was not as easy as Wells liked to think it would be. Problems had developed earlier in Utah between Mormon officials and Federal officials who had been sent to the Territory. In a resolution, the House of Representatives requested that President Millard Fillmore give them information concerning conditions in the Territory of Utah. The President in turn requested that his Secretary of State, Daniel Webster, comply with the request. On January 3, 1852, Webster submitted the following report:

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16Journal History, August 29, 1851, p. 1.
17Ibid.
The Secretary of State, to whom has been referred the resolution of the House of Representatives of the 15th Ultimo, requesting the President to communicate to the House all such information as 'may be in his possession calculated to show the actual condition of things in the Territory of Utah and especially to enable the House to ascertain whether the due execution of the laws of the United States has been resisted or obstructed; whether there has been any misapplication of the public funds; and whether the personal rights of our citizens have been interfered with in any manner,'—has the honor to lay before the President the papers mentioned in the subjoined list, which contain all the information in this department called for by the resolution.\textsuperscript{18}

The papers mentioned in Mr. Webster's report contained some very interesting information. Among these papers was a letter from John M. Bernhisel to the President of the United States, dated December 1, 1851. In the letter Dr. Bernhisel advised the President that the architect of the contemplated capitol was busily employed in preparing plans and drawings for the building, and that the governor was very desirous that they should be completed. The letter indicated that a daguerreotype of the plans would be sent to Bernhisel and he in turn would exhibit it to the President and members of Congress in order that they might see what kind of building it was that the officials in Utah proposed to erect. The letter also revealed that the erection of the building would not commence until the ensuing spring.\textsuperscript{19} Dr. Bernhisel's letter did not have much of a chance of winning immediate favors from the President and Congress, because also amongst the papers mentioned in Daniel Webster's report was a

\textsuperscript{18}U.S. President, 1850-53 (Fillmore), Message From the President of the United States Transmitting Information in Reference to the Condition of Affairs in the Territory of Utah, 32d Cong., 1st Sess., Executive Doc. No. 25, p. 1. (Hereafter cited as Executive Document No. 25)

\textsuperscript{19}Ibid., p. 4.
Lemuel G. Brandebury (Chief Justice), Perry C. Brocchus (Associate Justice) and Broughton D. Harris (Secretary of State) were all non-Mormon federally appointed officials in the Territory of Utah who reported that they could not administer their offices because of Mormon priesthood domination.


Congress appropriated twenty-thousand dollars to be applied under the direction of the governor and legislature in the erection of public buildings. The governor no sooner received this money than he appropriated and used every dollar of it, or a greater portion of it, in payment of debts due by the Mormon Church, and a few days after its arrival in the valley it was on its way to the United States in other hands.  

It is interesting to note that in their letter, Brandebury, Brocchus and Harris stated that they were not present at the actual payment of the debt, but that it was a matter of public notoriety because the gentleman who received the twenty thousand dollars talked of it about the last of July.  

The letter also stated that in addition to the twenty thousand dollars that the Mormon officials had squandered, they tried to take twenty-four thousand dollars from Secretary Harris who had the money entrusted to him.

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20 Lemuel G. Brandebury (Chief Justice), Perry C. Brocchus (Associate Justice) and Broughton D. Harris (Secretary of State) were all non-Mormon federally appointed officials in the Territory of Utah who reported that they could not administer their offices because of Mormon priesthood domination.


by Congress for the purpose of salaries and territorial business.  
Brandebury, Brocchus, and Harris were not able to prove the assertions in their letter, but the damage had been done as far as Dr. Bernhisel was concerned. Certainly he knew that he would experience an uphill fight in getting any further appropriations from Congress for the purpose of building a capitol in the Territory of Utah.

Dr. Bernhisel's letters to Brigham Young indicated the difficulties he was having in obtaining more appropriations. Three years after Daniel Webster's report to Congress, Bernhisel was still patiently trying to convince Congress of the need to have funds to pay for the capitol building at Fillmore. In a letter dated January 1, 1855, he told Brigham Young the following:

The newspaper comments on those pretended threats; the fuss made by our enemies respecting the appropriation for the erection of a territorial capitol, which has excited a suspicion of our honesty in everything relating to money transactions, and one or two other matters, were operating so much to our injury that I deemed it my duty to make an effort to disabuse the public mind in relation to them. I have already prepared an article in reply and if it can be got into the journals in season, I shall transmit you a copy by the mail which brings you this.  

Almost a year after the preceding pessimistic letter was written, the patient Dr. Bernhisel was still having difficulties. In a letter dated December 18, 1855, he told Brigham Young that upon his return to Washington he had found a letter from him dated January 2, 1855, containing papers, documents, and vouchers for expenditures concerning the creation of the territorial capitol. He stated that the documents did

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23 Ibid., p. 16.

24 Letter of John M. Bernhisel to Brigham Young, written January 1, 1855 (The letter is located in the John M. Bernhisel file, Church Historian's Office, Salt Lake City). Hereafter cited as Bernhisel File.
not arrive in Washington until about the middle of March, which was after Congress had adjourned and he had left the city. He advised Brigham Young to transmit all further communications by mail so they could reach him on time. He informed Governor Young that the accounts for the territorial capitol had not yet been audited, but that they soon would be. Later he informed Brigham Young that since the preceding had been written he had received a letter from James Guthrie, who was Secretary of the Treasury, declining to make an estimate for the completion of the public buildings in Utah. Bernhisel then stated that the prospects of obtaining another appropriation were very gloomy.

Governor Young received more discouraging news from Dr. Bernhisel in a letter dated January 17, 1856. He was told the following:

In my last letter I informed you that Hon. James Guthrie, Secretary of Treasury, had declined to comply with my application for an estimate for the completion of the territorial capitol, and I expressed some apprehension that the prospect of obtaining another appropriation for that object under his administration was very gloomy, yet I shall use my best efforts to attain this desirable object.

Your account for the erection of suitable buildings at the seat of government of the Territory of Utah, has been adjusted at the treasury and closed, but the amount you have expended above the appropriation of twenty thousand dollars has been disallowed.

Almost two months later in a letter dated March 18, 1856, Dr. Bernhisel informed Brigham Young that the Secretary of the Treasury had again declined to make an estimate for the completion of the territorial capitol; however, other channels were being pursued. Bernhisel had introduced in the House a resolution instructing the Committee of Ways and Means to inquire into the expediency of providing for the completion

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25 Letter of John M. Bernhisel to Brigham Young, written December 18, 1855, (Bernhisel File).

26 Letter of John M. Bernhisel to Brigham Young, written January 17, 1856, (Bernhisel File).
of the territorial capitol. He did not have too much hope for the success of this, because he stated that appropriations for such objects can rarely be obtained without an estimate from the head of the appropriate department. The head of that department had continually declined to make an estimate. Dr. Bernhisel explained that he had called on the chairman, and most of the prominent members of the committee, and that he would continue to do what he could to accomplish successful results. In a letter dated January 17, 1857, Brigham Young learned that Dr. Bernhisel was still struggling unsuccessfully to accomplish the successful results he had mentioned in the previous letter. He stated that the Secretary of the Treasury had twice refused him an estimate for the completion of the territorial capitol, but that he had renewed his efforts to procure an additional appropriation of fifty thousand dollars. He had referred that subject before the House Committee on Territories. He assured Brigham Young that he had two interviews with the chairman of the Committee, and also several with the members to whom the bill had been referred. He had presented the chairman a daguerreotype of the building, a letter of Comptroller Whittery stating that the original appropriation had been adjusted and closed at the treasury, and one or two other papers. He also pointed out that he had interviews with the Secretary of the Interior and the Secretary of State hoping to obtain from one of them an estimate, but both declined saying that the building did not come under their supervision. This did not seem to dishearten Dr. Bernhisel because he then prevailed on the sub-committee to call on the Secretary of the Treasury

27 Letter of John M. Bernhisel to Brigham Young, written March 18, 1856, (Bernhisel File).
but once again he was doomed to disappointment because as Bernhisel stated, "when his reply was received it did not amount to much either way."\(^28\)

Probably a lesser man would have given up at this point, but Dr. Bernhisel stubbornly continued to pursue his objectives. In a letter dated February 17, 1857, Governor Young heard the following from Dr. Bernhisel:

Notwithstanding the Secretarys of State, Interior, and Treasury declining to estimate for the completion of the territorial capitol, I had the good fortune to obtain from the Committee on Territories a bill appropriating $25,000 for that object, but when it was under consideration in committee of the whole on the state of the union, I deeply regret to inform you that it was violently opposed by a member from Indiana,\(^29\) declaring that the question was whether they would give money to a territorial government embracing a population which paid no respect to the laws of the United States, and maintained by their conduct that they were in all respects "a law unto themselves" and were living in open and public disregard of all morality, and the religion of the civilized world, and moved that the bill be laid aside to be reported to the House with the recommendation that it do not pass.\(^30\)

Dr. Bernhisel then explained that when the bill came up in the House, he was anxious to have a vote taken on it, but the chairman of the Committee on Territories would not permit it saying that it would consume too much time. Bernhisel assured Governor Young that he did not despair of getting it through, because he intended to try another angle.\(^31\)

\(^{28}\)Letter of John M. Bernhisel to Brigham Young, written January 17, 1857, (Bernhisel File).

\(^{29}\)Perhaps rumors spread by such men as Brandebury, Brocchus and Harris caused this member and others to suspect the Mormons. Polygamy was openly announced by the Church in 1852, and statements such as the ones on page 12 certainly did not win friends for the Mormons in Utah.

\(^{30}\)Letter of John M. Bernhisel to Brigham Young, written February 17, 1857, (Bernhisel File).

\(^{31}\)Ibid.
The new angle was revealed to Brigham Young in a letter dated March 10, 1857. He was informed that another day was devoted to territorial business and that the bill to appropriate $25,000 for the completion of the territorial capitol of Utah was considered among other bills. Bernhisel stated that these bills, however, were never put before the House, partly because of the inefficiency of the chairman of the Committee on Territories, and partly because it required the unanimous consent of the House. The House was bogged down in parliamentary rules that prevented the bill from being introduced. This prompted Dr. Bernhisel to try his last angle. He decided to procure the adoption of the bill in the Senate. With that in mind, he called on Senator Douglas with the bill for the completion of the territorial capitol, and asked him as the "organ" of the Senate Committee on Territories, to offer it as an amendment to the miscellaneous, the legislative, executive, or judicial. Senator Douglas declined, stating that he was opposed to granting any further appropriations for territorial capitol. According to Dr. Bernhisel, Senator Douglas stated that:

The understanding originally was that the buildings were to be only temporary, for no one knew where the capital of the future state would be, and were to be completed with the original appropriation of $20,000. I reminded him of the large sums which some of the other territories had received for like purposes. He replied that he was aware of it, but that the committee had instructed him to report in the future against all similar appropriations for all territories.32

This was the end of the line as far as any other appropriations were concerned. Bernhisel's letters after this date were preoccupied with problems leading up to the "Utah War." One thing for sure, Dr. Bernhisel's letters have revealed the fact that he had worked hard

32 Letter of John M. Bernhisel to Brigham Young, written March 10, 1857, (Bernhisel File).
from December, 1851, until March, 1857, to persuade Congress that these appropriations were needed to finish the territorial capitol in Fillmore. His work was to no avail, because no money was forthcoming, and according to him, the original $20,000 was the only money ever sent to the Mormon officials in Utah for the purpose of constructing the capitol building. If Governor Young wanted to build a state house at Fillmore, he would have to build it without any further funds from Congress. It is not difficult to imagine the disappointments Dr. Bernhisel, Brigham Young, and others must have felt during those difficult years.
CHAPTER II

THE CONSTRUCTION OF A TERRITORIAL STATE HOUSE

Before the actual construction of the State House could begin, it was necessary for an architect to draw up plans and estimates. This task was assigned to Truman O. Angell who had earlier gained the confidence and respect of Brigham Young. Mr. Angell was known as the Architect of Public Works, and the State House was only one of many projects entrusted to him in 1851. Many buildings are mentioned in a journal kept by Mr. Angell from December 15, 1851 to April 12, 1856. He called it "a journal of my time kept by my own hand."¹ Since the journal commences with the date December 16, 1851, it is not known exactly when before that date Angell actually began drawing plans for the Territorial Capitol; however, it can be established that he was busily at work on the plans December 16th because on that date he stated in his journal that he "sat at the trustle board on the plans of the State House a part of the day."² (The architectural painting on page 24 is dated September 1851.)

His journal entries from that date forth indicate that practically every day from December 16, 1851 to January 27, 1852 was taken up with plans for the Territorial Capitol. The importance of that project was

¹Kate B. Carter (ed.), Heart Throbs of the West, Vol. III (Salt Lake City: Daughters of Utah Pioneers, 1941), p. 68.
²Truman O. Angell, Journal on file at the Church Historian's Office, Salt Lake City, Utah, p. 2.
indicated in a December 20th entry which stated: "Pursued all things as before, being on the plan for the State House. This plan seems urgent and makes extra labor at this time." On January 27, 1852, his journal indicated that he would not attempt to write down every detail concerning the State House. He wrote that his time was taken up with so many projects that all further details concerning the Territorial Capitol could be found in a "book of specifications for the State House at Pauvan." These specifications indicate that the State House was originally designed as an elaborate system of four wings in the form of a cross, at the center of which was to be a Moorish dome. These specifications also indicate that the future capitol was to consist of three levels. Each wing was to measure 41 feet 4 inches wide by 61 feet 8 inches long. Figures 2, 3 and 4 are copies of the actual drawings, and indicate the elaborate floor plans of the Territorial Capitol. Figure 5 is a painting of what the Territorial State House might have looked like after completion. It should be noted that the south wing of the capitol was to be completed first so that the Territorial Legislature could begin meeting in Fillmore as soon as possible. Truman O. Angell indicated in his journal that he completed all plans of the State House in his possession by May 14, 1853.

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3Ibid., p. 3.
4Ibid., p. 6.
6State Capitol File, Architectural drawings of Truman O. Angell on file at the Church Historian's Office, Salt Lake City, Utah.
7The original painting of the Territorial Capitol, which measures 24½" x 37", is located in the Church vaults, Salt Lake City, Utah.
THE FLOOR PLAN OF THE BASEMENT AS DRAWN
BY TRUMAN O. ANGELL, ARCHITECT
FIGURE 3

THE FLOOR PLAN OF THE FIRST FLOOR AS DRAWN
BY TRUMAN O. ANGELL, ARCHITECT
SECOND FLOOR.

