

Imprisonment, Defiance, and Division: A History of Mormon Fundamentalism in the 1940s and 1950s

Ken Driggs

THE MODERN FUNDAMENTALIST MORMON community consists of a number of groups and many independent family clusters. The two largest are the Fundamentalist Church of Jesus Christ of Latter-day Saints (FLDS) centered in Colorado City, Arizona, and Hildale, Utah,¹ and the Apostolic United Brethren (AUB), headquartered in Bluffdale, Utah, and pres-

KEN DRIGGS, a criminal defense lawyer in Atlanta, has written extensively about Mormon and legal history topics, including several articles about Fundamentalist Mormons. He is the author of *Evil Among Us: The Texas Mormon Missionary Murders* (Salt Lake City: Signature Books, 2000). He thanks Marianne Thompson Watson for her assistance over the past several years and specifically with this article. He adds: "I have spent considerable time in both the Fundamentalist LDS and Apostolic United Brethren communities since January 1988. I studied parental rights of Utah polygamous parents in the 1950s for my graduate work: 'There Must Be No Compromise with Evil: A History and Analysis of the Utah Supreme Court's 1955 Decision in *In Re Black*' (LL.M. thesis, University of Wisconsin, 1991). I am acquainted with virtually all of the leadership of both groups, count many as good friends, and have been favored with lengthy interviews with many."

1. Studies of this group include Ken Driggs, "One Hundred Years after the Manifesto: Polygamy in Southern Utah Today," *Dialogue: A Journal of Mormon Thought* 24 (Winter 1991): 44-58; Ken Driggs, "Who Shall Raise the Children? Vera Black and the Rights of Polygamous Utah Parents," *Utah Historical Quarterly* 60 (Winter 1992): 27-46; Ken Driggs, "This Will Someday Be the Head and Not

ently presided over by Owen Allred. These groups have their roots in a bitter split in the early 1950s.² The circumstances of that split tell us a great deal about the organizational personalities and leadership style of the groups today. There are now sometimes sympathies and marital ties but no formal connections between the two groups.

Almost from the time of Wilford Woodruff's 1890 Manifesto³ withholding official recognition for new plural marriages in the LDS Church, dissenters opposed this and other measures aimed at bringing Mormons into the larger social mainstream, including monogamous marriage, a separation between church and state, and an economy characterized by capitalist rather than cooperative practices.⁴ One graduate student aptly described Fundamentalism as "protests to adaptation."⁵ For a generation, these dissenters included high-ranking Church leaders and apostles, among them President Woodruff's son, Apostle Abraham O. Woodruff, and at times

the Tail of the Church': A History of the Mormon Fundamentalists at Short Creek," *Journal of Church and State* 43 (Winter 2001): 49-80; Marianne T. Watson, "Short Creek: 'A Refuge for the Saints,'" *Dialogue: A Journal of Mormon Thought* 36 (Spring 2003): 71-87; Martha Sonntag Bradley, *Kidnapped from That Land: The Government Raids on the Short Creek Polygamists* (Salt Lake City: University of Utah Press, 1993).

2. See David Clifton, "Utah Polygamists Sealed to Life of Hiding and Sharing—Homes, Wives, Attention," *Salt Lake Tribune*, February 23, 1992, A1. The AUB organization was not an attempt at creating a church separate from the LDS Church. The AUB was created in order to collect tithes and donations, to deal with government regulations, and to hold title to community-owned properties. While the "big church" will certainly disagree, AUB community members view themselves as a special priesthood organization within the LDS Church with the specific mission of continuing the practice of plural marriage and other now-discarded doctrines taught by Joseph Smith and Brigham Young.

3. The Manifesto is a policy statement released to the press by Woodruff on September 24, 1890, and adopted by the October general conference of the LDS Church on October 6, 1890. Today it is published in the Doctrine and Covenants as "Official Declaration-1."

4. The best work on this transition is Thomas Alexander, *Mormonism in Transition: A History of the Latter-day Saints, 1890-1930* (Chicago: University of Illinois Press, 1986).

5. Marshall Day, "A Study of Protests to Adaptation" (M.A. thesis, University of Utah, 1963).

Woodruff's successors.⁶ Between Church President Joseph F. Smith's issuance of the "Second Manifesto" in 1904 and his death in November 1918, such marriages dwindled significantly.⁷ Apostle Heber J. Grant, succeeded Smith as Church president in 1918; by that time, only one of his four wives was still living, and he began a determined campaign to separate the Church from polygamy and to purge traditionalists.

Grant's efforts succeeded both in simultaneously driving these "old-fashioned" Mormons out of the Church and motivating them to organize parallel religious communities of their own. These organizational efforts, understandably, coalesced around those with the strongest authority claims to continue the practice of polygamy. Fundamentalist Mormons believe that on the night of September 26-27, 1887, Church President John Taylor was hiding from federal marshals in the John W. Woolley home in Centerville, Utah Territory. After a delegation of Church officials visited him, urging that the Church give up plural marriage, Taylor took the matter to the Lord. During the night, he received a lengthy visitation from Jesus Christ and Joseph Smith instructing him not to yield to either the federal or internal pressure. He told the Woolleys and others of his vision the following day in a long meeting, during which he set apart several individuals (including John Woolley and his son, Lorin C.) with the charge to perpetuate plural marriage no matter what position the Church might later take.⁸

John W. Woolley, born December 30, 1831, in Chester County, Pennsylvania, had been patriarch in Davis Stake, a stake high councilor,

6. D. Michael Quinn, "LDS Church Authority and New Plural Marriages, 1890-1904," *Dialogue: A Journal of Mormon Thought* 18 (Spring 1985): 9-105; B. Carmon Hardy, *Solemn Covenant: The Mormon Polygamous Passage* (Urbana: University of Illinois Press, 1992).

7. "Official Statement by President Joseph F. Smith," *Improvement Era* 7 (May 1904): 545. Reprinted in James R. Clark, ed., *Messages of the First Presidency of the Church of Jesus Christ of Latter-day Saints, 1833-1964*, 6 vols. (Salt Lake City: Bookcraft, 1965-75), 4:84-85.

8. Fundamentalist literature refers frequently to this revelation. See, for example, "Revelation of President John Taylor, Given at the Home of John W. Woolley, Centerville, Utah, September 26-27, 1886," *Truth*, February 1942, 206; "A Vital Testimony," *Truth*, July 1942, 43; Mark J. Baird and Rhea Baird, *Reminiscences of John C. Woolley and Lorin C. Woolley*, 4 vols., reproduced typescript, n.p., n.d. This source, though valuable because it consists mainly of transcripts of interviews, is difficult to use since both Woolleys appear in all four

and a Salt Lake Temple officiator before the Quorum of the Twelve excommunicated him in April 1914 "for insubordination to the discipline and government of the church"—meaning, for performing plural marriages. He died December 13, 1928, in his Centerville home at age ninety-seven.⁹ A 1933 article in a national news magazine evaluated his role. Mormon polygamy had almost become extinct, it explained, but "a schismatic cult sprang up around the person of an aged patriarch. He claimed to have had authority from Jehovah, and a considerable group of fanatics believed him."¹⁰

Within months, seventy-three-year-old Lorin C. Woolley reported that his father had appeared to him in a vision and instructed him to call a "Priesthood Council of High Priest Apostles." His father named the individuals who should be called: J. Leslie Broadbent, John Y. Barlow, Joseph W. Musser, Charles Zitting, LeGrand Woolley, and Louis Alma Kelsch.¹¹ Fundamentalists believed that this council embodied and perpetuated the priesthood authority to perform sealing marriages bestowed by John Taylor during the time when the Church would not. When Lorin Woolley died in 1934, the council's leadership fell to J. Leslie Broadbent, who died only a year later at age forty-three.¹²

He was succeeded by John Y. Barlow, a vigorous sixty-year-old who had been called to the Priesthood Council at age fifty-four as "Second El-

volumes, each volume has a section under the name of the individual treated, and each section begins at p. 1. Some sections are not paginated. See also Richard S. Van Wagoner, *Mormon Polygamy: A History* (Salt Lake City: Signature Books, 1986), 191.

9. "Excommunication of John W. Woolley," *Semi-Weekly Deseret News*, April 3, 1914, 4; Preston W. Parkinson, *The Utah Woolley Family* (Salt Lake City: Privately published, 1967), 196–99; Baird and Baird, *Reminiscences of John W. Woolley and Lorin C. Woolley*.

10. Louis W. Larsen, "Mormon Polygamy: The Last Phase," *American Mercury*, July 1933, 286.

11. Lorin C. Woolley, born on October 23, 1856, served two missions in Indian Territory for the LDS Church (1887–89, 1896–97), and died on September 18, 1934. Parkinson, *The Utah Woolley Family*, 313–14; Baird and Baird, *Reminiscences of John W. Woolley and Lorin C. Woolley*. Although this Priesthood Council began with seven members, at various points it has had both more and fewer members. Documenting its precise membership over time lies outside the scope of this article.

12. Broadbent was born in Lehi, Utah, on June 3, 1891, was excommuni-

der" by Lorin C. Woolley on March 29, 1929.¹³ Barlow, born August 4, 1874, was a son of Israel Barlow Jr., who was himself excommunicated for post-Manifesto polygamous marriages. Barlow served two missions for the Church, the first as a young man to the Northern States Mission (August 1895–November 1897) and the second when he was a forty-four-year-old married man living in Weber County to the Northwestern States Mission (April 1918–February 1919). During this mission, authorities learned that he had married a plural wife in the Darlington Branch, Lost River Stake, Idaho. They released and later excommunicated him. He provided leadership to the solidifying group of Fundamentalists for fourteen years.¹⁴

Under Barlow's direction, the Priesthood Council began publishing a monthly religious magazine, *Truth*, in 1935.¹⁵ During most of its twenty-one-year publishing history, its editor was Joseph White Musser, one of the original Priesthood Council members.¹⁶ In 1942, the council reorganized as a trust which was incorporated as the United Effort Plan

cated on July 18, 1929, and died on March 15, 1935. "Joseph Leslie Broadbent," *Deseret News*, March 16, 1935, 7. There had been no changes on the council before his death.

13. "President John Yates Barlow," *Truth*, February 1950, 229–33; "John Yates Barlow," *Deseret News*, December 30, 1949, B–5.

14. "Aged Patriarch [Israel Barlow Jr.] of L.D.S. Church Is Excommunicated," *Salt Lake Tribune*, May 18, 1921, 24; Manuscript History of the Northwestern States Mission, February 6, 1919, Archives, Family and Church History Department, Church of Jesus Christ of Latter-day Saints, Salt Lake City (hereafter LDS Church Archives); Missionary Record Index, LDS Archives, CR 301 43. He died on December 29, 1949. Ora H. Barlow, *The Israel Barlow Story and Mormon Mores* (Salt Lake City: Israel Barlow Family Association, 1968), 565.

15. *Truth* published monthly from June 1935 until May 1956. Note also "Cult Magazine Is Denounced," *Arizona Republic*, March 15, 1944, 5.

16. Joseph W. Musser was born in Salt Lake City on March 8, 1872, to Amos Milton Musser and his plural wife, Mary Elizabeth White Musser. At twenty, he married his first wife, Rose Borquist, in the Logan Temple and served in the Southern States Mission (April 1895–July 1897). Missionary Record Index. The notice of his excommunication was published in the *Deseret News* March 23, 1921. He died in Salt Lake City on March 29, 1954. His obituary lists four wives: Rose Selms Borquist (married in 1892), Mary Caroline Hill (married in 1901), Ellis Shipp, and Lucy Kmetzsch, twenty-one children, seventy grandchil-

(UEP).¹⁷ This community was located chiefly at Short Creek, a remote settlement straddling the Utah-Arizona border about fifty miles southeast of St. George, Utah.¹⁸ Life was always a struggle in Short Creek. Residents attempted dry farming and ranching, worked what was called the Barlow-Johnson ranch near Cedar City, maintained a small saw mill, took advantage of the WPA and other New Deal relief opportunities, and were subsidized by Fundamentalists elsewhere.

Mormon Fundamentalism is not a monolithic group any more than the larger Jewish, Christian, or Islamic communities are homogeneous.¹⁹ Since the 1930s, many Fundamentalist Mormons have termed themselves "people involved with 'the Work,'" which I take to be the work of continuing plural marriage. Other related groups of present note include:

1. Centennial Park. This community was settled by breakaway members from Short Creek in the mid-1980s. It is called the "Second Ward" by some, although I am told they do not appreciate the term. It is located in Utah near Colorado City/Hildale.²⁰

2. The Kingston family. This Davis County Cooperative group was founded by Charles W. Kingston in 1943 and is still dominated by his

dren, and thirty-five great-grandchildren. "Saint Joseph White Musser: In Memoriam," *Truth*, 20 (June 1954): 1-48.

17. "Declaration of Trust," November 9, 1942, Mohave County Courthouse, Kingman, Arizona. The original board of trustees included John Y. Barlow, Joseph W. Musser, Leroy S. Johnson, J. Marion Hammon, and Rulon T. Jeffs.

18. In the 1960s, Short Creek formally renamed itself. The portion of the town on the Arizona side of the line became Colorado City, while that on the Utah side became Hildale.

19. For an attempt to catalog the various religious communities who trace their roots to Joseph Smith Jr., see Steven L. Shields, *Divergent Paths of the Restoration*, 3rd ed. (Bountiful, Utah: Restoration Research, 1982). For another listing of Fundamentalist Mormon groups, see Brooke Adams, Pamela Manson, Hilary Groutage Smith, and Peggy Fletcher Stack, "Living the Principle: Polygamy on the Border," *Salt Lake Tribune*, March 14, 2004. This is a special section (G) containing several different articles and charts.

20. Nancy Perkins, "Plural Wives Defend Lifestyle," *Deseret News*, August 23, 2003, B-1; Pamela Manson, "Views on Polygamy Clash at Summit," *Salt Lake*

family. Members of the Kingston family have recently been convicted of incest with teenage wives amid allegations of forced marriages and child abuse. Some of their successful business ventures have also become controversial.²¹

3. LeBarons. This tiny, sometimes lethal, and nearly extinct church, called the Lambs of God, was built around the LeBaron family in Mexico.²² This group has steadily disintegrated since the death of its leader, Ervil LeBaron, in a Utah prison in 1981.²³

Tribune, August 23, 2003, A-1; Hilary Groutage Smith, "Centennial Park: Sharing the Wealth," *Salt Lake Tribune*, March 14, 2004, G-6.