FIGURE 4

THE FLOOR PLAN OF THE SECOND FLOOR AS DRAWN
BY TRUMAN O. ANGELL, ARCHITECT
It should be remembered from the previous chapter that Dr. Bernhisel was, by that date, having problems in acquiring more appropriations from Congress. Certainly Mr. Angell must have been very disappointed a few years later when, after devoting considerable time and effort, only one wing had been completed, and his complete plan for a State House was never realized in wood and stone.9

The first phase of construction was to be the responsibility of Anson Call. He and his party had remained in Pahvant Valley to colonize it, and to make preparations for the construction of the State House. On November 24, 1851, he revealed the conditions at Fillmore to Brigham Young. In a letter to the Governor he reported that his camp was well satisfied with their location, and that upon examination the farming land was found to be better than was originally anticipated. He stated that an abundance of excellent timber had been discovered within five or six miles of the camp, and that a good wagon road could be built to the timber at a cost of about one-hundred and fifty days work. He assured Brigham Young that "I have no doubt but we shall be able to furnish the lumber for the State House of as good quality as can be furnished elsewhere."10 An excerpt from his diary later indicated that he "built a saw mill, a flour mill and furnished lumber for the State House."11

Samuel P. Hoyt, a member of Call's party, reported conditions to George A. Smith in a letter dated November 25, 1851. He stated that everyone was well and were still living in their wagons. He reported

9Wendell J. Ashton, Theirs is the Kingdom (Salt Lake City: Bookcraft Co., 1945), p. 105.
10Journal History, November 24, 1851, pp. 1-2.
11Anson Call, op. cit., p. 3.
that a road had been constructed into the canyon, and that they had acquired enough logs for one house. He also indicated that they had had two or three snow storms since Smith had been there, and that the weather was "rather cool for tenting and living in wagons." Almost two months later Hoyt wrote a letter to Daniel H. Wells reporting conditions in Fillmore. In this letter dated January 15, 1852, he stated that "the weather has been so severe, nothing has been done on the State House this winter, but preparations are made to recommence the work with the opening of the spring." 

On February 13, 1852, Fillmore was incorporated as a city by the Legislative Assembly of the Territory of Utah. During that same month it was reported that the $20,000 received from Congress for the erection of public buildings in the Territory had been appropriated by the Governor and Legislature to purchase the State House of Deseret in Salt Lake City. This State House had been built by the Church of Jesus Christ of Latter-day Saints at a cost of $45,000.00 and was to be the seat of government until suitable buildings could be erected at Fillmore. This purchase later caused Brigham Young problems with Congress, as discussed in Chapter Three.

In the spring of 1852, William Felshaw was appointed foreman of construction and eleven others were appointed by Brigham Young to begin

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13 Sadie Rogers, "History of Fillmore," typed copy of the original unpublished history, located in the Special Collections Library, Brigham Young University, Provo, Utah, p. 10.


15 Journal History, February 29, 1852, pp. 4-5.
construction on the State House in Fillmore. A partial list of those
called to assist in the construction of the capitol is found in Appendix
A. After arriving in Fillmore Felshaw reported the following to
architect Angell:

To your request I embrace this opportunity to inform you of the
progress of the work in this place. We arrived here the 8th of May
and found nothing done at the State House and mill, or dam, and no
road made to the timber in the canyon. We have worked 46 days on the
dam and more, and 14 days on the road in the canyon and there will
have to be about 100 days work more done before we can get timber
enough for the State House. The rock are yet to quarry and haul five
miles. The sand is to be hauled ten miles and the limestone is yet
in the quarry and the kiln not built nor the wood is not yet in town.
We have hauled a little lumber for our shanties and are yet camped.
We have commenced the water ditch to fetch the water to the State
House which will probably cost about 150 days work, as yet we have
had no work from the citizens here except two logs hauled from the
canyon by Bro. Call.

From the above you can draw some ideas when we should complete
the job.17

Felshaw's letter certainly indicated that the optimistic predic-
tions of Anson Call did not materialize, but Hoyt's letter of February
had previously indicated why Call's party had been unable to do little
toward the construction of the State House. Mr. Felshaw's letter also
mentioned difficulties in construction. He informed Mr. Angell of the
following:

We are scant on it for tools, crobars [sic], spades, picks and axes.
If hands come to labor they ought to bring more tools. There are but
few wagons in this place fit to haul logs from the canyon. If the
Church has some strong wagons perhaps it would be well to send some.
It would take what hands there are here about a year I suppose to get
ready to build the State House. Some of the hands are rather uneasy
with the circumstances. Their hands get blistered by using the pick
and crobar [sic] and they tear their clothes in the canyon and wear out

16 Sadie Rogers, op. cit., p. 10.
17 Letter of William Felshaw to Truman O. Angell, written June 26,
1852. Located in the William Felshaw File, Church Historian's Office,
Salt Lake City. (Hereafter cited as Felshaw File)
their shoes scrambling over the rocks. The timber is six miles from
the State House block. Some of the joiners would be glad to return
to your city if they could get there.\textsuperscript{18}

Mr. Felshaw concluded his letter by asking that a blacksmith be sent to
Fillmore because chains, wagons and other tools were continually breaking
and there was "no smith to mend them." He pointed out that unless a
blacksmith was sent soon "the work will partially come to an end before
long."\textsuperscript{19}

Conditions did not improve for Felshaw and his construction crew
because he later reported to Daniel H. Wells that "we are making little
progress with the State House, the snow is deep and we have no feed for
our cattle." Wells learned this in a letter dated December 30, 1852, in
which Felshaw also reported the following:

\begin{quote}
I think we shall live through the winter if the Indians don't
kill us off. I should be getting timber or stone for the State
House, if I had feed for my cattle and that would be almost impossible
at the present time as the snow is so deep in the canyon, it snows or
rains most all the time. The people here are trying to get out timber
for the mill but they make slow progress. I shall be under the
necessity of closing this letter for my candle is about out and I
have no other.\textsuperscript{20}
\end{quote}

Lack of tools, adverse weather conditions, the threat of Indian
problems, food problems, and lack of finances certainly slowed progress
on the State House, but it did not completely stop construction because
by the fall of 1854 the persistent Mr. Felshaw and his joiners were
ready for stone masons and stone cutters to be sent from Salt Lake City.
George Woodward, who was foreman of the stone work, was "called" to go

\begin{footnotes}
\item[18] Ibid.
\item[19] Ibid.
\item[20] Letter of William Felshaw to Daniel H. Wells, written December
30, 1852. Felshaw File.
\end{footnotes}
The citizens were somewhat surprised at our coming, seeing it was too late in the fall, believing it impossible for us to put up walls of the State House this season. The prospect looked dull for us to be furnished with the necessary materials for the erection of the building, as the citizens were principally engaged in securing their crops, threshing their wheat, and putting it in graineries. However, there were about two hundred perch of rock on hand, and by borrowing some lime, we were enabled to make a commencement next day after our arrival. Br. S.P. Hoyt used his utmost exertion to have the necessary materials furnished, and also Br. Felshaw, who had charge of the design of the building, and principal foreman, done [sic] his best to have the door and window frames joice, ready for the mason, which was accomplished.

Woodward's report indicated that as soon as the citizens had secured their crops, many of them then "directed their energies to drawing rock, sand, lumber, scaffold poles, and burning lime, which enabled us to progress with the work very rapidly until the walls were completed, which was on the 9th of December." Mr. Woodward felt that a lot of credit should be given to the workmen "for accomplishing the work in so short a time, under the existing circumstances." Woodward's party left Fillmore on the 11th of December and arrived back in Salt Lake City December 15, 1854. John Ray reported that the State House was progressing as fast

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22 Ibid.
23 Ibid.
as could be expected and that:

The stone masons sent from Great Salt Lake City to Fillmore, to labor under the direction of Mr. Woodward, have labored as men should labor, like saints, and not like eye servants; in fact they can't be beat. I also feel that it is due the brethren in Fillmore to say that they have done their duty toward supplying the necessary materials.24

Mr. Woodward gave an excellent description of the State House after he had completed the stone work on it in 1854. Refer to Figures 2, 3 and 4 while reading his description, which reads as follows:

I will give the dimensions of the building—not entering into every minutiae. The basement is 41 feet 4 inches wide, by 61 feet 8 inches long. At the top of the basement, a course of cut stone, called coping, extends round two sides and one end which projects one inch over the wall. The main wall then recedes 9 inches from the face of coping. There are pilasters on three sides of the building, which give a grand appearance. The walls of the basement are 3 feet thick; the wall above, 2 feet thick. The building is three stories high; the first 10 feet; the second 12 feet; the third 14 feet 6 inches, to where the arch commences, as the upper story is to be arched overhead.

The height of side walls from bottom to top is 43 feet. The basement is divided by walls running lengthwise north and south, leaving a hall 7 feet wide. On each side of the hall there are four rooms. The second story is the same as the first, except for the present, one partition each side of the hall is left out, leaving two rooms about 13 by 26 feet each. However, this is only one wing of the main building, those partitions will be up when the whole is completed. The third story is all in one room, which will make it capacious for the joint sessions of the Legislature.

The whole building is built of rock, laid in lime mortar making it the most substantial building in the territory. They have excellent building stone in Fillmore.25

Even though the stone work was completed in December 1854, there was still much work to be done before the Territorial Legislature could convene in the building in December 1855. John Ray reported that the workmen had the shingles ready for the roof, and that "all hands agreed

24 Ibid., p. 4.
that the next session of the Legislature could meet in the State House.\textsuperscript{26} By April 1855, "the State House was rapidly progressing" according to John W. Radford. In a letter to George A. Smith dated April 16, 1855, he stated that carpenters and joiners were busily at work and other canyons were being opened to bring in more timber for the building.\textsuperscript{27} John M. Bernhisel and Daniel H. Wells visited the State House in August 1855 in order to evaluate progress on the capitol, and they later reported their impressions to the Deseret News, which was published as follows:

They found the workmen busily engaged in placing the flagging in the basement story, laying the floors in the first and second stories, and arching the ceiling of the large hall in the upper story, preparatory to lathing and plastering. The sash were all in, and outside doors all hung, and a temporary stairway finished. The work on the building will soon be ready for the plasterers and painters, who it is expected will be immediately sent from this city.\textsuperscript{28}

These predictions became a reality because by December 1855, the south wing of the State House was nearing completion; however, Anson Call's optimistic predictions about being able to supply all the timber for the Territorial Capitol did not materialize. The mountains in the immediate vicinity of Fillmore contained an abundance of timber, but specifications called for the use of yellow pine, and this was not available in the mountains near Fillmore. This meant that some of the lumber would have to be obtained elsewhere, and for this reason yellow pine was hauled by ox team from Parowan which was a distance of approximately one-hundred miles.\textsuperscript{29}

\textsuperscript{26}Ibid., p. 4.
\textsuperscript{27}Journal History, April 16, 1855, p. 1.
\textsuperscript{28}Sadie Rogers, op. cit., pp. 11-12.
\textsuperscript{29}Old Capitol State Park File, located in the State House Museum, Fillmore, Utah.
Despite the hardships experienced by Anson Call and his colony in paving the way for construction, the numerous attempts and failures of Dr. Bernhisel in appropriating more funds, and the frustrations of Felshaw and his men in constructing the State House, it progressed to the extent that the Territorial officials came to Fillmore on December 7, 1855, to act in an official capacity within the walls of the partially completed Territorial Capitol.\(^\text{30}\)

\(^{30}\) John McEwan, an unpublished diary located in the Special Collections Library, Brigham Young University, Provo, Utah. (Hereafter cited as McEwan Diary.)
CHAPTER III

THE LEGISLATIVE USE OF THE TERRITORIAL STATE HOUSE
AT FILLMORE AND THE REMOVAL OF THE SEAT
OF GOVERNMENT FROM THAT CITY

The Territorial Legislative Act of October 4, 1851, officially designated Fillmore as the seat of government of the Territory of Utah, but until a capitol could be constructed at that site it was necessary for the Legislature to convene in Salt Lake City. In referring to the future capital at Fillmore, Governor Young told the 1852 Legislative Assembly in Salt Lake City:

The location is far more central to the Territory than Salt Lake City; the Pauvan [sic] Valley will sustain a large and dense population; locating the seat of government there would encourage settlers to go there and very much facilitate the settlement of all other suitable places in that region.1

Perhaps it was with this optimism that Brigham Young came to Fillmore in May 1855, and informed the citizens of that city to be ready to accommodate the Territorial Legislature in December 1855. At any rate, he made certain that the citizens of Fillmore understood that he expected comfortable accommodations to be awaiting him in December.2 There was some evidence of growth in Fillmore in September of that year as one resident reported that he had made 35,000 bricks and intended to manufacture

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100,000 more during the fall. Even in December of 1854, George Woodward had reported that "some of the officers of government, and other men of capital have lately taken city lots there, and being the capital of the Territory, it will improve more rapidly than henceforth, and surpass many of the older settlements." 

It was in this setting of previous optimism that Governor Young and most of the members of the Legislative Assembly arrived at Fillmore City at 1:00 p.m. December 7, 1855. The Deseret News reported that all were well and in good spirits, but that "the Governor was somewhat afflicted with ague in his face;" however, his health had continued to improve during the journey. The Legislature was not to meet until December 10; therefore, this gave the Governor and Legislators an opportunity to get settled in the homes of the citizens of Fillmore. The accommodations seemed to have been adequate, because George A. Smith stated that "the citizens of Fillmore afforded the members comfortable quarters." He was also impressed with the State House, and described the Legislative Hall as "very spacious and well furnished and beautifully lighted." John McEwan, a resident of the capital city, kept a diary that mentioned the first session at Fillmore. Just prior to the meeting of the Legislature on December 10, 1855, he recorded in his diary that he "assisted in cleaning out the State House, and the Legislature met

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3Levi Edgar Young, "Fillmore, Once the Capital of Utah," The New West Magazine, XI, Nos. 9-10 (September-October, 1920), pp. 5-8.
6Journal History, December 24, 1855, p. 3.
at 10 o'clock a.m. and organized" by electing Heber C. Kimball President, and Jedediah M. Grant Speaker.7

The next morning the Legislators awoke to a dreary, cloudy, rainy day and assembled in the Legislature Hall to hear the Governor's message8 which was as follows:

Gentlemen of the Council and House of Representatives—

In accordance with the adjournment of the last Legislative Assembly, we have met for the first time in the capitol, in rooms erected for legislative purposes at the seat of government. This part of the contemplated State House, being the south wing only, though it may answer for the present, has not those conveniences and that spaciousness and beauty which will be connected with the building when finished in accordance with the original design. How far this may be accomplished through the aid of the general government I do not know, but presume that it will make still further appropriations for that object.

... as the present investment is upwards of $12,000 in excess of the amount appropriated. Until further aid is extended by Congress, this excess should be assumed and paid by the Territory, since it is manifestly unjust that the contractors, and others who have expended their means and labor for this purpose should be obliged to wait the uncertain period of further appropriations though the Territory would, probably, be reimbursed at some future time.9

A handwritten copy of a letter entitled a "Report to the President, Congress and People of the United States" is part of the records of the 1855 Legislature. This particular report sheds some light on the misunderstandings concerning appropriations for the Territorial Capitol at Fillmore. The letter reveals the following:

On the 30th of September 1853, Governor Young forwarded the account of public expenditures at Fillmore including the expense of locating the site, amounting to $10,373.48. Nothing was heard in relation to the fate of said account until the reception of an official letter from Hon. Elisha Whittlesey, First Comptroller of

7McEwan Diary, op. cit., p. 58.
8Ibid.
the Treasury Department and bearing the date June 16, 1854, almost a year after the account was forwarded.

This letter brought information of the disallowances of $1,669.50 expended in locating the site, alleging that it had not been customary to make a check of that character, but the balance viz. $8,703.98 was allowed leaving $11,296.02 still due.