21. Dawn House, Michael Vigh, and Hilary Groutage, "Running Away from Polygamy," *Salt Lake Tribune*, July 19, 1998, B-1, B-5, B-6; Ray Rivera, "Utah Attorneys Key Figures in Polygamist Kingston Clan," *Salt Lake Tribune*, July 19, 1998, B-4; "The West: Secrets in the Desert," *Newsweek*, August 10, 1998, 37; Julie Cart, "Tales of Abuse, Incest Frame 'Utah's Dirty Little Secret,'" *Los Angeles Times*, August 15, 1998, A-1, A-24; Dawn House and Ray Rivera, "Paper Fortress Guards Kingston Clan Fortune," *Salt Lake Tribune*, August 16, 1998, A-1, A-4; Greg Burton, "Kingston Journey: Insiders to Outcasts," *Salt Lake Tribune*, August 16, 1998, A-1, A-4; James Brooke, "Utah Struggles with a Revival of Polygamy," *New York Times*, August 23, 1998, 12; Ray Rivera and Greg Burton, "When Incest Becomes a Religious Tenet," *Salt Lake Tribune*, April 15, 1999, A-1, A-16, A-17; Julie Cart, "Incest Trial Sheds Light on Polygamy in Utah," *Los Angeles Times*, June 4, 1999, A-14; Stephen Hunt, "Polygamist David Kingston Seeks Parole, Vows No More Illicit Sex," *Salt Lake Tribune*, August 7, 2002, B-1, B-3; Michael Janofsky, "Young Brides Stir New Outcry on Utah Polygamy," *New York Times*, February 28, 2003, A-1, A-21; Brooke Adams, "Abuse Probe Lands Kingston in Court," *Salt Lake Tribune*, May 21, 2004, C-1, C-6; Brooke Adams, "Kingston Stumbles Recalling His Kids," *Salt Lake Tribune*, May 22, 2004, A-1, A-5; Linda Thompson, "Despite Charge I Bear No Ill Will for Ex, Kingston Says," *Deseret Morning News*, August 22, 2003, B-6.

22. Lyle O. Wright, "Origins and Development of the Church of the Firstborn of the Fulness of Times" (M.A. thesis, Brigham Young University, 1963); Ben Bradlee Jr. and Dale Van Atta, *Prophet of Blood: The Untold Story of Ervil LeBaron and the Lambs of God* (New York: G. P. Putnam's Sons, 1981); Scott Anderson, *The 4 O'Clock Murders* (New York: Doubleday, 1993).

23. Vaughn Roche, "Ervil LeBaron Found Dead in Prison Cell," August 17, 1981, *Salt Lake Tribune*, B-1; Con Psarras, "Tests Indicate LeBaron Likely Died of Seizure," *ibid.*, August 18, 1981, B-1; "A Hand from the Grave: The Po-

4. The Aaronic Order in the Nevada desert.²⁴

5. "Independents." Independents do not affiliate with any of the groups but exist in significant numbers among the descendants of the Ianthus W. Barlow, Louis Kelsch,²⁵ Arnold N. Boss, and Morris Kunz families, and in small family units such as those of Fred Collier and the late Ogden Kraut, owner of Pioneer Press.²⁶ Some independents are less representative in their conduct but more likely to show up in the media. These more conspicuous individuals include the late Alex Joseph and John Singer, and the recently convicted Tom Green.²⁷

I have also observed conservative Mormons with one foot in the LDS Church and the other in the Fundamentalist world. Among other

lygamy Murders," *Newsweek*, December 21, 1987, 45; Vince Horiuchi, "Authorities Hope Convictions End LeBaron Saga," *Salt Lake Tribune*, January 24, 1993, B-1.

24. Hans A. Baer, *Recreating Utopia in the Desert: A Sectarian Challenge to Modern Mormonism* (Albany: State University of New York Press, 1988).

25. Kelsch, born December 2, 1905, was called to serve in the Northern States Mission from Granite Stake (Salt Lake City), April 1924–April 1926. Missionary Record Index. He was excommunicated on November 21, 1934. Barbara Owen Kelsch, *Louis Alma Kelsch, 1905–1974*, mimeographed reproduction (N.p., n.d.).

26. Peggy Fletcher Stack, "Polygamist Patriarch Ogden Kraut Dies," *Salt Lake Tribune*, July 19, 2002, D-2.

27. On Joseph, see: Paul Rolly and Dawn House, "Joseph Rites: A Celebration of the Rebel," *Salt Lake Tribune*, October 4, 1998, B-1; Dirk Johnson, "Polygamists Emerge from Secrecy, Seeking Not Just Peace but Respect," *New York Times*, April 9, 1991, A-8. On Singer, see David Fleisher and David M. Freedman, *Death of an American: The Killing of John Singer* (New York: Continuum, 1983). On Green, see Greg Burton, "Church Records Sought for Polygamist Rape Trial," *Salt Lake Tribune*, September 7, 2000, B-2; C. G. Wallace, "Polygamist Gets 5 Years in Prison," *Atlanta Journal-Constitution*, August 25, 2001, A-8; Pauline Arrillaga, "Polygamy's Poster Family," *Salt Lake Tribune*, November 26, 2000, F-1; Stephen Hunt, "Polygamist Says He's Changed," *Salt Lake Tribune*, August 13, 2004, B-1; Jennifer Dobner, "Green Is Sorry over 'Victims,'" *Deseret Morning News*, August 13, 2004, B-1; "Polygamist Tom Green Repents," [*Provo, Utah*] *Daily Herald*, August 14, 2004, D-3; Michael Vigh and Kevin Cantera, "A Family Determined," *Salt Lake Tribune*, May 13, 2001, B-1, B-4, B-6; Patrick O'Driscoll, "Utah Steps Up Prosecution of Polygamists," *USA Today*, May 14, 2001, A-5; Michael Vigh, Stephen Hunt, and Kevin Cantera, "Polygamy Offen-

characteristics, the various groups have different attitudes toward the source of priesthood authority, the centrality of plural marriage, United Order style communalism, Mormon sacred ordinances and religious garments, and other doctrinal matters.

John Y. Barlow presided over about 2,500 followers in the mid-1940s.²⁸ By that point the group was sufficiently irritating to President Grant and the larger Mormon community that the Church cooperated in a multi-state raid conducted by state and federal authorities in March 1944 with the goal of wiping out fundamentalism.²⁹

Newspaper accounts report that forty-six adults were charged in the 1944 raid with the state crimes of unlawful cohabitation and conspiracy to promote unlawful cohabitation. One plural wife was charged with witness tampering during the fall 1944 state trials. Some were charged with federal crimes of mailing obscene materials (*Truth* magazine), with kidnapping, and with violations of the Mann Act (the interstate transportation of women for immoral purposes). Fifteen were sentenced to state prison time and nine more to federal prison time. Two, Charles Zitting and David Darger, received both federal and state sentences. Musser recorded in his diary that those convicted under the fed-

sive Not Likely," *Salt Lake Tribune*, May 20, 2001, A-1, A-14; Bob Mims, "Green Conviction Makes Polygamous Clans Wary," *Salt Lake Tribune*, May 20, 2001, B-1, B-2; Geoffrey Fattah, "Polygamy Legal Battle May Begin to Heat Up," *Deseret News*, May 20, 2001, B-1, B-3; Michael Vigh and Kevin Cantera, "Polygamy Trial Gives World Titillating Look at Utah," *Salt Lake Tribune*, May 21, 2001, A-1, A-10.

28. "Fundamentalist Polygamists," *Newsweek*, March 20, 1944, 86.

29. "50 Taken in Raids to End Polygamy," *New York Times*, March 8, 1944, 21; "Forty-Six Seized in Three-State Polygamy Drive," *Salt Lake Tribune*, March 8, 1944, 1; "Fundamentalists," *Time*, March 20, 1944, 55; "Forty-Six Seized in Three-State Polygamy Drive," *Salt Lake Tribune*, March 8, 1944, 1, 2-3; "Fundamentalists," *Time*, March 20, 1944, 55; "Fundamentalist Polygamists," *Newsweek*, March 20, 1944, 86. For events leading up to these prosecutions, see Marianne T. Watson, "The Fred E. Curtis Papers: L.D.S. Church Surveillance of Fundamentalist Mormons, 1937 to 1954," paper delivered at the Sunstone Symposium, Salt Lake City, August 10, 2001. Photocopy in my possession, courtesy of Marianne Watson.

eral Mann Act were taken into custody on March 10, 1947, and served their sentences at Tucson, Arizona.³⁰

Imprisonment

On May 15, 1945, Utah Judge J. Allen Crockett denied the defense's petition for habeas corpus and ordered fifteen Fundamentalist men to begin serving five-year prison sentences. Among them was fifty-three-year-old Joseph Lyman Jessop, who kept a diary throughout his sentence.³¹ On the first day, he wrote:

Amid good-byes of sadness to some few of our folks in the court room, we were guarded back to the jail and hurriedly picked up a few belongings, and in 5 cars carried to the State Penitentiary at 1400 East 21st South Street, Salt Lake City. Rulon Allred, Alma Timpson, and I were driven by deputy Elmer Savage (a man whom I have known since 1923).

At the State pen, we were guarded inside the main gates. Our grips were taken from us. Warden John E. Harris introduced himself to us and seemed friendly, as also did Bey Smart, captain of the guard. We were given instructions as to prison rules and regulations and escorted to the mess hall, where supper (of boiled eggs, mashed potatoes, bread, and milk) was served us, although it was past supper-time. We were taken to the 3rd story in the south tier of cells of the north cell house. We were told that we would be under quarentine [sic] for 10 days, during which time we would not be allowed to see any visitors, and we would be locked in our individual cells except for a short time each day when we may walk in the runway immediately in front of our cells. Just inside the walls near the front gates, we were photographed by Deseret News and Tribune representatives.³²

These fifteen men were, in addition to Jessop, Rulon C. Allred (age thirty-nine), Albert E. Barlow (forty-one), Edmund F. Barlow (sixty-five), Ianthius W. Barlow (sixty-two), John Y. Barlow (seventy-one), Arnold Boss (fifty-one), Oswald Brainich (fifty-five), Heber K. Cleveland

30. Ivan Neilsen, ed., *Autobiography of Saint Joseph White Musser: A Brief Sketch of the Life, Labors and Faith of Saint Joseph White Musser* (N.p.: n.d.), January 20 and March 10, 1947, 305-6; "Nine Cultists Given Terms," *Arizona Republic*, June 8, 1944, 4.

31. Jessop, born February 10, 1892, Millville, Utah, served in the Central States Mission (1910-11), and died on February 11, 1963, in Murray, Utah. Missionary Index; *Diary of Joseph Lyman Jessop*, 3 vols. (N.p.: Jessop Family, ca. 1990s), Vol. 1: November 12, 1910, to April 12, 1928; Vol. 2: January 1, 1934, to April 21, 1945; Vol. 3: May 15, 1945, to April 4, 1954.

32. Jessop, *Diary*, Vol. 3: May 15, 1945.

(forty-three), David B. Darger (forty-two), Louis A. Kelsch (thirty-nine), Morris Q. Kunz (forty), Joseph W. Musser (seventy-three), Alma Timpson (forty), and Charles F. Zitting (fifty-one).³³ Jessop singled out Allred's behavior on that first day for special commendation: "My dear Brother Rulon is so considerate of me and offers every word and act he can for my well-being."³⁴

On May 19 the group borrowed a radio from other inmates so they could listen to the funeral services of Church President Heber J. Grant who had died on May 14.³⁵ *Truth* went out of its way to applaud Grant's accomplishments in a commentary on his life and death, calling him "the right man in the right place at the right time in the history of the Latter-day Church of God, and the Lord gave the people the leadership which the majority asked for and deserved."³⁶

Once the fifteen were incorporated into the general prison population, they peaceably settled into a routine of daily work. "All our bunch except Joseph [Musser] and I do farm work, John [Y. Barlow] a little of it while Joseph and I do carpenter work (mostly at our table at the barn, but at times I do painting of some things we've made, or inside the shops and at the homes of the guards east of the prison wall" With some apparent satisfaction, Jessop recorded a remark overheard from a guard that his group "beat anything I have ever seen. They do their work well and never gripe about it."³⁷

Indignantly, Jessop recorded in early July that the warden told Musser privately that "only our legal wives can visit with us because somebody said something against others coming." Ironically, Utah's governor had designated that week "religious freedom week." The prisoners were al-

33. Zitting was born March 30, 1894, in Harrisville, Utah. He had been called to the Fundamentalist Priesthood Council with LeGrand Woolley on July 22, 1932, and died July 14, 1954, at age sixty. John Y., Ianthius, and Edmund Barlow were brothers. Albert ("Bert") was Ianthius's son.

34. *Ibid.*

35. *Ibid.*, Vol. 3: May 19, 1945.

36. "President Heber J. Grant Passes," *Truth*, June 1945, 17.

37. Jessop, *Diary*, Vol. 3: June 24 and 28, 1945.

lowed four visitors, fifteen minutes each, per week. No one under age twelve was allowed.³⁸

Late in August 1945, the Fundamentalist inmates began to discuss the possibility of signing a pledge promising to abide by the law in exchange for parole. Musser first told the group, "I won't sign any such thing." Upon hearing of the document, Jessop "thot [sic] of the Manifesto," an obvious references to the 1890 Manifesto. A few days later, a prison truck driver brought Jessop a letter from Musser enclosing the document. Jessop's diary does not answer many questions about the document's provenance, its authorship, its standing in the eyes of state authorities, or how the prisoners communicated with each other. It announced that those who signed it recognized "the futility of disobeying the laws of the land even in the practice of a religious belief" and that the prisoners "pledge themselves to refrain from engaging in or from solemnizing plural marriages from and after this date." In his letter, Musser wrote that they were still hoping for relief from the Utah Supreme Court and would not have to sign the pledge to gain release. Jessop showed the letter and enclosure to Bert Barlow and afterwards they "prayed to-gether and feel impressed against the document entirely." In the following days "we thot deeply upon the proposed Declaration of Policy."³⁹

Jessop then wrote Musser objecting to the document because it seemed to acknowledge "there is [an] organization known as Fundamentalists and that we are officers in the same. Such an organization does not exist, so far as I know." Using language often applied to the 1890 Manifesto, Jessop wrote that he thought the pledge was "making a covenant with death and agreement with hell." He felt that "no ammount [sic] of fixing up" would make the pledge acceptable. Jessop wrote that Bert Barlow and Allred shared his views.⁴⁰

A few days later, Musser told Allred and Bert Barlow that he "was very disappointed" in Allred's letter because of their resistance. According to him, "we should make ourselves plastic in the hands of the Priesthood."

38. Jessop, *Diary*, Vol. 3: July 6, 1945; Lorraine A. Bronson, *Winnie*, published typescript (n.p.: AUB, 1989), 167. It is a biography of Winnie Porter (1898-1963), the first of Jessop's four plural wives.

39. Jessop, *Diary*, Vol. 3: August 23, 27, and 30, 1945.

40. Reproduced in *ibid.*, Vol. 3: August 31, 1945. His reference to a "covenant with death" and "agreement with hell" is quoting Isaiah 28:18.