Governor Young has advanced a large sum from his own funds thus plainly indicating the honor, integrity, wisdom and responsibility in the whole management of the $20,000.00 not only to our entire satisfaction, but also to the satisfaction of all honorable businessmen who are acquainted with the circumstances.

Satisfied from the judiciousness of the location that the Assembly would cordially sanction it, his Excellency the Governor took immediate steps to expedite the erection of said buildings and in November, immediately following the selection of the committee, labor and means began to be expended thereon. At this time there was no building in Utah suitable for the accommodation of the Assembly except the large substantial building in Great Salt Lake City known as the Council House, nor is there yet any other so fitting. On this account Governor Young considered it to be his duty either to rent or conditionally purchase the Council House, subject to the future decisions and suggestions of the department at Washington. Pursuing the dictates of what still seems the wisest policy for the use of those means under the circumstances it was concluded to conditionally purchase the two large rooms, and three of the small rooms in said building, revertible when the buildings at Fillmore should be in readiness and a deed was made out accordingly and forwarded to the Treasury Department on the 30th of September, 1853, concerning which no word has yet been received.  

It was ironic indeed that the Territorial Legislature was meeting in a partially completed State House costing, according to Brigham Young's message, $12,000.00 over the original $20,000.00 but at the same time some of the original $20,000.00 must have been spent on the more comfortable accommodations in the Council House in Salt Lake City. It has not been determined exactly how much of the original $20,000.00 was spent on the Council House in Salt Lake City, and how much of it was actually spent on the State House in Fillmore. If Governor Young's

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10 Utah Territorial Legislature File, located in the Church Historian's Office, Salt Lake City, Utah.
message was to be taken literally then a total of $32,000.00 must have been expended on the State House in Fillmore by December 1855. This figure seems to be in dispute because George A. Smith, who was at the Legislative Session in Fillmore in 1855, wrote:

"About $35,000 has been expended on this wing, $20,000 of which was appropriated by Congress and it will probably cost $10,000 more to finish this south wing. When the design of Governor Young is carried out, the four wings, with the rotunda in the center will form one of the most splendid buildings to be found in any state capital." To further complicate the financial picture, the files at the State House Museum at Fillmore contain a paper stating that a total of $26,777.53 was expended for the capitol building. Until further light can be shed on the subject, it will have to be assumed that the construction of the Territorial State House cost between $26,777.53 and $35,000.00.

After the Fifth annual session of the Territorial Legislature had listened to the Governor's message and transacted other business it adjourned until the next day. That evening Brigham Young, Heber C. Kimball, Parley P. Pratt, Orson Pratt, Wilford Woodruff, George A. Smith, Ezra T. Benson, Lorenzo Snow, Thomas Bullock, Daniel H. Wells, Edwin D. Woolley and Lorrin Farr "met in the large room of the State House and dedicated and consecrated it unto the Lord." Parley P. Pratt opened with prayer and "President Kimball was mouth in the circle." the meeting closed at 7:00 p.m.

Concerning the legislation transacted by the Fifth annual session during the following days, Albert Carrington, editor of the Deseret News,

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11 Journal History, December 24, 1855, p. 3.
seemed unimpressed with the proceedings when he wrote the following:

Half the allotted forty days are not past and still no highly thrilling or peculiarly interesting event has occurred in the proceedings of the assembly.

During the past week grants for herding purposes have occupied most of the time of the Council and the House, though other questions were agitated, and they passed an act appropriating money for educational purposes and defining certain duties of the Chancellor and Board of Regents of the University of Deseret, and an act granting and confirming unto the University of Deseret certain land claims therein mentioned which claims had been granted by the provisional government, but through accident the grant has been omitted in the different publications of the laws of Utah.\textsuperscript{13}

Mr. Carrington also seemed unimpressed with Christmas in Fillmore as evidenced by his statement that "Christmas was not celebrated with the festivities usually attending it, a dance in the Representatives Hall being the only variation from the business routine."\textsuperscript{14} According to John McEwan there were several dances held in the State House during the time that the Territorial officials were in Fillmore. He reported that toward evening on Christmas day, "a general invitation was sent from house to house by President Young stating there would be a dance in the evening in the upper room of the State House."\textsuperscript{15} He reported other "dancing parties" being held in the State House on the first, eighth and seventeenth of January.\textsuperscript{16} Certainly Fillmore must have been a more exciting place than usual by having the Territorial officials in the little city, and it must have seemed quiet indeed when the Legislature completed its business and adjourned until the following December.

\textsuperscript{13}Sadie Rogers, \textit{op. cit.}, p. 13.
\textsuperscript{14}\textit{Ibid.}, p. 14.
\textsuperscript{15}McEwan Diary, \textit{op. cit.}, pp. 58-59.
\textsuperscript{16}\textit{Ibid.}, pp. 61-64.
With the adjournment of the Legislature on January 18, 1856, the members returned to their homes throughout the Territory. On January 21, Governor Young, Heber C. Kimball and others arrived in Salt Lake City. Heber C. Kimball, in a letter to Franklin D. Richards, dated March 3, 1856, recalled:

"We left Fillmore on the day of the adjournment of the Legislature, which took place at five in the morning. The weather was cold. Snow was fourteen inches deep on the divide between Round Valley and Fillmore or the Cedar Springs. We came on to within two miles of Chicken Creek, and camped out among a few cedars on the side of the bluff. It was severely cold. We arrived home in about four days."

When the Fifth annual session of the Utah Territorial Legislature adjourned, it marked the end of the only full session to convene in the Territorial State House at Fillmore.

The Sixth annual session convened in Fillmore December 15, 1856 just long enough to adjourn on the following resolution:

"Whereas the general government has failed to make an appropriation for the completion of the public buildings at the seat of government of this Territory; and whereas the Territory has already expended thereon upwards of ten thousand dollars over and above the amount appropriated by Congress; and whereas we deem it advisable to change the seat of government from Fillmore to Great Salt Lake City, until the public buildings at Fillmore are further completed; and whereas suitable accommodations can be furnished in Great Salt Lake City; and whereas it is our duty to pursue that course in regard to legislation best calculated to promote the public interest; therefore be it resolved by the Governor and Legislative Assembly of the Territory of Utah: that the seat of government is

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17 Levi Edgar Young, op. cit., p. 8.

18 One should not get the impression that just Legislators met in Fillmore. Other Territorial officials were present including Associate Judge W. W. Drummond, a man of questionable character, who after leaving Utah proved to be a damaging witness in Washington D.C. against Mormon officials. No doubt his charges against Mormons hampered Dr. Bernhisel's efforts in getting funds for the State House."
removed from Fillmore City to Great Salt Lake City, until otherwise provided by law.

And be it further resolved that the Supreme Court hold its annual sessions in Great Salt Lake City, so long as the seat of government remains at that place.

And be it further resolved that this Legislative Assembly adjourn until 10 o'clock a.m. on the 18 inst., to convene and hold the remainder of its session in the Social Hall, or other suitable place, to be provided by the secretary pro tem., in Great Salt Lake City.

All laws and parts of laws conflicting with these resolutions are hereby repealed.

These resolutions shall be in force from and after their passage. 19

The preceding resolution was approved by Governor Brigham Young, President of the Council, Heber C. Kimball, and Speaker of the House, Hosea Stout December 15, 1856.

After the passage of the resolution, the Legislature adjourned and went to Salt Lake City. W.W. Phelps, who was a member of the House of Representatives, explained that the fateful 1856 resolution was passed immediately after organizing for several good reasons. He stated that the movement arose from the unfinished and unfurnished condition of the State House, the failure of Congress to make appropriations or even to reimburse Utah for her large expenditures, "and for other good and sufficient reasons, among which is the uncontrolled right of the Assembly to regulate its own forty days sitting." 20

During 1857 and 1858 the Territorial Legislature was concerned with events leading up to and including the invasion of Utah by Johnston's Army in the so-called "Utah War." 21 The threat of Johnston's Army caused


21 President Buchanan felt compelled to take action against the Mormons after rumors and reports alleged that they were in a "state of rebellion;" for this reason he dispatched troops to Utah for purposes of assuring the installation of the newly appointed officials replacing Brigham Young and others.
the Seventh annual session of the Territorial Legislature to consider moving the seat of government south once again; however, this time it was not to be Fillmore. The Legislature, meeting in Salt Lake City at the time, passed the following resolution January 22, 1858:

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah:
That the seat of government of Utah Territory is hereby removed from Great Salt Lake City to Iron County, and that the Legislative Assembly hold its next Annual Session in the tabernacle in Parowan, or such other suitable place as may be provided for that purpose under the direction of the Legislative Council.22

The Legislature never did convene in Parowan because the Utah problem was resolved when Brigham Young agreed to allow Johnston's Army to enter Salt Lake Valley peaceably, and to recognize Alfred Cumming as the newly appointed Territorial Governor of Utah.23

The year 1858 could be termed a tragedy for the Territorial Legislature, because its members seemed to be constantly on the horns of a dilemma. After Brigham Young was replaced by Mr. Cumming as Governor, the January 22nd resolution was no longer necessary. This meant that Salt Lake City was still the legal seat of government; however, there were rumors that the next session of the Legislature might meet back at Fillmore again. As early as November 4, 1858, this possibility was being discussed by Brigham Young, George A. Smith, Daniel H. Wells, Orson Hyde, Amasa Lyman and Franklin D. Richards.24

22 Utah Territorial Legislature File, Church Historian's Office, Salt Lake City, Utah.


It was amidst such rumors that the Eighth Annual Session of the Utah Territorial Legislature convened in the Representatives Hall in Salt Lake City December 13, 1858. The House was called to order at 10:00 a.m. by Hosea Stout, and a notice was received from the Council that it was organized and ready to proceed with business. The Council was then notified that the House was also organized and ready for business. The Council then dispatched a message with the accompanying resolution:

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah that this Legislative Assembly do now, December 13th 1858, adjourn to meet in the State House in Fillmore City on Saturday, the 18th inst., at 10 a.m.25

The Council respectfully requested the concurrence of the House, and on a motion within the House the resolution of the Council was concurred with and the Council was notified accordingly. The minutes were called for and read, and on a motion by M. Rockwood the House adjourned to meet in the Representatives Hall at Fillmore City at 10 a.m. Saturday, December 18, 1858.26 During the short session in the Social Hall in Salt Lake City, Daniel H. Wells was elected President of the Council and John Taylor was elected Speaker of the House by a Legislature completely dominated by Mormons. Why, then, did the Legislature approve Governor Cumming's resolution to remove the seat of government to Fillmore?

Apparently the reason for the adjournment was that Judges Sinclair and

25 Utah Territorial Legislature File, Church Historian's Office, Salt Lake City, Utah.

26 Ibid.
Eckles had decided that Fillmore was the seat of government, upon which Governor Cumming issued a proclamation ordering the Legislature to meet in Fillmore. The Governor apparently did this without investigating the Legislative ruling of December 15, 1856, on the subject.

The journey south to Fillmore, a hardship in itself, was described by John L. Smith who was one of the Legislators at the time. He commented as follows:

By some strange freak in human events, Chief Justice Eckles and Associate Justice Sinclair decided that the seat of government of this Territory was at Fillmore City, notwithstanding the plain statute law approved by Congress on the subject. The Legislative Council honored me with a clerkship in that body, which had been required to meet in Fillmore City, by proclamation of Governor Cumming.

We made the journey, 165 miles, breaking the road most of the way through snow in four days, and on Saturday the 13th met in the unfinished State House, where a minority of the members of the Legislature had been in session five days.

Mr. Hartnell, Secretary of the Territory, was in attendance, accompanied by a detachment of the United States troops (infantry) mounted in wagons, an appendage very common for U.S. officials in this Territory simply designed to impress the unsophisticated Mormon with due appreciation of the dignity of Federal appointees.

It was in such an atmosphere of confusion, bitterness and discontent that the Eighth Annual Session of the Territorial Legislature met at the State House in Fillmore. Once more the walls of the partially completed capitol building housed the officials of the Territorial government, but it was unfortunate that they met under such bizarre circumstances. The two houses met in joint session according to the previous arrangement agreed to in Salt Lake City. Governor Cumming moved

27 Both Judges Charles E. Sinclair and Delaney R. Eckles were suspicious of Brigham Young's dealings in Territorial affairs; perhaps for this reason, they did not recognize the legality of the 1856 resolution removing the seat of government from Fillmore to Salt Lake City.


29 Journal History, December 24, 1858, p. 2.
that a committee be appointed "to wait upon the Secretary Hartnell and inform him that the Assembly were in joint session and would receive any message he had to communicate." The President appointed D. Spencer and F.D. Richards to the committee, and shortly Secretary Hartnell presented the annual message of the Governor along with reports of the Territorial Treasurer and auditor of public accounts.  

John L. Smith, Assistant Secretary of the Council, was assigned to read the Governor's message. His comments on the proceedings were as follows:

A message from Governor Cumming was presented by the Secretary, which I read to the joint assembly, not much to my credit, however, as a reader, but perhaps it was not the fault of the copyist. The message informed the Legislature that a very dark cloud passed over their heads, and he had found the people in a state of rebellion when he came to the Territory.

After hearing the Governor's message the joint assembly was dissolved and each house met by itself and passed a resolution removing the seat of government once more from Fillmore to Salt Lake City. Reasons for the resolution were as follows:

Whereas Fillmore City is inconveniently distant from the center of the present population of the Territory; the greater portion of the population residing in the northern counties, and whereas the offices and residences of the Governor and Territorial Secretary are in Great Salt Lake City; and no suitable accommodations can be procured in Fillmore City either for them or the members of the Legislative Assembly; and

Whereas for the foregoing reasons the public interest will be best subserved by an adjournment to Great Salt Lake, and, whereas by such an adjournment the United States will not be subject to any increase in expense, as the Legislative Assembly hereby forego all claim to other than the ordinary and regular mileage provided by law.

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30 Utah Territorial Legislature File, Church Historian's Office Salt Lake City, Utah.

31 Journal History, December 24, 1858, p. 3.

32 Journal History, December 18, 1858, p. 1.
After the resolution was passed, the Legislature adjourned and reconvened in Salt Lake City December 27, 1858.\(^{33}\)

While the Legislators were frantically traveling back and forth through snow and cold between Salt Lake City and Fillmore in an attempt to satisfy the ruling of Eckles and Sinclair, the proclamation of Governor Cumming, and the resolutions of the Legislature, Brigham Young seemed to be looking on in utter amazement at the proceedings. He recorded his feelings on the matter in a letter to George Q. Cannon which read as follows:

The Legislature are [sic] now in session having first met in this city to suit themselves, and adjourned to meet at Fillmore, to suit Governor Cumming, and then adjourned back to this city to suit us all. Please observe that courtesy is the order of the day. Governor Cumming having approved the act of adjournment to this city, we presume that it will now be deemed legal; still it would satisfy our curiosity to be shown wherein this adjournment is any better than the one which was approved to the same effect December 15, 1856.\(^{34}\)

There have probably been many discussions over reasons for the removal of the seat of government from Fillmore. The "official" reasons were pointed out in the resolutions of the 1856 and 1858 Legislative sessions. Even in Governor Young's message to the 1855 Legislature, there were hints that the Federal Government might not appropriate more funds for the completion of the Territorial Capitol. During the time when the Fifth Annual Session of the Legislature adjourned in January, 1856, and the Sixth Annual Session convened in Fillmore December, 1856, Brigham Young was receiving more discouraging news from Dr. Bernhisel concerning chances of obtaining more funds from Congress for the completion of the State House at Fillmore. The 1856 resolution, while

\(^{33}\)Ibid.