Musser and John Y. Barlow said they were both ready to sign so they could return to their families. That evening, Bert Barlow related the details of the meeting to Jessop, who recorded in his diary: "[It] caused me deep meditation and prayer during most of the night. I don't want to stand against the Priesthood, but do desire to stand with the Priesthood, if I am worthy." He prayed for direction. After a mostly sleepless night, he woke up, hearing on the morning news over the radio that Japan had surrendered.⁴¹

All of the prisoners continued to debate the proposal among themselves and with their visiting family members. Musser drafted alternative language which he presented to the group. "Joseph [Musser] and John [Y. Barlow] argued fervently for the document saying, 'This is the way the Lord has prepared for our way out.'" Barlow also warned, "If we don't sign this they will continue to investigate Short Creek, and if they do it will be far worse for us. This doesn't mean a thing. We are not advocating the practice of it contrary to the law. We are teaching the law of God, and the people can use their own agency." Allred, I. W. Barlow, and his son Bert signed that night. Jessop argued against the document but finally yielded and signed in Musser's presence. Musser told him "God bless you, Lyman. It's alright." In the same diary entry, Jessop recorded his concerns about the seventy-three-year-old Musser's health: "Joseph was much enfeebled in his body since last we saw him. He seemed almost tottery in his walk."⁴² Later, it was reported that Musser had had a stroke in prison, although Jessop seems not to have known this.⁴³

Meanwhile, their attorneys had challenged their convictions in both the state and federal courts, attacking the use of criminal statutes on what they saw as Constitutionally protected religious conduct, the use of conspiracy laws on religious teachings, application of the Mann Act to plural marriage, whether the women had been kidnapped within the meaning of the law, and the fairness of the judicial process as applied to them. By late summer, the prisoners had grown discouraged that the courts would free them. Jessop recorded a late night conversation with Allred and Bert Barlow "over the delayed and stalling action of the courts pertaining to our cases. Somebody is purposely playing for delay

41. *Ibid.*, Vol. 3: September 1, 1945.

42. *Ibid.*, Vol. 3: September 2, 6-8, 24, 1945.

43. Bronson, *Winnie*, 220.

to keep us imprisoned.”⁴⁴ Their hopes for relief drooped even further when the Utah Supreme Court announced an initial decision against them. When Jessop read this announcement in the morning newspaper on September 26, he wrote: “The mental picture of long continual imprisonment looks dark and discouraging.”⁴⁵

Although multiple appeals were pending in both state and federal courts, the Utah court’s decision prompted “continual conversation amongst ourselves” about whether they should have signed the Declaration of Policy in order to gain release. “How I would like to know the will of God to me upon the subject!” Jessop wrote. When he discussed it with a wife during her visit to the prison, she “was in tears.” Over the next four days, Jessop “realized more and more the seriousness of such a declaration as we have signed, so much like the manifesto that I still can’t reconcile myself to it until I get word or impression from the Lord to confirm what has been done.” At the month’s end, Jessop received a letter from Musser stating “the prospects for our early release are good. He admonishes us to be prayerful and patient.”⁴⁶

Almost a month later on October 20, 1945, Jessop was interviewed by a state prison official. He acknowledged that he was in prison for “Unlawful Cohabitation” but, according to the interviewer’s notes, staunchly insisted: “I plead not guilty for the reason that my life conformed to my religious convictions as an L.D.S.” The interviewer added: “This man, as the others incarcerated with him, has earned a very good prison record.

44. Jessop, *Diary*, Vol. 3, August 30, 1945.

45. Jessop, *Diary*, Vol. 3: September 26, 1945. The 1944 raid produced a number of other Utah Supreme Court and federal court decisions, including: *Chatwin v. Terry et al.*, 107 Utah 340, 153 P.2d 941 (1944); *State v. Barlow*, 107 Ut. 292, 153 P.2d 647 (1944); *United States v. Barlow et al.*, 56 F.Supp. 795 (D.Utah 1944), cert. denied, 323 U.S. 805 (1944); *United States v. Cleveland*, 56 F.Supp. 890 (D.Utah 1944); *State v. Musser and Others*, 175 P.2d 724 (1946); *Chatwin v. United States*, 326 U.S. 455 (1946); *Cleveland v. United States*, 329 U.S. 14 (1946); *Musser et al. v. Utah*, 333 U.S. 95 (1948).

46. *Ibid.*, September 27, 28, 30, 1945. Most of their appeals were decided after they were released from prison. They won a couple, but lost most.

He has worked steadily and industriously. His cooperation has been of value to the prison during the period that he has been incarcerated."⁴⁷

With the day of their possible parole approaching, the polygamy prisoners (Arnold Boss, Louis Kelsch, Charles Zitting, Morris Kunz, Ianthius Barlow, Bert Barlow, Dave Darger, Rulon Allred, and Jessop), continued to fret over the implications of signing the pledge. Jessop wrote of an intense dinner discussion among the group. "They said (Morris it was) that that Declaration of Policy was framed in the beginning by our own brethren in jail, and not by Frank Jensen, nor the church leaders, altho these last named assisted in its construction. John Y. Barlow at first signed it, then said the Lord told him not to sign it, then later signed it. Much confidence is lost because of such actions."⁴⁸

Jessop and ten others were paroled on December 15, 1945, after serving seven months of their five-year sentences. The four who refused to sign this "Prison Manifesto" were Kelsch, Boss, Zitting, and Kunz. The day before the release of the paroled eleven, they were photographed for prison records, then allowed to eat in the "front dining room where guards and trustees are served." One of their waiters was Edmund Barlow. On the day of their release, each inmate was given the standard \$10 and set free. Jessop was met by daughters Kathryn and Edith and granddaughter Markay. "It was lovely to see them and the anxious family members of the families of my brethren," he recorded with undisguised relief.⁴⁹

"Choring around" the next day in Salt Lake City, Jessop ran into one of his prison guards. "He treated me courteously." Some members of the group dropped by to give him money. The following week Jessop reported to his parole officer, Keith Wilson. "I told him where I was staying and asked if it would be alright if I assist my family in case of sickness, and he said, 'In case of extreme sickness, you may help them at home.'"⁵⁰

Some of the joy of freedom was tempered by the restrictions imposed on his family relationships. On Christmas Day Jessop wrote, "As a fugitive

47. Joseph Lyman Jessop, #7763, Utah State Prison file, Board of Corrections, Prison Admission Files, Utah State Archives, photocopy courtesy of Jessop family members.

48. Jessop, *Diary*, Vol. 3: December 12, 1945. Frank Jensen is not further identified.

49. *Ibid.*, December 14, 15, 1945.

50. *Ibid.*, December 17, 20, 1945. The exact terms of the parole seem to

being watched at every move, altho given permission to see my family on Christmas yet every move is done very cautiously, I visited with my lovely family for a few hours; but before doing so, I visited with my own dear father Jos. S. Jessop and my brother Richard S. Jessop at Kathryn's home."⁵¹

On November 20, 1947, the Utah Board of Pardons gave the four prisoners who had refused to sign the Prison Manifesto a termination of sentence resulting in their release on December 15, 1947, after serving thirty-one months of their five years. They spent Christmas with their families and were proud that they had gained release "without making any promises other than to support the famil[ies] [they] had." Two wives met Kelsch upon his release. On the way to the family reunion, they stopped and bought a huge bag of candy bars for his many children.⁵²

Zitting never questioned his decision not to sign the agreement. Late in his life, in a handwritten autobiography, he wrote a prayer:

Bless our brethren who signed the manifesto and agreed to give up part of their families in order to get their liberty from jail that you will forgive them and show them the err [sic] of their ways wherein they have displeased you in any way and I ask that this will be a lesson to us all and that it will not be a step backward for the work and thy people here in the world. We do not ask that we shall be vindicated in this life but we do ask that thy work and thy laws shall be vindicated in the land, that our children shall be able to live thy laws and that we will be able to live with our families and bring our children up in the faith without being spied upon, persecuted and cast into jail.⁵³

The Priesthood Split

What Fundamentalist Mormons call the "priesthood split" was probably inevitable following the death of seventy-five-year-old John Y.

have been interpreted differently by different individuals. Jessop apparently understood that he was not to live in the same house with his plural wives, and his diary suggests that he did not.

51. *Ibid.*, January 25, 1869. Joseph Smith Jessop was born on February 10, 1892, in Millville, Utah, and died on September 1, 1953, in Short Creek, Arizona. "Joseph Smith Jessop, 84, Dies in Short Creek; Phoenix Holds Relatives," *Washington County News*, September 3, 1953, 10.

52. Kelsch, *Louis Alma Kelsch, 1905-1974*, 76.

53. Zitting, *Life of Charles F. Zitting*, holograph, July 1994, 435-36.

Barlow on December 29, 1949.⁵⁴ An essay in the movement's magazine *Truth*, then being edited by Joseph Musser's son, Guy, noted that Barlow "was the senior living member of what is known as the Priesthood Council." The group had experienced strong disagreements about their core purpose through the past two decades.

Barlow's personality and leadership style had been much more autocratic than those of his predecessors. Louis Kelsch later recalled that the short-tenured Leslie Broadbent was not even buried before Barlow made it clear his leadership would be different:

The morning Leslie Broadbent died, some of his friends were standing outside Moroni Jessop's home in Salt Lake City. John Y. Barlow, who became senior of the High Priest Apostles upon Leslie's death, was heard to say, "Brethren, from now on things will be run different."

As soon as he was in charge, John began to organize regular meetings for priesthood, Relief Society and general meetings for all who believed in plural marriage.⁵⁵

Barlow may also have connected more easily with a majority of Fundamentalists in the Short Creek area than Musser. He was plain spoken and home spun. He also spent a good deal more time in Short Creek with the growing population there than Musser did. While socially and religiously conservative, Musser was also sophisticated, urbane, and intellectual. Barlow was the opposite.

Some who followed Musser believed that "Leslie Broadbent had designated Joseph W. Musser as his successor; but, since John Y. Barlow was senior in his calling to the council, Joseph had voluntarily allowed Brother Barlow to assume a position of leadership in order to prevent dis-

54. Barlow died in a large home at 2157 Lincoln Street, Salt Lake City, that the Priesthood Council had purchased in the summer of 1942 through Marion Hammon, one of the original seven council members with apparently good business skills. In 1942, he was put in charge of the United Effort Plan Trust (UEP) in Short Creek and was shortly afterwards called to the Priesthood Council by Barlow. He later broke away from Leroy Johnson and helped establish Centennial Park. This house had been constructed in 1891 as the mansion residence of miner Charles S. Adams and his wife, Maud, in the Forest Dale neighborhood, near Brigham Young's Forest Farm which had been located at 740 East Ashton Avenue. The building served as a residence for some Fundamentalist leaders and also as a meeting hall. It is still in use as the headquarters of a venture capital concern.

55. Kelsch, *Louis Alma Kelsch*, 32-33.

cord and confusion among the people.”⁵⁶ Musser also apparently disagreed with some of the policies Barlow had established. One biographer affiliated with Musser loyalists wrote: “Under the direction of John Y. Barlow’s Council, there had been some goings-on with which Joseph Musser did not agree. He spoke out against these practices, including marriages of very young girls, taking of wives without the knowledge or consent of the bride’s parents, and the expectation that each wife should give birth to a child every year. Because John Y. Barlow himself advocated these ideas, Joseph Musser’s admonitions had little effect.”⁵⁷

Another Musser believer, Joseph Thompson, recorded in his 1944 diary that “Brother Joseph Musser was teaching the people to use wisdom in having children—He taught that 2 ½ years between children was an ideal time, but whether it was one year, 2 ½ years, or 5 years it was the woman’s right to say when.”⁵⁸

With Barlow’s death, Musser was the senior member of the Priesthood Council by date of ordination. He was also well known to the underground community of polygamists through his years of writing, much of it as editor of *Truth*. However, he was two years older than his predecessor and had already “suffered a serious stroke while in prison, and again early in 1949 had a stroke which affected his speech and motor control.”⁵⁹ He was under the care of naturopathic physician Rulon Allred. In September 1950 Musser announced his intention to call Allred to the Priesthood Council, a unilateral action that he delayed for a year because of resistance by old-guard members, especially those in Short Creek. In May 1951, when Musser was seventy-seven, Jessop documented growing friction in the group:

Bro. Rulon Allred revealed to Marvin and Owen Allred, Jos. Thompson, and I many points of interest pertaining to the recent priesthood affairs showing the Council’s rejection of President Jos. W. Musser’s revelations calling Rulon to assist him—also that we (above mentioned and Bro. Esie Jenson, not present) have been called also to defend him and

56. Bronson, *Winnie*, 202.

57. *Ibid.*, 203.

58. Joseph Thompson, *Diary*, in possession of his family. This entry is dated only 1944. Joseph Thompson was born April 29, 1924, in Cumberland, Wyoming, was converted to fundamentalism by the late 1940s, served on the new Priesthood Council that Musser called in January 1952, and died May 11, 1996, in Salt Lake City.

59. Bronson, *Winnie*, 220.

stand for the fullness of the Priesthood upon the earth. . . . I have been informed by Bro. Joseph Musser himself of many out-of-order conditions of the Priesthood Council as they are generally spoken of—viz: Chas. F. Zitting, LeRoy S. Johnson, J. Marion Hammon, Guy H. Musser, Rulon T. Jeffs, Richard S. Jessop, Carl Holm, and Alma A. Timpson—also Dr. LeGrand Woolley, who it seems is an avowed enemy of Rulon Allred. I don't know where Louis Kelsch stands, but these brethren (I don't know about Louis) have all taken a stand against Joseph and the calling of Rulon C. Allred, tho Joseph declared to me as he held my hand and Mel O. Richter sat beside me and Aunt Lucy Musser at the foot of his bed, and he, Joseph, speaking of the calling of Rulon Allred, said "It's God's truth! It's God's truth!"⁶⁰

A majority of the council apparently regarded Musser as so limited by age and health problems that he was no longer fit to lead and that they were, therefore, not required to follow. Some, no doubt, regarded Allred as a usurper taking advantage of his special relationship with Musser as his physician.

A couple of months later, Jessop wrote: "Because of Joseph's sickness, the Council do not consider him the head, and they will not recognize Rulon Allred's calling thru him."⁶¹ Louis A. Kelsch had been on the Priesthood Council since January 26, 1933, and his biographer noted effects of the strokes: "During the last part of his life, Joseph Musser sometimes became confused in his mind. Louis and family were told by several friends who were at one of the meetings that when Joseph got up to talk he did not make sense and his son, Guy, tried to get him to sit down. Louis and Morris went to visit with him in his home, but couldn't make out what he was trying to say. This was a very sad thing for a man who had so brilliantly defended the gospel in word and work."⁶²

Leroy S. Johnson, age sixty-two, had been a member of the Priesthood Council since June 1941, when John Y. Barlow called him to that position along with J. Marion Hammon.⁶³ Both were prominent and active in Short Creek ecclesiastical affairs. After Barlow's death, Johnson personally took charge of rearing Barlow's younger sons.

60. Jessop, *Diary*, Vol. 3: May 27, 1951.

61. *Ibid.*, July 24, 1951.