\(^{34}\)Journal History, December 24, 1858, p. 11.
admitting that suitable accommodations did not exist for officials, did leave the door open for other possible sessions at Fillmore, but that possibility was dependent on whether or not the public buildings at Fillmore were "further completed." (See pages 39 and 40 for the complete resolution.) By December 1856, Governor Young must have realized that chances of receiving more appropriations from Congress were very slim, because the letters from Dr. Bernhisel were more discouraging, and the commotion caused by the use of the original $20,000 toward the purchase of the Council House in Salt Lake City certainly had some adverse effects on the attitude of Congressmen in Washington D.C.  

Those having the value of hindsight can speculate that "if" the federal government had appropriated funds to complete the elaborate four-wing structure as conceived by Mr. Angell, the seat of government would have remained in Fillmore because the Governor and Legislators would have been happy with the accommodations. These theorists are overlooking many other important factors in order to supply an oversimplified explanation to a complex problem. Some of the factors being overlooked are:

1. By 1868 the Territory of Utah was only half as large in land area as it was when Fillmore was to be the geographic center of a larger territory in 1851.  

2. Contrary to the prediction in 1851 that Fillmore would be near the center of population, it was apparent in 1858 and even earlier

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35 Fillmore File, Church Historian's Office, Salt Lake City, Utah.

36 Refer to Figure 1, page 4 and note the reductions that occurred from 1861 to 1868.
that Salt Lake City was the natural center of population along the Wasatch Front.\textsuperscript{37}

3. Brigham Young's concepts of the Territory of Utah in 1851 were not as official in 1858 because he had been replaced by Alfred Cumming.\textsuperscript{38}

4. Even if Brigham Young had remained Governor in 1858, he seemed to realize the inconvenience of having the capital of the Territory so far removed from Church headquarters in Salt Lake City.\textsuperscript{39}

In light of these facts it is difficult to imagine that if the federal government had provided the Governor and Territorial Legislature with a luxurious capitol building in Fillmore, they would have remained there because of a solemn obligation to use the building. Perhaps the seat of government would have remained in Fillmore a few years longer, but the failure to complete Mr. Angell's design for a capitol at Fillmore only hastened the inevitable removal of the seat of government to Salt Lake City.\textsuperscript{40}

\textsuperscript{37}The resolution of the Eighth Annual Session of the Legislature pointed out that Fillmore was "inconveniently distant from the center of the present population."

\textsuperscript{38}Brigham Young's reasoning that by locating the seat of government in Fillmore, settlement would be encouraged in all parts of the Territory would not seem as important to Governor Cumming who was faced with more immediate problems.

\textsuperscript{39}His comments on the removal of the seat of government from Fillmore December 18, 1858, seemed to reflect his satisfaction in having the Territorial government back in Salt Lake City.

\textsuperscript{40}It seems unlikely that Governor Cumming would have been content to have his offices 150 miles from the Church headquarters in Salt Lake City if he hoped to suppress the so-called "civil disobedience" of Mormon officials.
The question of how Brigham Young spent the $20,000 appropriation cannot be answered at this time, because facts were not available to show exactly where every dollar went; however, it is known that in February 1852 some part of the appropriation was applied to the "State House of Deseret" in Salt Lake City while the capitol was being built in Fillmore. It is also known that two large rooms and three small rooms were "conditionally purchased" in the Council House or "State House of Deseret" until the building at Fillmore was completed; however, it has not yet been determined exactly how much of the $20,000 was applied to the conditional purchase of the rooms in the Council House, and how much was applied to the construction of the territorial capitol in Fillmore.

Until further facts are available the debates and discussions may yet continue, but the fact remains that the seat of government was removed from Fillmore December 18, 1858, thus ending the official tenure of the State House at Fillmore. In spite of its failure as a Territorial Capitol the local citizens endowed it with a certain halo which permitted them to write: "Standing magnificently, the lone south wing rose silently into the sky ... a mighty landmark that reflected the works of a mighty people." 

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41 See page 26 for the explanation of this purchase.

42 See page 36 for further details.

43 James Max Thornton, "Old State House Museum and Historical Background of Fillmore and of Utah's Original Capitol Building," an unpublished paper written under the direction of Mary A. Dame for the East Millard Daughters of the Utah Pioneers, located in the State Capitol files at the State House Museum, Fillmore, Utah, 1946, p. 11.
CHAPTER IV

A FORMER STATE HOUSE BECOMES THE PROPERTY OF FILLMORE CITY

Even though Fillmore was abandoned as the capital of the Territory and all future Legislatures met in Salt Lake City, the little city grew in importance because of its location in a valley of rich agricultural possibilities. Many of the old houses still stand and bear witness of the thrift of the early settlers; and the part of the State House that was built shows in its woodwork and masonry something of the high idealism of the people. It certainly stands as a monument to their early-day toil and difficulties.1

The abandonment of Fillmore as the Territorial Capital presented the question of what would become of the old State House. A former resident of Fillmore, and an admirer of the old capitol building wrote the following:

For almost seventy-five years from 1856 to 1929, the State House remained a thing of lumber, stone and mortar—a house imbued with greatness and harboring zealously, in the coolness of its walls and quietness of its rooms the essence of a great living soul. But it was without definite purpose...its destiny was uncertain.

Gone was the thunder of colloquial oratory of those who would make it the center—the very heart of a great Western Empire. And gone, too, was the cloak of officialdom that had been with it for only such a little time.

It became then, for long intermittent years, a place of silence, with only sporadic use. Indigence crept silently over this noble structure. Many looked upon it with apathy and were untouched by its great significance while to others, it was forever sacrosanct in their memory—a place of glory and of wonder, enshrouded in a greatness that neither time nor change could ever destroy.

1Levi Edgar Young, op. cit., p. 8.

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During this long period as the years walked silently over the earth, the old State House came to figure very strongly in the social, religious, economic and educational activities of the town.\(^2\)

Records indicated that the old building did serve many purposes after its abandonment by the Territorial government. On May 5, 1858, the Deseret News was moved to Fillmore where it was published in the basement of the State House, because it was feared that if the press remained in Salt Lake City, it might be confiscated by Johnston's Army. The printing was done under the direction of John Q. Cannon, and about twenty publications were printed in the northeast room of the basement. Later, in the same year, the press was returned to Salt Lake City.\(^3\)

According to another source the south wing of the State House was not really completed until almost five years after the Territorial Legislature had abandoned it in 1858. It was used for a time as the County Court House and official headquarters of Millard County. In 1863, it was revealed that the building had been completed at the cost of over $50,000.\(^4\) The following year it was recorded in a diary kept by a Mr. Scottern that "the State House caught fire in October of 1864."\(^5\) Apparently there was very little damage because other letters and diaries of that period made no mention of the fire.

Sadie Rogers, a self-styled local historian, wrote that "there are few records concerning the later history of the building and what it has been used for." She did indicate that a Ward historical record said

\(^2\)James Max Thornton, op. cit., pp. 11-12.
\(^3\)Old Capitol State Park File, located in the Park Ranger's File, Fillmore, Utah, p. XIII.
\(^4\)Fillmore File, Church Historian's Office, Salt Lake City, Utah.
\(^5\)Old Capitol State Park File, located in the Park Ranger's File, Fillmore, Utah.
that "Brother Cooper reported means was needed to clean out the State House for the Sunday School at a rate of twenty-five cents per week."\(^6\)

Other records, journals, and diaries indicate that the Mormon Church and community used the building on several occasions during the 1860's, 1870's, 1880's and 1890's. Church conference was held in the old building October 24, 1868, and on November 12, 1868, "the female Relief Society met in the State House school rooms."\(^7\) John Powell, a merchant in Fillmore, mentioned in his autobiography that a fair was held in the State House in July 1876, that the Relief Society met there the evening of March 19, 1877, and that Sunday School was held in that location on January 1, 1879. Powell also recorded that on Saturday, April 26, 1879, "the First Ward Sunday School had a concert in the State House. The tickets were 25 cents. The proceeds were $11.25." Powell further indicated that Quarterly Conferences of the Mormon Church were held in the State House during 1879 and 1880.\(^8\) During the Quarterly Conference of November 1879, Mormon officials in Fillmore discussed the need for a meeting house of their own. Technically the State House was still the property of the Federal Government. On February 22, 1881, Mr. Powell wrote the following:

> The Quarterly Conference was held in the old school house in consequence of the State House being in charge of the Liberals.\(^9\)

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\(^7\) Ibid., p. 21.

\(^8\) John Powell, "Autobiography of John Powell," an unpublished journal located in the Special Collections Library at Brigham Young University, Provo, Utah, pp. 92-103.

\(^9\) Mormons often referred to non-Mormons as Liberals. Also before the election of 1870, the "Liberal Party" was organized by dissenting Mormons and non-Mormons in an effort to oppose Mormon candidates for public office.
State House was somewhat repaired by them. The southeast room was fitted up for a school which was taught by a lady from the States. The new meeting house was commenced early this spring and is to be built of rock.  

As to its use as a school house, almost from the beginning it was used for this purpose at different periods of time. One of the first teachers in Fillmore was John Kelly Sr., who taught school in the State House. He was later followed by Jean Holbrook who was followed by her sister Elizabeth. In 1881, the Presbyterian Church sent some school teachers to Fillmore. Mary McCarn, the "lady from the States" mentioned by Mr. Powell, and Mr. Huff, a minister, were in charge of the school. Their school continued in the State House until 1895.  

Dancing, too, was a very frequent occurrence in the old State House Assembly Hall:  

Blending with the ultra-dramatic eloquence of the old time stock player and drifting down to us out of the fading years, is the wail of the violin, the flutter of the harmonica, the thud of the piano or more often the shrill notes of the foot-pedal organ. Old time dancing rang out from the State House. The sharp bark of the caller, the steady bubbling rhythm of the music, the sway of the floor and the vibrations of the walls as those gracious people did their pirouetting and gliding in tune with the music, was a time of rich joy to them.  

It was said that during those early years the old State House had the finest dance floor in Southern Utah, and with the music of Daniel Olsen and family, the people enjoyed entertainment second to none in the Territory. People came from all the surrounding communities to the dances on weekends and many times there were special performances by

11 James Max Thornton, op. cit., p. 15.  
individua|ls or couple|s in jig dancing and dances of other types. An unexpected feature at one of these dances was an earthquake in 1886. It occurred at about 10:30 p.m. at which time "the doors went shut and the benches on the side all moved from their places, and the people began to wonder what was the matter." 

James A. Kelly recalled that the Federal Government made his grandfather, John Kelly, custodian of the State House. He held this position for several years and stated that the regular fee was three dollars for the use of the large Legislative Assembly Hall. He also remembered that many theatrical functions were held there. There was, for many years, an organization known as the Fillmore Theatrical Company which was composed of talented men and women of the community, and in addition to the local Company, several stock companies stopped and performed for the community in the old State House. It was said that those troupes would come and spend a week or ten days, playing sometimes every night and at other times every other night. Two of the professional troupes that played in the State House were the John S. Lindsey Theatrical Company and Stitsen Stock Company. Hall Roch and Ralph Cloniger were two players of note that appeared there. In connection with the theatre it should be noted that "early in 1899 the hall in the old State House was almost refinished. The new floor was laid, the stage rebuilt and the stairs leading up from both the north rooms finished." 

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13 Ibid.
14 Old Capitol State Park File, op. cit., p. VII.
In the early 1890's, when James A. Melville was a member of the Utah Territorial Legislature, he was informed that the Federal Government had no further interest in the State House. The building was turned over to Fillmore, and the City officials took complete charge and control of the building. For a number of years following, it was used regularly as a schoolhouse for the lower grades. The basement was converted into a jail and iron bars were placed in the windows of one of the southeast rooms. The holes made for the bars can still be seen. Steel pegs with rings were placed in the floor and some Indian prisoners were secured to these with long chains. The third floor room was used for State Executive offices.

That City officials were interested in repairing and using the building is evident in the following City records:

28 Sept. 1895, the Council appropriated $49.25 to pay the Rasmussen Brothers for reshingling the State House.

11 April 1896, on motion of Councilman Merrill, the Council agreed to rent Dr. Keen the room in the State House he now occupies as an office for one year by the payment of six dollars in addition to the work he had done in fitting it up, and that thirty days notice be given him in case the city should want the room.

By the turn of the century the City had lost interest in the building for City purposes because new public buildings were being erected, and the old State House fell into disuse and decay.

Clarence Davies, a lifelong resident of Fillmore, recalled the appearance of the old State House in 1909:

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16Ibid., p. 16.
17Old Capitol State Park File, op. cit., p. VIII.
18Sadie Rogers, op. cit., p. 20.
19Utah's First State Capitol and First State Park (a pamphlet at the State House Museum, published by the Utah Division of Parks & Recreation)
Around sixty years ago the windows in the basement were all kicked out and kids used to crawl in and out of them and play in some of the basement rooms. I remember seeing Sheriff Bill Payne lock a man in the jail in one of the southeast rooms. I also remember attending second and third grades in the State House. When I was about sixteen or seventeen years old I remember going to dances in the old Legislative Hall, which meant that dances were still being held in the old building as late as 1918 and 1919.20

LaFrance Payne, also a native of Fillmore, recalled some of the dances mentioned by Mr. Davies:

When I was five and six years old I remember the dances at the old State House. I was born in 1913 so this meant that dances were still being held in the State House in 1918 and 1919. I remember the older folks dancing the Virginia Reel and other square dances. The whole floor used to bounce as they stomped and danced around the floor. Some of the menfolk used to bring home-brew and cider and hide it in the basement. From time to time they would excuse themselves and go downstairs into the dark damp basement and get refreshments. Dances were held past midnight and into the morning hours. I was usually asleep on one of the benches by that time.21

To some Fillmore citizens it seemed tragic that a building conceived and built as the Territorial Capitol of Utah, should end its existence as an occasionally used dance hall. During the years leading into the 1920's, the State House had fallen into a bad state of neglect and disrepair. Its windows were mostly gone, its rooms were littered and dirt lay thick on the floors. Only the Assembly Hall, where occasional dances were held, was in any kind of presentable condition, but:

its greatness was not to die in the ashes of neglect and indifference. In the minds and hearts of some, the vision of its glory was ever present. As they continued to note its indigence, its prosaic uncared for appearance, deprecation flamed through them and a pattern of action took shape and grew in their minds.22 (See Figure 6 on the following page.)