62. Bronson, *Louis Alma Kelsch*, 85.

63. Leroy S. Johnson was born June 12, 1887, probably at Lee's Ferry. He and fifteen others were excommunicated from the Rockdale Ward of the LDS Church on September 7, 1935. Johnson died in Hildale, Utah, on November 25,

Musser formally ordained Allred on September 18, 1951, to the Priesthood Council and designated him "Second Elder." Friction on the council was evident in a December 6, 1951, meeting recorded by Jessop. Allred "spoke forcefully of how the brethren treated him, countering false stories of his hounding Bro. Joseph for a blessing, etc." After some debate, Musser called for a sustaining vote on his decision to call Allred to the Priesthood Council. When he called for the opposing vote, "Most of the Council members voted against it and several in the audience. (Of the Council present who opposed were: Chas. F. Zitting, Rulon T. Jeffs, [and] Alma A. Timpson. Guy Musser was ill and J. Marion Hammon was away in California at a funeral."⁶⁴

In January 1952, Musser, who was then seventy-nine, felt that because the old council would not accept the "word of the Lord," it was disqualified from acting. Predictably, those who did not support Musser felt that it was he who was "out of order."⁶⁵

Musser nevertheless called a new Priesthood Council, inviting several followers to assemble at his home on January 12 in a "special priesthood meeting." The aged Musser reminded the men of their "duty in support of the calling of Bro. Rulon C. Allred to the Second Eldership and the threats against his life by some brethren." Musser then called as new members of his council Jessop, John Butchereit, Eslie Jensen, Joseph B. Thompson, and

1986. See Rockville Ward, Zion Park Stake, ward records (also called "Form E's"), for 1935, microfilm, LDS Archives; Ken Driggs, "Fundamentalist Mormon Attitudes toward the Church as Reflected in the Sermons of the Late Leroy S. Johnson," *Dialogue: A Journal of Mormon Thought* 23 (Summer 1990): 38-60; Ron Bitton, "Polygamist Leader Passes On," *Sunstone*, January 1987, 48. The FLDS have published a kind of *Journal of Discourses* of Johnson's teachings: Leroy S. Johnson, *L. S. Johnson Sermons*, 7 vols. (Hildale, Utah: Twin Cities Courier Press, 1983-84, 1990). For the date of Johnson's and Hammon's ordination (May or June 6, 1941), see Bronson, *Louis Alma Kelsch*, 44; Benjamin G. Bistline, *The Polygamists: A History of Colorado City, Arizona* (n.p.: Agreka Books, 2004), 47.

64. Jessop, *Diary*, Vol. 3: December 6, 1951.

65. *Ibid.*, May 6, 1951, July 2, 1951, September 4, 1951, January 6 and 12, 1952, February 3, 1952, November 15, 1952. One of Allred's daughters includes colorful descriptions of these confrontations in her autobiography even though they occurred before her birth. Dorothy Allred Solomon, *In My Father's House: An Autobiography* (New York: Franklin Watts, 1984), 26-28.

three Allred brothers: Rulon, Owen, and Marvin.⁶⁶ From this point, the mutual disaffection evolved, with individuals over time deciding which meetings they felt most comfortable in.

Also in January 1952, Musser tried to reassert control over *Truth* magazine. Joseph B. Thompson, newly appointed to Musser's Priesthood Council, drove him to Sugarhouse Press, which was printing *Truth*. He escorted the Musser into the office of John Burgess, the owner. Musser "then blurted out, 'I want the Truth magazine back. Those "sons of bitches" won't give it to me.' Burgess then said, 'I don't know what to say, Joseph. I thought that you and Guy got along just fine. It is terrible to quarrel like this. I have always thought the world of Guy. He seems like such a nice guy.'"⁶⁷

Musser had almost no followers in Short Creek. According to historian Benjamin Bistline: "The Priesthood Group in Salt Lake City was split about fifty-fifty, with about half of them following Joseph Musser and his new council, while the remainder followed the old Priesthood Council of John Barlow. The group at Short Creek, however, followed the old council almost one hundred percent. This Priesthood controversy took place at Salt Lake City and the people at Short Creek were pretty much following Leroy Johnson (under Charles Zitting) by this time."⁶⁸

However, Musser reached out to other potential followers. He made attempts to recruit members of the LeBaron family in Mexico. (This was before the period of Ervil LeBaron's leadership when the group became so deadly.)⁶⁹ He also reached out to a community of disaffected Mexican Mormons who had broken away from the LDS Church in the 1930s. One of their leaders was Margarito Bautista who was sympathetic to Fundamentalist Mormon thinking. According to historian F. Lamond Tullis, Bautista "advocated the reestablishment of polygamy and the United Or-

66. Jessop, *Diary*, Vol. 3: January 12, 1952. See also Bronson, *Winnie*, 61-63. Marvin Allred was born on October 19, 1918, in Boise, Idaho, and died on January 9, 2003, at Rocky Ridge, Juab County, Utah. The diary lists the names of those attending this meeting without suggesting any significance to the order.

67. Joseph Thompson, *Diary*, undated entry.

68. Bistline, *The Polygamists*, 66.

69. Wright, "Origins and Development of the Church of the Firstborn of the Fulness of Times," 95.

der.”⁷⁰ Most of the breakaway Mexican Mormons returned to the LDS Church in the 1950s, but Bautista was later called to the Musser/Allred Priesthood Council. To this day there is a substantial Mexican presence in that community.

Musser felt a need to reassure his small band of followers of his prophetic authority. Joseph Thompson recalled that, six months after Musser’s reconstitution of the Priesthood Council, he called together “all the Priesthood body present” in June 1952 and instructed the twenty-six men:

“Because of contention and confusion, I have asked the Lord who is the subject—who is the one to receive His word. The Lord told me,” he said, raising his arms to the square and with tears in his eyes, “I am the one, and He is pleased with me, and these brethren I have called are all right, and Brother Rulon Allred is all right,” patting his shoulder, “and He commended me in taking him over. This subject of segregation is complete; that is all there is to it. Those men who hold authority will be dismissed! They will be dismissed when the time comes”—referring to [the] former council.

He then went on to say that he was organizing the “United Order of Salt Lake City” and he told Rulon to explain it to us as far as they had gone with it.⁷¹

Apparently part of Musser’s effort was to hire another printer for *Truth* and take over the magazine for himself. In June 1952, six months after his first attempt to win John Burgess’s support, Thompson’s diary records:

Joseph called us together after Sunday School and told us the following: “I have mentioned to Guy Musser and asked him to let me start and continue on with the *Truth* magazine, and he objected to it. His objections are invalid as far as I am concerned. He says, ‘You may send proofs to me, and if it is all right, I’ll publish it’, but I am not going to send it to him. I want you to help me determine what to do. John Burgess is printing for Guy Musser, and I want to consult with you and ask if it is all right to change this and go ahead as I’ve contemplated.” Brother Lyman spoke upon helping to establish the original *Truth*, and of Joseph’s commission to print, by Lorin Woolley.⁷²

Once again, this episode ended inconclusively.

On July 1, 1952, Musser and others drove to Short Creek to confer

70. F. Lamond Tullis, *Mormons in Mexico: The Dynamics of Faith and Culture* (Logan: Utah State University Press, 1987), 147.

71. Thompson, *Diary*, June 22, 1952.

72. *Ibid.*, June 29, 1952.

with Leroy Johnson and others. If Musser hoped for a reconciliation, he was mistaken. Two days later, Musser was back in Salt Lake City. Joseph Thompson recorded without details: "The report was sad because of the attitude of the brethren down there."⁷³

Three weeks later, Musser and his group decided to launch their own publication: *Star of Truth*. According to Thompson's diary, he and Rulon Allred took the lead in preparing the first issue. When they took it to Joseph Musser for his approval, the aged leader "was very pleased with what we had and liked the cut very much. He studied it quite a while. Rulon reported to Joseph about the secretary of one church official in St. George, reading his report of a plan to wipe Short Creek off the map. Joseph muttered, 'Those blankety-blanks. We can't run and I am willing to go through it again.' But Rulon said, 'I don't think they can touch you, Joseph. I don't see any way possible.'"⁷⁴ In August 1952, Musser confirmed the break with the Short Creek group: "Whatever his former council did, was without authority from now on, unless he sanctioned it, and then it is done by HIS authority, not their own."⁷⁵

The first issue of *Star of Truth* appeared in January 1953 with Captain Moroni's title of liberty as its slogan: "In Memory of Our God Our Religion Our Freedom and Peace Our Wives and Our Children." Musser's initial editorial explained:

In the time of our Lord 1949, I suffered from what I was told was a paralytic stroke. I was told by my Doctor to give up the publication of Truth, and I prepared my son to take it over. He has assiduously done so, and has done a noble job of it. At a later time, when I was much better, I asked my son for the privilege of taking the Truth off his hands and engineering it myself. He refused to turn it over to me. On a number of occasions I repeated my request and I went to the Printer about it, but with no success.