20 Statement by Clarence Davies, personal interview held in Fillmore, July 20, 1969.

21 Statement by LaFrance Payne, personal interview held in Fillmore, July 19, 1969.

22 James Max Thornton, op. cit., p. 21.
Figure 6: The condition of the state house after its use by the Utah Territorial Legislature and prior to its restoration as a museum.
CHAPTER V

A BUILDING RESCUED FROM DECAY

As indicated in the previous chapter there were some in Fillmore who considered the condition of the old Capitol a disgrace, but up until 1921, no real action was taken to restore the old building. Early in that year the following appeared in the Deseret News:

A movement to preserve the first capitol of Utah, an old red sandstone building at Fillmore, as a landmark and monument to the pioneers has been initiated by the Fillmore Post No. 61 of the American Legion. The upper floor of the former capitol consists of one large room which is now being used as a headquarters for the American Legion Post.

The American Legion men of Fillmore say that the old building represents as nothing else can, a period in the history and growth of the state, that it serves as useful purpose and they are sponsoring a movement to preserve and protect it by seeking an appropriation from the Legislature.1

No real progress was made in restoring the old capitol building until August of 1924. It was at that time that Flora B. Horne, President of the Central Company of the Daughters of the Utah Pioneers, came to Fillmore for the purpose of reorganizing local camps. The Fillmore Camp was reorganized with May Cooper Stevens as Captain, Emily Ray as Second Vice Captain, Violet Frampton as Recording Secretary, Louise Day as Historian, Gertrude Robison as Treasurer, Stella Day as Chorister and May Wixom as Chaplin. Previously, in September 1921, Mrs. Horne had inspected the State House and had made note of its condition and at the

1 The Deseret News, Salt Lake City, 26 Feb., 1921, p. 4.
same time formed the decision to do something about it. She discussed her ideas thoroughly with the new officers in 1924 and carried her resolutions back to Salt Lake to the Governor and others concerned. It was at this time that the idea to make the State House into a museum first received serious consideration.²

After Mrs. Horne’s departure the local camp of the D.U.P. made the matter of a museum in the State House a matter of continual consideration, constantly discussing it with City officials and civic groups. It was not until nearly three years later that the State House museum project definitely began to become a reality. On January 10, 1927, a motion was made and carried in the Fillmore City Council in session that Mayor Edward Nelson act as a committee of one in getting the State Legislature to take action in taking over the State House and to spend $10,000.00 in repairing and beautifying the building and grounds. The idea met with immediate response from Governor Dern, and Mayor Nelson was successful in getting the Legislative approval.³ Mayor Nelson’s success with the Legislature was also due to the efforts of Daniel Stevens, a native of Fillmore and at that time a State Senator. Mr. Stevens used his influence in getting the final Legislative approval.⁴

The next step in the restoration of the old building was the deeding of the State House to the State of Utah. Accordingly, the Fillmore City Council in session on February 3, 1927, made the

²James Max Thornton, op. cit., p. 17.
³Ibid., p. 18.
the following resolution:

Whereas it is the desire of the State of Utah to obtain the title of the building known as the State House, the building in which the first Territorial Legislature of Utah was held, which is located in Fillmore, Utah and to appropriate sufficient money to repair the same and to keep it in a state of good repair in the future years. And whereas it is the desire of the City of Fillmore to deed to the said State of Utah the said building upon the understanding and agreement that the State of Utah will repair said building and keep the same in repair in future years as a monument to the State of Utah. (See Appendix B for State acceptance of the State House.)

Thus given impetus by the Daughters of the Utah Pioneers, the State House museum project became of townwide and countywide interest, and began receiving support from practically every quarter. In some respects it became of statewide interest in that Governor George H. Dern became one of the most enthusiastic supporters of the project. His interest was to the extent that he made several trips to Fillmore in connection with the project. One of his visits was soon after the Legislature had appropriated the money for the restoration of the old capitol building. The Governor came specifically to inspect the State House and to talk with local representatives about it. It was his intention to help stimulate interest and activity in the project and to make whatever suggestions needed. Restoration in itself was no easy task as was evident in the following description:

The windows were all broken, and as they had first been put in by use of wet chalk in place of putty, the job of removing the broken glass was extremely difficult. The debris and filth were approximately one foot deep—necessitating the scrubbing by hand of the floors, especially the stones in the floor of the basement.7

5 James Max Thornton, op. cit., p. 18.
6 Ibid.
7 Old Capitol State Park File, op. cit., p. XXVII.
Soon following Governor Dern's visit to Fillmore, contracts were granted and the actual work of renovation began. A new copper roof was put on, and the outside of the rock walls and chimneys were repaired with cement and mortar. New windows and doors were put in, and others were repaired. The inside walls were plastered throughout and an attempt was made to restore them to their original condition. The inside walls were painted a light blue and the window frames and woodwork were painted white. Harris Rasmussen was the carpenter, William Rasmussen the plasterer and Henry Hanson, Lorenzo Hanson and Victor Nielson were the painters. All workers did their best to leave a definite touch of originality. The total cost of the work had accumulated to nearly $11,000.00 when completed.\(^3\)

After the building was completely renovated and the work finished in 1929, it stood for nearly a year before organized action to fill the clean new rooms with relics began. The long delay was caused mostly through misunderstandings and a lack of complete organization of the local and county D.U.P. Camps. There was an uncertainty existing among the Daughters as to who should appropriately take the initiative. Contrary to the belief of the Central Company in Salt Lake, a unit for Millard County had not yet been fully organized. The Fillmore Camp, realizing this, were consciously aware of the need for further organization before going any further with the museum project. The local Camp, then under Marinda Bennett, was ready and willing to go ahead and had taken some steps in that direction, but they did not have the

\(^3\) Old Capitol State Park File, op. cit., p. XXVII.

\(^8\) James Max Thornton, op. cit., p. 19.
authority to proceed with the work at that time. For this reason the project was at a standstill from the time the building renovation was completed in 1929 until problems were worked out within the D.U.P. in April of 1930. Early in 1930 the Governor became aware that the work of gathering relics and the preparation of the grounds around the State House was not being carried out and that the D.U.P. were neither ready nor organized to move into the building. The matter was taken to the Central Company and it was at that time that they became aware that no county organization had yet been completed in Millard County.9

It was upon that discovery and knowledge that immediate action was taken by the Central Company. They sent Mrs. Maude C. Melville to Fillmore to make preliminary arrangements for the County organization and to report the actual status of affairs there. They also wrote Mrs. Mary A. Dame and asked her to sell membership papers to at least six Daughters, and for her to act as chairman of a committee to get women interested in the D.U.P. The local Captain, Marinda Bennett, cooperated with the Committee and they were able to get the women organized.10

Later, on April 22, 1930, Kate C. Snow, State Central President, came to Fillmore with Maude Melville and on the following day about twenty-five local eligible D.U.P.'s met in the Fillmore Second Ward church and organized the unit. Mrs. Nellie Huntsman was established as President, Mary A. Dame as Vice President, Mary Cooper as Second Vice President, Mayme Holbrook as Secretary, and Jane Wilson as Correspondence

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9 Ibid., pp. 19-20.
10 Ibid.
Secretary. Six other officers were also appointed as heads of committees and Mrs. Snow gave a very inspirational talk in which she appealed to the women to lose no time in completing the work yet to be done in establishing a museum. She made it clear that Governor Dern had indicated that one of the first things to do was to get the grounds around the State House landscaped. Five-hundred dollars were still available from the State for that purpose, but the project would cost approximately fifteen hundred dollars. The Governor indicated that the amount over five-hundred dollars would have to be made up in free labor or whatever means could be devised. He also made it known that the five-hundred dollars for that purpose would have to be spent by July first or it would revert back to State funds. Mrs. Snow also indicated that the Governor would be in Fillmore soon to conclude final arrangements and plans for the completion of the work and that he expected the State House to be cleared and filled with pioneer relics in readiness for a great celebration on July 24, 1930, which was less than three months away.11

With the Millard County D.U.P. under full organization, the work went forward with enthusiasm. In Fillmore, the local Camp was reorganized with Prudence Robison as Captain and it was also named the Emily Ray Camp in honor of Mrs. Ray, who was the first white child born in Fillmore. Special committees for the furtherance of the ground development and the gathering of relics were formed with Mrs. Mary A. Dame heading the Grounds Committee and county President Nellie Huntsman and Prudence Robison as co-chairmen of the House and Relics Committee. Shortly after this Governor Dern came to Fillmore and informed Mrs. Huntsman that the

11 Ibid., p. 21.
five-hundred dollars reserve fund for the grounds would not be released until a significant collection of historical relics were in evidence. When Mrs. Huntsman put the matter before the Daughters, they accepted the challenge and within two weeks they were remarkably successful in gathering some important pioneer relics. The money for the grounds was released and the Governor sent his assurance of complete support. He also promised the presence of himself and several State officials at the two-day celebration which was to be held in Fillmore on the 24th and 25th of July.\(^\text{12}\)

After this the word went out to the town and county and real interest grew rapidly. The local paper, The Progress, gave freely of its space for advertising and carrying instructions to the people. Cooperation from the City under Mayor Wells Starley was assured. Civic groups offered their support, and many townspeople were willing and ready to work free if necessary. Meanwhile Mrs. Dame was able to see her grounds program in full operation. Roy Dame was appointed Supervisor of ground work at one-third of regular pay and several other men offered their services for half pay or less. "They worked in sunshine and rain in leveling and filling the grounds, quarrying rock, and hauling it from the canyons."\(^\text{13}\) About July 20, the last stone in the walk was laid and the ground was level and ready for lawn planting. During that time the women were busy serving lunches to the workmen and were assisting in every way possible. A general celebration committee was organized under the direction of the D.U.P. with George Huntsman appointed Chairman. The

\(^{12}\text{Ibid.}, \text{pp. 21-22.}\)

\(^{13}\text{Ibid.}, \text{p. 23.}\)
Fair Grounds were renovated and equipped with new facilities and an outdoor stage for the presentation of a pageant and dedication program was constructed in the city park.  

There seemed to be interest throughout the State of Utah for what was happening to the old capitol building:

There is much merit in the suggesting of Governor Dern that the old state capitol of Fillmore be converted to museum uses for Southern Utah. The duty of the present to the future is to preserve as many of these relics of the past as possible, for by such things is history illustrated, if not made.

The former State House is full of interest, it can still subserve numerous useful purposes, its care should be entrusted to responsible, and sympathetic hands; and for all of these reasons, if the Millard County chapters of the Daughters do not feel themselves competent without aid and support from other sources, the State Society could hardly find a more appropriate object for its affections, its watch-care, and its funds.

The following month people throughout the State learned that the work of restoring the State House was nearing completion under the direction of the board of State Park Commissioners and that the summer would see the building placed in the custodial care of the Daughters of the Utah Pioneers. It was also reported that in the work of restoration, the advice and counsel of many who personally recalled the original state of the building was obtained which meant that it was a task of reproducing an original from human memory after generations during which the capitol had been abandoned. The historic old State House also held the distinction of being preserved for posterity as the first of the State parks to be established.

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14 Ibid.
16 *Journal History*, June 7, 1930, pp. 6-7.
Upon completion of the ground work, the Governor sent his special commendation for making State funds go so far. Actually the original five-hundred dollars had done the work of fifteen hundred dollars and with the installation of the relics enhanced by the City's donation of furniture everything was in final readiness for the great two-day celebration which was to be held July 24 and 25, 1930.17

The collection of pioneer relics also earned the commendation of the Governor because the local D.U.P. had succeeded in collecting "countless" valuable items from residents throughout Southern Utah. The local newspaper cooperated with the D.U.P. and urged its readers to donate pioneer journals, diaries, portraits, pictures, tools, furniture, artwork, musical instruments, clothing, weapons, Indian artifacts, and any other pioneer relics that would be of interest to the public. The local D.U.P. went on an all-out campaign to persuade citizens in and out of the local area to give freely of their heirlooms, and after the items were received they were carefully organized into specific categories for display.18 The diagrams and pictures on pages 89, 90 and 91 indicate how the relics were eventually organized for public display; however, in 1930 most of the displays were confined mainly to the ground floor, and it was not until the 1960's that rooms on all levels of the museum were completely renovated and filled with relics.

17 James Max Thornton, op. cit., p. 23.
18 Interview with Nellie M. Huntsman, Fillmore, Utah, August 23, 1969.
Fillmore bustled with excitement as the dedication date of the State House Museum approached. It was expected that nearly ten thousand people would be in town for the dedication. The general celebration committee, under the chairmanship of George R. Huntsman, worked feverishly preparing for the big two-day celebration. Other members of Mr. Huntsman’s committee were Claude Robbins, Otis Walch, Dean C. Evans, Wells Starley, Nellie M. Huntsman and Prudence Robison.  

On the morning of July 24, 1930, the celebration commenced with a parade at 9: a.m. After the parade, townspeople, State dignitaries, and statewide visitors gathered at State House Square for the dedicatory program. The program got underway with community singing and all joined their voices in "O Ye Mountains High." Claude Robbins offered the prayer after which the address of welcome was given by James A. Kelly, a local businessman and life-long resident of Fillmore. His address was followed by remarks from other local and State dignitaries. A vocal duet by Edna Day and Chlora Huntsman professed the feelings of many when they sang "Utah We Love You." Other musical numbers on the program included a vocal solo by Edward Nelson, who later was followed by Marjorie Johns who sang the State Song. Governor George H. Dern delivered the dedicatory address after which the flag salute was led by

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1 Fillmore File, Church Historian's Office, Salt Lake City, Utah.
Boy Scouts Glen Nelson and Chester Baker. The program was concluded with the Union Pacific Band playing "The Star Spangled Banner."²

The program lasted approximately one and a half hours, and in the afternoon there were horseraces and sports at the local fairgrounds from 2:00 to 5:00. From 6:30 until 8:00 p.m. there was a banquet at the high school, and from 8:00 until 9:00 p.m. a large crowd was entertained at a band concert in the city park near the capitol. The first day's celebration was fittingly concluded with dancing in the State House as the Governor and Mrs. Dern led the grand march at the Governor's Ball held in the hall formerly used by the Legislature. There was also dancing on the capitol pavilion from 9:00 until 12:00 midnight.³ At the day's end it was noted that Governor Dern had written the following in the State House register:

July 24, 1930. On this date the old capitol at Fillmore, Utah was formally opened as a State museum for the display of pioneer relics and documents to give succeeding generations a knowledge of pioneer life of Utah and to instill into their minds and hearts an appreciation of the heroic men and women who laid the foundations of our beloved state.⁴

During the two-day celebration there were 1,100 names registered on the Museum register, many of which were names of high State and Mormon Church officials and sons and daughters of early settlers of Utah.⁵ The second day of the celebration, which was the 25th of July, commenced with a parade from 9:00 to 10:15 a.m., a pageant, "Foundations

²Ibid.
³Ibid.
⁵Ibid., p. 21.
of an Empire," from 10:30 to 12:00, and a free barbeque for everyone in the city park. In the afternoon there was more horse racing, another band concert and more dancing in the old capitol pavilion. 6 Thus ended two days of festivities that were long remembered by those who witnessed the transformation of an old territorial capitol into a museum:

It was to those then, who need only to turn their eyes to the mountains and valleys or to the old State House to feel a lump in the throat and the rush of emotion that sometimes brings quick, hot tears into the eyes ... goes the credit for this great work ... the creation of Fillmore's old State House Museum.7

There are many who deserved credit for the creation of Fillmore's old State House Museum. Some were mentioned in this chapter and Chapter Five. Others went unmentioned because they labored quietly without seeking recognition or praise. Mary A. Dame, Nellie M. Huntsman and Prudence Robison certainly did not seek recognition but their efforts in spearheading the move to create a museum in the State House certainly brought their names to the front for praise. Three days after Governor Dern returned to Salt Lake City, he wrote the following to Mrs. Huntsman:

I was very sorry that we had to leave Fillmore Friday afternoon without saying good-bye to you and Mrs. Robison and telling you again how delighted I was with the work you have done at the Old Capitol. We waited an hour beyond our scheduled leaving time, and finally decided that if we wanted to get home at a reasonable hour we had better start.

I recall that when I called on you at your home last spring to discuss the plan of turning the Old Capitol over to your Chapter of Daughters of Utah Pioneers I said to you, "Here is an opportunity for someone to make a record." I now extend to you my most sincere congratulations upon the manner in which you rose to the opportunity and made the most of it. You have made a far better record than I anticipated could be made. You have made history for Fillmore, for Millard County, and for the State of Utah, and you have earned the grateful approbation of your neighbors.

6Fillmore File, Church Historian's Office, Salt Lake City, Utah.
7James Max Thornton, op. cit., p. 17.
My own part in restoring the Old Capitol and converting it into a repository for pioneer relics was, I fear, rather humble, being practically limited to making suggestions and giving encouragement. Nevertheless I have had a real interest in the project, and I feel myself under deep obligations to yourself and your fellow members of East Millard Chapter Daughters of Utah Pioneers for making one of my dreams come true. I hope you will convey my thanks to the women who are associated with you.

One reason why I was desirous of seeing you again before I left was to make sure that you had not misinterpreted my remarks at the banquet, when I urged that the museum be not made a purely local affair, but that it should belong to all Southern Utah and that the other counties should likewise contribute articles. I trust you did not think I was in any degree criticizing the work already done. On the contrary I have nothing but the most unstinted admiration for what has been accomplished, and I was merely trying to help you get the support of the other counties, which I feel sure you want.

If you succeed in getting additional valuable relics and documents from the other counties I should think they could best be used to fill additional rooms in the basement, or perhaps to make replacements occasionally. I am sure the dictates of your judgement will be sound in that respect. I feel, however, that you should by all means adhere to your present excellent plan of making replicas of pioneer rooms. That is one of the most attractive features of your exhibit. I think instead of abandoning that idea it should be further developed if possible.

If it is any satisfaction to you to know that I approve the work you have done inside and outside the building, and the dedicatory celebration, please be assured that you have my most enthusiastic praise, as well as my hearty thanks.

I shall be happy to have you call on me at my office whenever you want to discuss further plans. I am also happy that in the course of this work I have had the privilege of forming such an agreeable acquaintanceship.°

Mrs. Huntsman received another letter from the Governor’s office in August in which she and other Daughters were commended for their work by George C. Sutherland, Secretary to the Governor. He indicated that he enjoyed the two-day celebration immensely and would never forget the days spent there. He also enclosed a copy of the contract entered into by the Daughters of the Utah Pioneers and the State of Utah describing

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°Letter of Governor George H. Dern to Nellie M. Huntsman, written July 28, 1930. (The letter is in the possession of Mrs. Nellie Huntsman of Fillmore, or on microfilm in the Brigham Young University Library.)
the work that had been done on the State House grounds.9 (See Appendix C)

The D.U.P. seemed more interested in what had not been done rather than what had been done to the museum. The idea and need for an addition to the State House in the form of an annex and heating facility arose immediately after the completion of the main building and establishment of the museum. Nellie Huntsman, before being released as county D.U.P. President, did considerable work in that direction. She was instrumental, along with T. Clark Callister and Mayor Wells Starley who carried the matter to the State Legislature, in getting the issue underway.10 In a letter dated January 21, 1931, Mrs. Huntsman learned the following from Mr. Callister, who was Area Representative to the Legislature:

Have just had a conference with the Governor relative to your application for funds for installing a heating plant to the old Capitol Building. The Governor showed a sympathetic interest in this project, but showed some surprise at the amount of money involved. Because of the amount involved he questions the advisability of including this item in his regular budget. He states however, that he expects to submit at a later date probably in June or July, a State building program, and that it would be better to include this item in that list.11

Mr. Callister further advised Mrs. Huntsman that she should look into the feasibility of connecting the proposed heating plant to the plant in the County Court House which would reduce the cost about $3,600.00. He reasoned that in connecting to the plant in the Court House the cost of an annex and boiler would be eliminated. He also advised that the

9 Letter of George C. Sutherland to Mrs. Nellie M. Huntsman, written August 2, 1930. (The letter is in the possession of Mrs. Nellie Huntsman of Fillmore.)

10 James Max Thornton, op. cit., p. 27.

11 Letter of T. Clark Callister to Mrs. Nellie M. Huntsman, written January 21, 1931. (The letter is in the possession of Mrs. Nellie Huntsman of Fillmore.)
matter should be taken to Adrian Frampton, who was the local heating expert, for his judgement on the matter.  

Later in that year it was decided that connecting to the heating system in the Court House was not feasible, and in March the citizens of Fillmore learned that the Utah Legislature had appropriated $5,000.00 to improve the State House Museum. Representative Callister informed the citizens that in addition to the $5,000.00, another $1,800.00 had been set aside for two years' maintenance. He indicated that the bill passed after a great deal of persuasion by the sponsors of the bill. It was speculated that the $5,000.00 would be available during the coming summer for the purpose of installing a modern heating system with an electric stoker either within the building or within an annex. It was also further speculated that the building was already in very good condition and with the additional money for heating, the museum would become one of the leading tourist attractions in the State because with the heating unit it would be kept open throughout the year. Prior to this the building had been closed during the winter. The $1,800.00 for the two years' maintenance relieved the Daughters of the Utah Pioneers of considerable worry in financing the building, and provided a moderate salary for a custodian.  

Later, after Mary A. Dame succeeded to the county Presidency, the appropriation was approved in the Legislature for more money than was originally reported. Instead of receiving just the $5,000.00 for the entire remodeling project, $5,000.00 was appropriated for the heating

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12 Ibid.

13 News item in The Progress, Fillmore, Utah, March 27, 1931.
plant and another $5,000.00 for the construction of an annex. After plans and discussions were complete as to the building of the annex and the type of heating system desired, contracts were granted to Carl Day for the building of the annex and to Adrian Frampton for the heating plant. The annex at the north end of the State House was completed in 1933, and the heating plant was in and ready for the winter of 1933 and 1934.\(^ {14}\)

Meanwhile, the Fillmore citizens were in a festive mood over the interest the State had shown in the State House Museum, and during the summer of 1931, they planned another celebration at the State House:

The days of old were made new again when the townspeople of Fillmore impersonated members of the first Legislature of the State, meeting in the old capitol. They plan to reenact the removal of the capital from Fillmore to Salt Lake as a feature of covered wagon days. Territorial Legislators of Utah live again in the persons of Fillmore residents, and the Old State House, converted into a museum, again resounds with the declamatory eloquence of gentlemen from Utah's counties.

The famous body will be in session until the morning of July 24, when T.C. Callister, representing Heber C. Kimball, President of the Council, and James Mitchell, representing Hosea Stout, Speaker of the House, declare an adjournment so that the Legislative body can re-enact the removal of the State capital from Fillmore to Salt Lake to participate in Salt Lake's first annual Covered Wagon Days Celebration.\(^ {15}\)

Although six covered wagons and a replica of Brigham Young's famous "white top" carriage was provided to enact the removal scene, only one covered wagon actually made the trip from Fillmore to Salt Lake. The wagon was driven by Heber Mitchell and carried a message from Mayor Wells P. Starley to Governor George H. Dern extending best wishes of Fillmore for the success of the Covered Wagon Days Celebration.\(^ {16}\)

\(^ {15}\) News item in The Salt Lake Tribune, July 19, 1931.
\(^ {16}\) Ibid.
The following year the museum opened for the current season April 1, with Mary A. Dame, President of the East Millard Camp of the D.U.P. in charge. She stated that prior to that time no regular hours were maintained during the tourist season, but that steadily growing interest in the old landmark and relics housed therein had demanded regular hours. She indicated that during the season the building would be open with a guide available from 8:00 a.m. to 6:00 p.m., and that a varied collection of pioneer relics had been assembled by the East Millard Chapter and other Chapters of the State D.U.P. Of noteworthy interest were the Indian relics placed in a room especially set aside for that purpose. ¹⁷

Perhaps Fillmore townspeople always have and always will speculate about reasons for the removal of the capital from Fillmore to Salt Lake. Some of the reasons were previously stated in Chapter III of this thesis. At any rate, in 1934, the citizens were again reminded that reasons were as follows:

...because of unendurable hardships in traveling to the location of the capital, and because many of the Legislators had previously made their homes in the north, it was considered advisable after two ¹⁸ sessions of the Legislature to re-establish the Territory's capital in Salt Lake City. ¹⁹

During that same year it was written that the population of Fillmore in 1853, when it was still recognized as the Territorial Capital, was "304 souls" and that the present population was about 1,400. It was admitted that Fillmore would probably never be a large

¹⁷ News item in The Salt Lake Tribune, April 1, 1932.

¹⁸ As late as 1934 there were some who were not aware that three sessions had convened in the old capitol.

¹⁹ Journal History, July 7, 1934, p. 11.
city in population, but that within Pahvant Valley there were prospects and space for thousands of people to settle because there were thousands of acres of fertile soil ready for cultivation if water could be provided to sustain a large population.\textsuperscript{20} Lack of water has always been used as a reason for many of the problems that faced residents of Fillmore including the removal of the capital from that city.\textsuperscript{21} This idea was incorrectly supported as late as 1934 when it was written that "there were many reasons for not continuing the capital here; however, one was the scarcity of water which could not support a large city."\textsuperscript{22}

Regardless of the reasons for removal the fact remained that the capital was removed from Fillmore for the last time in 1858, and that the citizens of that city were making the most of the State House's restoration as a museum in the 1930's. Lily Rogers and Mary Cooper were appointed custodians and reported that there had been many prominent visitors to the museum, among them being: Lawrence Tibbetts, the Metropolitan Opera star, and in addition to him, a noted architect, who commented upon the marvelous structure, acoustics, and above all, the phenomenal use of indirect lighting. Other visitors of interest were former Governor Dern, Governor and Mrs. Henry H. Blood, and parties of travelers from France, London and the Philippines.\textsuperscript{23} On September 23,

\textsuperscript{20} News item in The Deseret News, September 29, 1934.

\textsuperscript{21} The author remembers hearing many of the oldtimers recalling that one of the main reasons for removing the capital from Fillmore was lack of water to sustain a large population. No doubt this would have been a major problem if Fillmore had remained the capital, but the fact remains that at no time in Legislative sessions of 1856 and 1858, was water listed as a reason for removal.

\textsuperscript{22} Journal History, October 27, 1934, p. 6.

\textsuperscript{23} Old Capitol State Park File, op. cit., p. XXVII.
1934, it was written that 4,328 tourists had signed the registration book since May 1, of that year, and that despite the usual practise of closing the building during January and February, the demand to visit the museum was so great during the winter that the building was kept open. Mrs. Mary A. Dame announced that all Daughters of Utah Pioneers Camps would build miniatures of the old pioneer forts in Millard County, and that Sadie Rogers, County Chapter Historian, had begun the construction of a miniature of the original fort which surrounded Fillmore in 1859.24

A State House Committee was organized in May of 1936, because it was felt by the Governor and the Central Company of the D.U.P. that the work of the museum was too much for the local D.U.P. President. The duties of the Committee largely consisted of the operation of the State House. Mary A. Dame, who had been recently released as County President, and Nellie Huntsman, were chosen to act on the Committee. The current and each succeeding president of the County D.U.P., during their respective terms of office, would also act on the Committee. Their responsibilities, under that arrangement, had to do with financial matters and control of museum policy and management, but they were spared the burden of daily management of the building.25

In 1937, another celebration was held at the old Territorial Capitol. Representative Sheldon R. Brewster, a member of the Utah Historical Society, and others were extremely anxious to have the Legislators visit the museum in a group, and were arranging a trip to the

24 News item in The Salt Lake Tribune, September 23, 1934.
old capitol. In May of that year Governor Henry H. Blood and other State dignitaries attended a celebration at the State House in Fillmore which was sponsored by the Daughters of the Utah Pioneers. There was a program of speeches and songs as well as music by local and visiting bands.

Throughout the remainder of the 1930's and into the 1940's, interest continued in the Museum, but finances were always of major concern. From July 1, 1938, to July 1, 1939, there were approximately 3,000 visitors to the Museum even though the building was closed during the months of January and February. In December of 1939, Mrs. Nellie Huntsman learned the following from the State Board of Park Commissioners:

The Board decided on $750.00 as the budget for the State Capitol for the current fiscal year. Therefore, it will be necessary to allocate funds with that total in mind. I assume that this will require practically the closing of the building for about the same time as was done last year for the current quarter. For the next quarter, January, February and March, 1940, I have just submitted to the Budget Division a proposed budget allowing $50.00 in salaries and items of $16.00 for maintenance and $5.00 for miscellaneous expenses, or a total of $71.00.

The letter also indicated that the proposed budget could be altered, with the exception that the total for the year would remain the same. The State Board of Park Commissioners also wanted Mrs. Huntsman to make suggestions as to how the amount could best be allocated to meet the

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27 Journal History, May 21, 1937, p. 3.
28 Letter of Kate C. Snow to Nellie M. Huntsman, written August 4, 1939. (The letter is located in the D.U.P. File in the State House Museum.)
29 Letter of Mr. Wilson, Secretary of the State Board of Park Commissioners, to Nellie M. Huntsman, written December 29, 1939. (The letter is in the possession of Mrs. Nellie Huntsman of Fillmore.)
needs of the State House and museum. She was reminded that the W.P.A. project, which meant further improvements to the State House and grounds, was already provided for and was not affected by any of the foregoing decisions of the Board.\(^{30}\)

Records in the possession of Mrs. Nellie Huntsman indicated that the proposed budget was closely adhered to during 1940, and that during April of that year, Mrs. Huntsman received a check in the amount of $52.00 for the care of the building and grounds. They also showed that in 1941, the budget was still very tight and that for the month of February the following expenditures were made: $10.00 to Mrs. Huntsman for care of the building and grounds, $3.46 for the electric bill covering January and February, $8.00 for pipe water for 1941, $3.00 for repairs to the furnace and plumbing, $5.00 for hauling soil on the grounds, and $1.50 for office expenses.\(^{31}\)

Of added interest in the 1940's was the convening of some of the State Legislators in the State House in March of 1947 commemorating the time when Fillmore was the first Territorial Capital of Utah.\(^{32}\)

As the 1940's drew to a close it was written that the following custodians of the building and grounds had played a big part in the upkeep of the Museum: Don C. Wixom, Frank Cooper, Roy A. Dame, Mary Cooper, Lily Rogers, Marinda Bennett, Geneva Speakman, Nellie Huntsman, Rhoda Melville, Ora Hanson, Loa Hanson, Jennie Ashby, Mary Dame,

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\(^{30}\)Ibid.

\(^{31}\)Appropriation papers in the possession of Mrs. Nellie M. Huntsman, Fillmore.

\(^{32}\)Stella Day and Sebrina Ekins, *op. cit.*, p. 159.
Uriel Paxton, Lynne Peterson, Laura Black, and Lillian Sorenson. With the closing of the 1940's a tribute was paid to those who were most responsible for accomplishments at the State House Museum:

Twenty years have passed since the dedication of the State House as a museum, and each year has seen more relics, histories and documents added and improvements made; and the thousands of tourists who visit it are increasing every year. All this has been under the supervision of the East Millard Company of the Daughters of Utah Pioneers who have seen one of their fondest dreams come true.

With the dawning of the 1950's Fillmore was again preparing for another celebration. By 1951, one hundred years had passed since the settlement of Fillmore and the establishment of that city as the future capital of the Territory. The old State House figured predominantly in the centennial celebration as a large crowd gathered in front of the building at 1:30 p.m. May 30, 1951, for the flag pole dedication.

Mark Paxton, who was master of ceremonies, introduced Mayor Paul McBride, who gave the opening address and welcome. After the Mayor's address, Mrs. Mary A. Dame, chairman of the State House Committee, stated "the welcome she would give is right from her heart" and that she was thankful for the presence of the visitors and all who were there. The next speaker was President Joel E. Ricks of the State Historical Society, who presented the D.U.P. with the plaque at the base of the flag pole. Later D. Lamoyne Melville gave a toast to the founders of the museum, the Legislators and the D.U.P. Mr. Melville was followed by Mrs. Nellie Huntsman who gave thanks to all visitors. Later, at 3:30 in the

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34 Ibid.
afternoon, the Millard High School Band\textsuperscript{35} under the direction of Dallin Nielson led the crowd into the park east of the Museum where a program was given on the steps of the north stairway leading up to the Legislative Hall. An address and the dedication of the art museum in the Legislative Hall was given by Dr. Avaard Fairbanks, Chairman of the Art Selection Committee. At 4:00 the art museum in the Legislative Hall was opened to the public for the first time.\textsuperscript{36}

As indicated in the first chapter, October 1851, marked the beginning of the settlement of Fillmore and the location of a site for the Territorial Capitol. The State House did not come into official use until the Legislature convened in it in December of 1855. Its hundredth year of service was commemorated as follows:

The building now a museum, has a unique history, having been the first capitol building completed west of the Mississippi River.\textsuperscript{37} Construction began in 1851 and was completed in 1855. Again it was a first in 1930. After it was used in many capacities the State named its surroundings as Utah's first State Park and building became a shrine as a State museum.\textsuperscript{38}

The year 1957 was important in the history of the State House Museum, because the building and grounds were turned over to the newly created State Park and Recreation Commission. Prior to this time the

\textsuperscript{35}The author was a member of the band at that time and can well remember the festive mood of the townspeople and visitors on that occasion. However small the art collection was, there was a great deal of pride in it.

\textsuperscript{36}Copy of the Centennial Program, located in the D.U.P. File in the State House Museum, Fillmore.

\textsuperscript{37}Not enough proof exists to substantiate the fact that the capitol building in Fillmore was the first completed west of the Mississippi; however, there is no question about it being Utah's first State Park. To the present date there are over thirty State Parks in Utah.

\textsuperscript{38}News item in The Deseret News, July 5, 1955.
museum had been under the jurisdiction of the State Board of Parks Commissioners. Naturally, the local D.U.P. were concerned with their future in the museum. In a letter dated July 17, 1957, they learned the following from A.R. Mortensen of the Utah Historical Society:

As you are probably aware, the last Legislature created a State Parks Commission, and in so doing transferred certain State Park areas previously under the control of other State institutions to the new Parks Commission. Such is the case with the old State House which, as of the first of July, is technically under the control of the new Parks Commission. I say technical because I envisage no change in operation as performed by your D.U.P. over the many past years. Also the law makes me a member of the Parks Commission, so I will still have much to say in the matter.  

The year 1957 was also important because it marked the retirement of Mrs. Mary A. Dame, who had been so instrumental in the growth of a museum within the old State House. C.J. Olsen, director of the Utah State Park and Recreation Commission stated the following:

I personally feel that it would be very desirable for the East Millard Camp of the Daughters of Utah Pioneers and people of Fillmore to plan a party for Mrs. Mary A. Dame and to present her with a gift and expression of appreciation for the fine work she has done in connection with this museum. I would like personally to be present and I am sure I could induce Dr. Mortensen to be present on this occasion to do honor to Mrs. Dame.

To a woman as active as Mrs. Dame had been in the restoration of the State House, retirement was not an easy thing to accept. The museum project had become so much a part of her that even after her official retirement in 1957 she continued to pressure the Utah Legislature for funds for the improvement of the State House Museum.

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39 Letter of A.R. Mortensen to Loa B. Hanson, written July 17, 1957. (This letter is located in the D.U.P. File in the State House Museum.)
40 Letter of C.J. Olsen to Loa B. Hanson, written August 15, 1957. (This letter is located in the D.U.P. File in the State House Museum.)
41 Interview with Glenda Cooper, who was President of the East Millard D.U.P.'s in 1957, Fillmore, Utah, June 19, 1970.
Mrs. Dame's retirement the Utah Park and Recreation Commission held a meeting in the old capitol State House and explanation was made concerning the role of the State and the Local D.U.P. in conjunction with the museum. It was stated that the operation of the museum could be carried on with as little transition as possible, and that the Commission held the meeting in Fillmore for the purpose of becoming better acquainted with the museum and personnel. Explanation was made that the property was State owned, but that it was operated and maintained through the efforts of the East Millard Camp of the D.U.P., and that the State provided appropriations for its upkeep. The relics in the museum were donated by countless people, but it was not clear at that time whether the legal title or right of possession of the articles in the museum belonged to the State of Utah or to the Daughters of the Utah Pioneers. Neither party seemed too interested in pursuing the matter any further than just raising the question of ownership of the relics. As the 1960's approached, the old museum continued to grow in importance and reputation even though some of the original supporters had long since passed away, some had been retired, and still others were nearing retirement. The 1960's would see even more changes.

42 Minutes of the first meeting of the State Park and Recreation Commission with D.U.P. and Museum officials in Fillmore, July 9, 1957. (Located in the D.U.P. File in the State House Museum.)
By the early 1960's the State House had been in existence as a museum for thirty years, and had witnessed several changes during that period of time. In the 1930's the caretakers of the building were paid approximately $1.00 per day to be on hand as caretakers and receptionists and a little extra for cleaning. By 1957, when the museum was put under the jurisdiction of the State Park and Recreation Commission, there had been a slight increase in salaries, and at that time Mrs. Nellie Huntsman and Mrs. Loa Hanson were caretakers of the museum with Uriel Paxton as caretaker of the grounds around the State House. All three had served in those capacities for several years, and were nearing retirement.\(^1\) The year 1964 marked the end of their official tenure as caretakers of the grand old edifice and the grounds surrounding it and it was during that year that Mrs. Huntsman received the following from Aldin O. Hayward, Director of the State Park Commission:

> It seems impossible to realize that we are not going to be working together this coming year in this great work of the Utah State Park and Recreation Program. Life has a way of marching on and society sets times for each of us to step aside and let others continue the work we start.
> One of the great thanks we do get out of living is the satisfaction of having contributed something to others. You have certainly made a great contribution in the service you have rendered and set a high standard for the next in line to follow in friendliness, courteousness and initiative. The Commission has asked

\(^{1}\text{Interview with Dean C. Robison, Fillmore, Utah, June 19, 1970.}\)
that I forward to you the enclosed resolution which they formally adopted at the Commission meeting, June 30, 1964.2 (See Appendix D for the complete resolution.)

The three former employees, Nellie Huntsman, Loa Hanson and Uriel Paxton, were honored at a retirement party December 28, 1964. Mr. Hayward, Director of the Utah Park and Recreation Commission, presented a letter to each of them signed by the Governor of Utah. Governor Clyde’s letters acknowledged that Mr. Paxton’s tenure had extended over a twenty-five year period, and that both ladies had served for over eighteen years. Also at the party were Lloyd Dallas, Glenda Cooper and Dean Robison, who had previously been hired as their replacements.3

With the retirement of Mrs. Huntsman, Mrs. Hanson and Mr. Paxton, new changes were apparent. Lloyd Dallas was hired as a full-time Park Ranger and was responsible for the maintenance of the building and care of the grounds surrounding it. Glenda Cooper and Dean Robison were hired as receptionists and each worked alternate shifts, one working during the morning hours and the other the afternoon and evening hours. The museum opened at 8:00 a.m. and closed at 9:00 p.m. during the busy tourist season, and its hours varied during the rest of the year, but remained open all twelve months of the year. From 1965 to 1967 the Parks Commission began charging adults 25¢ and children twelve years and older 10¢ for entrance fees to the museum. During the 1968-69 season the 10¢ charge for children was dropped, and by May 1970, all entrance fees were

2Letter of Aldin O. Hayward, Director of the Utah Park and Recreation Commission, written July 3, 1964. (The letter is in the possession of Mrs. Nellie Huntsman of Fillmore.)

3News item in The Progress, January 8, 1965.
dropped after the D.U.P. had requested that charges be discontinued at all State Historical sites.  

Meanwhile the ladies of the local D.U.P. were concerned about the rundown condition of some of the rooms in the basement. Prior to 1964, parts of the basement had been used as a storage area, and under the insistence of Florence Swallow, President, it was decided to restore the two tool rooms, the "hearse room" and the telephone room. The D.U.P. paid for the cost of paint and materials and Park Ranger Lloyd Dallas did the work. The upstairs hall was so filled with pioneer pictures hanging on the walls that the plaster was cracking, and so after the hallway in the basement was ready, many of the pictures were moved downstairs and placed on the walls of the hallway.

Even though the State had not financed the renovation of the basement it did its part in 1968 when the annex was remodeled with new plumbing, new restroom facilities, tile floors, and painting. The furnace was converted from coal to oil heat and spotlights were focused on the building. This work was also done by Park Ranger Lloyd Dallas, but was financed by the State. By prior agreement, the State was responsible for the upkeep of the building and the D.U.P. was responsible for the care and upkeep of the relics. This explained why the State was unwilling to pay the cost of placing the relics in the rooms in the basement, but they did approve of Park Ranger Dallas doing the work.

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4 Interview with Dean C. Robison, Fillmore, Utah, June 19, 1970.
5 Interview with Glenda Cooper, Fillmore, Utah, June 19, 1970.
6 Interview with Dean C. Robison, Fillmore, Utah, June 19, 1970.
Parking for tourists had always been a problem but in 1968, this problem came to a head with the building of a new public school facility west of the State House. The school building blocked the exit that had previously been used by museum patrons and there was a danger that some of the beautiful rose gardens west of the museum would have to be torn up to make room for new parking facilities unless some agreement could be worked out with the school superintendent and city officials. Later, school, city and museum officials got together and worked out a compromise, and the school and city donated enough footage in order to make it possible for the Park Commission to build a small parking lot west of the museum and an access road north to Center Street.\(^7\)

During 1969, Lloyd Dallas was transferred to the "This is the Place" Monument near Salt Lake City, and Max Martin replaced him as the State House Park Ranger on June 1, of that year. Mr. Martin has been especially conscientious about the upkeep of the grounds and building and has prepared a Park Ranger's manual that contains up-to-date information about the State House Museum.\(^8\) His manual indicates that there has been considerable progress in the renovation and value of the museum in recent years. When the State Park Commission acquired the building in 1957, its value was assessed at $150,000.00, the displays and relics within the building were valued at $32,000.00, and the landscaping and grounds surrounding the museum were assessed at $11,500.00. By 1964, the remodeling to annex and heating facilities was valued at $20,000.00, and an additional evaluation of $6,034.00 was placed on the newly constructed

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\(^7\)Ibid.

\(^8\)Interview with Glenda Cooper, Fillmore, Utah, June 19, 1970.
parking facilities in 1969. The total investment assessment of the entire facility including exhibits and grounds, was set at $240,454.00 by the State Park and Recreation Commission in 1969.  

As the 1960's drew to a close the old State House stood proud because it once more served a definite purpose. (See Figure 7) However, instead of serving Utah as a State House, the lone South Wing served the world as a museum offering tourists and interested persons three floors of interesting viewing into the past. The diagrams and pictures on pages 88 through 92 were taken from the Park Ranger's Files and outline the varied offerings to patrons of the museum. As the State House begins a new decade, there are further plans to improve it and to publicize its significance. Even though there has been an increase in patronage of the museum since the 1930's, the increase was not that significant when comparing the following figures from the Park Ranger's Handbook:

<table>
<thead>
<tr>
<th>Date of Visit</th>
<th>Number of Visitors</th>
</tr>
</thead>
<tbody>
<tr>
<td>May-September 1934</td>
<td>4,328</td>
</tr>
<tr>
<td>July 1, 1938 to July 1, 1939</td>
<td>3,000</td>
</tr>
<tr>
<td>1950 (All Year)</td>
<td>5,260</td>
</tr>
<tr>
<td>1960 (All Year)</td>
<td>5,776</td>
</tr>
<tr>
<td>1964 (All Year)</td>
<td>10,692</td>
</tr>
<tr>
<td>1965 (All Year)</td>
<td>7,909</td>
</tr>
<tr>
<td>1966 (All Year)</td>
<td>6,198</td>
</tr>
<tr>
<td>1967 (All Year)</td>
<td>5,500</td>
</tr>
<tr>
<td>1968 (All Year)</td>
<td>10,326</td>
</tr>
<tr>
<td>1969 (All Year)</td>
<td>8,419</td>
</tr>
</tbody>
</table>

It is true that in comparing the 1938-39 figure with the 1950 figure there was an increase of 2,260 visitors, but in comparing the 1950 figure with the 1960 figure, there was only an increase of 516 visitors registered. In looking at the figures for the 1960's, it is true that

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9Park Ranger's Handbook, compiled by Max Martin, located in the Park Ranger's Files at the Museum in Fillmore.
FIGURE 7

THE STATE HOUSE AS IT APPEARED IN THE 1960'S OVER THIRTY YEARS AFTER ITS RESTORATION AS A MUSEUM
(COMPARE THIS PHOTOGRAPH WITH FIGURE 6)
FIGURE 8

THE LOCATION OF THE STATE HOUSE MUSEUM IN FILLMORE AND THE STATE OF UTAH
FIGURE 9

FLOOR PLAN OF THE BASEMENT OF THE STATE HOUSE
MUSEUM SHOWING THE LOCATION OF PIONEER
RELIQUARY AND ARTIFACTS

- Farm Room
  - Cradle
  - Wooden Fork
  - Billows
  - Ox Yoke & etc.
- Surrey used as hearse
- Memorial tombstone of politician Amasa Lyman
- Hardwood bed
- Trunk
- Dresser
- School room
  - Desks
  - Slates
  - Cabinet
  - Bird display
- Stairs

- Carpenter Tools
  - Surveying equipment
  - Rock collection
  - Indian corn grinder & etc.
- Bed with rope springs
- Rocking Chairs
- Spinning wheels
- Early Pioneer bed & couch
- Telephone and phonographs
  - Switchboards
  - Other communication items
FIGURE 10

FLOOR PLAN OF THE FIRST FLOOR OF THE STATE HOUSE MUSEUM SHOWING THE LOCATION OF PIONEER RELICS AND ARTIFACTS
FIGURE 11

FLOOR PLAN AND PHOTOGRAPH OF THE LEGISLATIVE HALL
(SECOND FLOOR)
FIGURE 12

INTERIOR SCENES OF THE MUSEUM SHOWING GROUND FLOOR HALLWAY (UPPER LEFT), GUNS & SWORDS IN THE N.W. ROOM OF THE MAIN FLOOR (UPPER RIGHT), BASEMENT HALLWAY (LOWER LEFT), CARPENTER TOOLS IN THE N.E. ROOM OF THE BASEMENT (LOWER RIGHT)
there has been increased patronage but is the increase that significant in light of the improvements in highways in the 1960's and the increased numbers of tourists on those highways? According to Mrs. Glenda Cooper, museum receptionist, there is a need for more publicity for the museum because a large percentage of the tourists do not even know it exists. Many of them found the museum by accident after resting or eating in the Fillmore City Park. The building had not really been adequately publicized by the State until about 1967, and prior to that time Mrs. Huntsman's test rose gardens around the old capitol building drew more tourists than did the museum. Lately the relics within the building have been of more interest than the rose gardens, and plans were being made to bring Mr. Lee Jorgenson, Utah Director of Travel and Publicity, to Fillmore to see the museum and to give the building even more publicity than it had received since 1967.11 Perhaps when this is done more will learn to appreciate the significance not only of the relics within the museum, but the legacy of that grand old edifice itself.

11 Interview with Glenda Cooper, Fillmore, Utah, June 19, 1970.
SUMMARY AND CONCLUSIONS

The history of Utah's Territorial Capitol Building actually began in 1851 when Brigham Young desired a central location for the capital of the Territory that had previously been created by the Organic Act of September 9, 1850. The architectural painting of the future capitol by Truman O. Angell, and the selection of Fillmore as the site for the capitol marked the beginning of a dream that never came true.

On October 28, 1851, Brigham Young and his appointed Commissioners entered Pahvant Valley and laid out the site for the future capitol with optimism, and Anson Call and his party spent the winter of 1851 and 1852 preparing the way for the construction of the new capitol. In the spring of 1852, William Felshaw came to Fillmore with a small party of workers and construction slowly got underway. Meanwhile, Dr. John M. Bernhisel, Territorial Representative, was unable to get further appropriations beyond the original $20,000, because misunderstandings had arisen between the Federal Government and Territorial officials in Utah. Nevertheless, construction continued until the south wing of Truman O. Angell's plan was completed for the Fifth Annual Session of the Territorial Legislature to convene in it in December of 1855. This was the only complete session held in the State House, because when the Sixth Annual Session convened at that site in December of 1856, it was decided that the capital should be moved to Salt Lake City until such time that the Federal Government would send funds for the completion of the State House in Fillmore. The funds did not come, and the capital remained in Salt Lake City until
after the so-called Utah War in 1858, when Judges Eckles and Sinclair ruled that the real Territorial seat of government was in Fillmore. Alfred Cumming, Brigham Young's appointed successor as governor, complied with the ruling and the Legislature met in Fillmore December 18, 1858, just long enough to legally adjourn back to Salt Lake City permanently for reasons that the latter was more conveniently located for the Legislators.

During the seventy-two years between the time it was discontinued as the Territorial Capitol and was dedicated as a museum, it served the public as a religious meeting house, a schoolhouse, a city and county civic center, a theatre, a jail and a dance hall. In the 1890's the Federal Government had no further use for the building, and it was deeded to Fillmore City; however, by the early 1900's Fillmore had erected other public buildings and it gradually fell into disuse and decay. By 1921, there was a movement to rescue the old building from decay, and to restore it to its original condition; however, no real progress was made until the Daughters of the Utah Pioneers convinced City and State officials that the building should be restored as a museum. Accordingly, the City deeded the State House to the State in 1927, on the condition that the State would repair and maintain it.

This was done, and July 24, 1930, Governor George H. Dern dedicated it as a museum, and improvements continued during the 1930's and 1940's, and by 1957 the newly created State Park and Recreation Commission took charge of the building with the Daughters of the Utah Pioneers continuing the supervision and maintenance of the relics within. By the 1960's further remodeling made the museum more attractive to tourists, but publicity for the old capitol was not adequate, because
not enough were aware of its existence. Plans for the future included better publicity for the building, and further improvements in order to offer more to those who come to see the old State House and its treasures within.

From the preceding it is possible to draw the following conclusions:

1. From the beginning Brigham Young's dream of a capitol in Fillmore was doomed to failure because misunderstandings between Mormon officials in Utah and Federal officials in the Territory and Washington D.C. caused suspicions that prevented further finances beyond the original $20,000.00 from coming to Utah for the completion of the Territorial Capitol.

2. Even if Federal finances had enabled Mormon officials to complete Truman O. Angell's original four wing plan, it is doubtful that the capital would have remained there because:
   a. Brigham Young had been replaced as Governor in 1858, and Alfred Cumming and his successors certainly would not have been content to have the seat of government 150 miles from Church headquarters in Salt Lake City if they hoped to "govern" the Territory.
   b. By 1868, the Territory of Utah was only half as large as it was when Fillmore was designated the geographic center of a larger Territory in 1851, and even before 1858 it was admitted that Salt Lake City was the natural center of population along the Wasatch Front.
   c. In 1856 and 1858 it was admitted that suitable accommodations were not available in Fillmore for Territorial officials.
3. After the Legislature and Territorial officials abandoned the capitol in Fillmore for the last time in 1858, it was only natural that the building would serve the community in various ways, because it was one of the few public buildings in Fillmore during the 1860's and 1870's.

4. When Utah achieved statehood in 1896, it was apparent that the Federal Government would have no further use for the Territorial Capitol building in Fillmore; therefore, it was turned over to Fillmore City.

5. By the turn of the century, Fillmore had experienced enough growth that its citizens enjoyed new city, county and church buildings which in turn focused attention away from the old capitol building, and it gradually fell into disuse and decay.

6. The restoration of the Territorial Capitol as a museum and Utah's first State Park was accomplished through incentive provided by the Daughters of the Utah Pioneers, work provided by Fillmore citizens, and finances provided by the State of Utah.

7. The monetary value of the Territorial Capitol at Fillmore is somewhat clouded, because the assessed evaluation of the building was placed at $32,000.00 by Brigham Young in 1855, $35,000.00 by George A. Smith in 1855, and over $50,000.00 in 1863 according to a report in the "Fillmore File" in the Church Historian's Office at Salt Lake City. To further complicate the financial picture, a paper in the files of the Museum at Fillmore indicated that the South Wing was completed at a cost of $26,777.53. Until further light is shed on the subject, it will have to be assumed that the capitol at Fillmore cost somewhere between $26,777.53.
and $50,000.00 for the Territory to build. In 1969 the total assessed evaluation placed on the building, relics and grounds by the State Park and Recreation Commission was $240,454.00; therefore, the building had grown significantly in value between 1851 and 1969 even though it was not serving the State of Utah as a capitol.

Perhaps the preceding conclusions will permit the author to pay tribute to the old Territorial Capitol by stating that the publicity for the 1970's and the future should include the beautiful rose gardens surrounding the building, and certainly the relics collected by the D.U.P. within the building, but most importantly the building itself. What a marvelous story it has to tell of the past, and the story needs telling, because the old State House in Fillmore stands today as a monument to Brigham Young's dream of a vast intermountain territory that was never realized, to Truman O. Angell's concept of a capitol that was never fully realized in wood and stone, to the efforts of John M. Bemhisel, Anson Call, William Felshaw, George Woodward and countless others who tried to make a dream come true, and to the Utah State officials, Fillmore Citizens, and Daughters of the Utah Pioneers who made a dream come true, and preserved it as a museum for posterity. This, then, is the legacy of the lone South Wing.
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APPENDIX A

A PARTIAL LIST OF WORKMEN WHO WORKED ON
THE STATE HOUSE IN 1852 AND 1854

Anson Call’s journal stated that twelve men were appointed by
Brigham Young April 10, 1852, to build a State House at Fillmore. The
following were involved:

1. William Felshaw (Foreman)
2. Hirum Mace
3. Lorenzo D. Rudd
4. Andrew Henry
5. Eight others (Call’s journal did not list their names.)

The following men came to Fillmore September 20, 21, and 22, 1854,
to lay up the walls of the State House:

Masons
1. George Woodward (Foreman)
2. William Lewis
3. H.L. Christiansen
4. James Kippen
5. Isaac Hunter
6. Edward Bain

Stone Cutters
1. Robert Wardrobe
2. John Harper
3. J.P. Cowling
4. Thomas James
5. Laurrel Bell

Laborers
1. John Borra
2. William H. Weylett
3. John Harris
4. Glen Thompson
5. Hans Larson
6. Mr. Taylor
7. Thomas Woodison
8. James Cowan
9. Isaac Low
10. John Callister
11. Roy Jones
12. George Clayton

Anson Call, who was in charge of the settlement, supplied team-
sters and other helpers from the ranks of the citizens of Fillmore.
APPENDIX B

Senate Bill No. 132
(Passed March 10, 1927. Approved March 15, 1927. In effect May 10, 1927.)

ACCEPTING TITLE TO "OLD STATE HOUSE" FROM
FILLMORE CITY.

An Act accepting from Fillmore City the title to the tract of land on which the "Old State House" stands and placing the same in the custody of the State Board of Park Commissioners.

Whereas Fillmore City has tendered to the State of Utah the title to the tract of land on which the "First Capitol Building of Utah" is located which tract is described as follows:

Beginning 197 ft. north and 269 ft. west of the southeast corner of block 58, Fillmore City Survey, thence north 143 ft., thence west 117 ft., thence south 143 ft., thence east 117 ft. to place of beginning.

Upon condition that the State will make the necessary repairs on the said building to put the same in good condition and will maintain the said building perpetually as one of the State's relics, to be used as a museum and for such other purposes as the State may determine. NOW THEREFORE:

Be it enacted by the Legislature of the State of Utah:

SECTION 1. The State accepts the conveyance of the title to the said tract of land upon the conditions herein imposed.

SECTION 2. The said property is hereby placed in the custody of the State Board of Park Commissioners for care and maintenance.

SECTION 3. Provided further that Fillmore City shall provide a perpetual right of way for the purposes of ingress and egress to and from the aforesaid property.

Approved March 15, 1927.
APPENDIX C

AGREEMENT

THIS AGREEMENT made the Tenth day of June, A. D. Nineteen Hundred Thirty, by and between EAST MILLARD CAMP (Company) of the DAUGHTERS OF THE UTAH PIONEERS of Fillmore City, Millard County, State of Utah, hereinafter called the Party of the First Part, and the UTAH STATE BOARD OF PARK COMMISSIONERS of Salt Lake City, and County, State of Utah, hereinafter called the Party of the Second Part, for the improvement of grounds at "Old State House," Fillmore, Utah.

WITNESSETH: That the Party of the First Part and the Party of the Second Part, for and in consideration of the Agreements hereinafter named, agree as follows:

ARTICLE 1. The Party of the First Part agrees to provide all labor and material required to completely provide in place all walks shown on Ground Plan; completely grade the lot recently deeded to the State of Utah; suitable resurface the lot areas with new and suitable soil and plant to grass; construct two rainwater conductor pipes making same tight; and cap the basement entrance abutments with suitable stone slabs; all in conformity with the Plans and Instructions prepared by Young & Hansen, Architects, except that walks may be constructed of gravel filling 4 inches (4") deep confined between \( \frac{3}{8}" \times 3" \) redwood side strips held firmly with 1" x 2" redwood stakes driven into the ground.

ARTICLE 2. The Party of the Second Part agrees to pay to the Party of the First Part upon completion of the aforesaid work, in current funds, the sum of - Five Hundred and No/100 ($500.00) Dollars.
ARTICLE 3. The Parties hereto agree that the said Plan and Instructions are as fully a part of this agreement as if hereto attached or herein repeated and that identification of them by the Architect shall be binding on both parties.

The Party of the First Part and the Party of the Second Part for themselves, their heirs, successors, executors, administrators, and assigns, hereby agree that they will in all ways be bound by the documents forming the Contract, and that they will abide by and will promptly and fully carry out all decisions given thereunder, and that they will fully perform all of the covenants and agreements therein contained, IN WITNESS WHEREOF they have set their hands and seals the day and year first above written.

IN PRESENCE OF:
Prudence C. Robison
Geo. C. Sutherland

(Nellie M. Huntsman)  (Geo. H. Dern)
For the Party of the First Part
For the Party of the Second Part

(Signed in Duplicate)
APPENDIX D

--- RESOLUTION ---

Mrs. Nellie M. Huntsman --- Old Capitol State Park

WHEREAS, conforming to the State Personnel regulation for the retirement of state personnel, resulting in the retirement of Mrs. Nellie M. Huntsman from the Old Capitol State Park in Fillmore, Utah;

AND WHEREAS Mrs. Huntsman was one of the original people who worked to bring about the acquisition, restoration and furnishing of the Old Capitol Museum, with Governor Dern, in the early thirties, and since has served in various capacities which include President of the Daughters of Utah Pioneers, Millard County Chapter; and serving as receptionist in the Old Capitol State Park, where she has had the opportunity to tell many thousands of visitors the story which this building and exhibits portray. In addition to the very fine work which Mrs. Huntsman has carried out at the Old State Capitol, she has been very instrumental in acquiring annually all-American roses for a test garden which so beautifully enhances the Old Capitol grounds. The many extra hours, long days and extra efforts that you have put into improving the Old Capitol displays, its operation and maintenance, were far beyond the call of duty or what you were being paid for. Your main reimbursement was satisfaction in the giving of service and yourself to the public. The way you and your co-worker, Mrs. Loa Hanson, accepted the extra obligation during the building renovation, was tremendous. Your dedication was matchless. Words cannot amply express deserving appreciation. You are leaving a beautiful spectacle - not only in preserving but making of history. The Commission is most deeply indebted to you, Mrs. Huntsman, in your efforts in providing Fillmore's most outstanding tourist attraction.

NOW THEREFORE, The State Park and Recreation Commission desires to express to you, Mrs. Huntsman, its heartfelt thanks and appreciation for your service through the years in acquiring, furnishing, and operating the Old Capitol State Park, and the Commission also desires to extend to you an invitation to return often and renew memories that are so dear to you. The people of this generation and future generations will appreciate your work which was so outstanding.

May your future years be filled with good health, enjoyment and satisfaction.

Sincerely,

UTAH STATE PARK COMMISSION

Harold P. Fabian, Chairman
Aldin O. Hayward, Director
Dwight C. Freeman, Asst. Director

Commissioners: Arthur F. Bruhn,

Harold J. Tippets,

James D. Moyle

John Levering