Musser had considered filing suit to wrest back control of *Truth* and decided against it. "But, those who rebel against proper ownership and au-

73. Ibid., July 3, 1952.

74. Ibid., July 26, 1952.

75. Ibid., August 24, 1952.

thority become a law unto themselves and must suffer the consequences.”⁷⁶

Musser’s followers revered him. Rulon Allred’s daughter, Dorothy, recalled, “Everybody loved him and looked to him as the final authority on any matter. Many people believed he was a prophet.” Furthermore, “Some people thought the falling away was just as well. My mother said it was wrong how some of the councilmen arranged marriages for their young people. ‘Everyone has a right to fall in love, like I did with your daddy. I know that’s not how the brethren in Short Creek believe—they think they know what’s best for everybody.’”⁷⁷

While followers of Musser and Allred were more urban and inclined to assimilate, Allred’s daughter saw the other group in stereotypes. They “wore fundamentalist Mormonism like a badge: severe buns, long skirts, black suits, faces scrubbed and plain, persisting in old-fashioned dress even for the children.”⁷⁸

Joseph Musser’s Death

In March 1954, Joseph Thompson visited Musser’s home and had “quite a long visit with Lucy” who reported that her husband “did not know what he was doing and could not think.” Two weeks later Thompson returned, finding Musser in a bathroom unable to get up even with Lucy’s help. The two of them got Musser back to his bed. In less than a week on Thompson’s next visit, Musser “was very low, but he recognized me and squeezed my hand.”⁷⁹

Thompson noted Musser’s death tersely: “I was called by Rulon [Allred] and told that Joseph had died at 10:25 P.M.” on March 29. Jessop wrote: “March ended in a storm and the death of our beloved father, brother, and friend Joseph W. Musser . . . after a long illness.”⁸⁰

The LDS Church-owned *Deseret News* carried a brief obituary describing Musser as “a member of the Fundamentalist religious sect” and listing his wives only as surviving family members. The *Salt Lake Tribune* ran a much larger news story under the headline “Religious Cult Leader, 82, Succumbs after Illness.” Among details of his life, this news story re-

76. “A Statement,” *Star of Truth*, January 1953, 1–2.

77. Solomon, *In My Father’s House*, 27.

78. *Ibid.*, 27.

79. Thompson, *Diary*, March 6, 18, and 24, 1954.

80. *Ibid.*, March 29, 1954; Jessop, Vol. 3: April 4, 1954.

ported that Musser had edited *Truth* until about 1947 “when he retired,” had been imprisoned with others in 1944, and had been in ill health for the previous five years. *Truth*, still edited by Guy Musser, published an autobiography from “his journals” without commenting on the priesthood split.⁸¹ Musser’s new journal, *Star of Truth*, commented defensively that “the announcements in the local newspapers were in keeping with that attitude of animosity which has ever followed the principles of the gospel of Christ and those who espouse them.”⁸²

Musser’s funeral was held on April 2, 1954, at the Larkin Funeral Home. Fundamentalist Mormons had a long and comfortable association with the Larkin family business so it was a natural choice.⁸³ Musser left specific instructions with his family because “I certainly want no quarreling over my remains and how they are disposed of.” He wanted to “be properly robed and incased in a neat and cheap casket. I do not want any folderroy [sic], no rouge nor powder, nor flowers with my remains.” He did not want “my corpse exposed to the public” but “if a few of my close friends or loved ones desire to view it, let them do it reverently.” He also asked that “my grave [be] dedicated by Priesthood authority.” If a funeral service was conducted—and he was not requesting one—he asked “my dear friend Louis A. Kelsch to take charge,” requested that speakers include his son Guy and his wife Lucy, and asked for the hymns “O My Father,” “True to the Faith,” and the Mormon classic “Come, Come Ye Saints.”

None of the participants in the service were from Musser’s new Priesthood Council, a slight still remembered by its successors. Nonetheless, about a thousand people appeared to pay their respects. “The Chapel was filled to overflowing and though additional chairs were furnished in the aisles, the large attendance could not be accommodated.” J. Marion Hammon, a member of the old Priesthood Council, gave the opening

81. “Saint Joseph White Musser: In Memoriam,” *Truth*, June 1954, 1–48.

82. “Joseph W. Musser,” *Deseret News*, March 30, 1954, B–6; “Religious Cult Leader, 82, Succumbs after Illness,” *Salt Lake Tribune*, March 31, 1954, 26; “Funeral Services Held for Joseph White Musser,” *Star of Truth*, May 1954, 116–17.

83. Quotations from the funeral service are drawn from “Funeral Service for Saint Joseph White Musser Held on April 2, 1954, at the Larkin Mortuary, Salt Lake City, Utah,” Musser Family Papers, MSS 96 B, Box 6, fd. 4, Utah State Historical Society, Salt Lake City; Vance Larkin, interviewed by Ken Driggs, August 18, 2003; Ivan Neilson, interviewed by Ken Driggs, August 19, 2003.

prayer. Guy and Louis Kelsch spoke; Lucy Musser for unknown reasons did not. Russell Kunz gave the closing prayer.

Hammon's prayer thanked the Lord for "the Priesthood that he bore, for the principles that he espoused. We are grateful for his integrity and his determination to serve you and keep your commandments. We are grateful for the posterity that he has left in the earth and pray that Thy Spirit shall be upon them to the latest generation."

Joseph Musser's son Guy Musser termed his father "a rebel" whose "unwillingness to accept certain things" brought him a difficult life. "Now I think that we can refer to this rebellion as an independence of mind, a liberty which he had in his mind and in his heart, the same type of independence and liberty that all the faithful saints have had to have in order to endure faithful. He got this possibly in the spirit world, but he got a good part of it from grandfather [A. Milton] Musser." Although not specifically identifying his father as a polygamist, the message was clear to everyone when he added that his father "was born during that era when plural marriage was an important thing in the minds of the people of our Church."

Kelsch, the closing speaker, said that "Joseph was an honorable man. I think even people who didn't like him had to admire those qualities." Perhaps alluding to the Priesthood Council split, Kelsch concluded: "I don't hold ill will against a person in this room, nor anyone I know upon the earth, and the worst that I wish anybody is for their eternal salvation that they might be faithful and make their calling and election sure, then be blessed in being able to endure to the end, and that's what I pray for all of us and do it in the name of Jesus Christ. Amen."

Joseph Musser was buried in the Salt Lake City Cemetery next to his father, Amos Milton Musser. Charles Zitting dedicated the grave. His pall bearers were Zitting, Kelsch, Leroy Johnson, Rulon Jeffs, Richard Jessop, and Alma A. Timpson.

Musser's death left the sixty-year-old Zitting as senior member of the original Priesthood Council called by Lorin C. Woolley, but Zitting died peacefully only three months later on July 14, 1954.⁸⁴ That left LeGrand Woolley and Louis A. Kelsch as the only survivors from the original Priesthood Council. Kelsch later recalled discussions between himself, Woolley, and Leroy Johnson about which of them should offer

84. "President Charles Frederick Zitting: In Memoriam," *Truth*, August 1954, 97-100.

to lead the community. Apparently Rulon Allred was never considered as a candidate. According to Kelsch, Johnson did not claim a revelation instructing him to lead but neither did Kelsch. When "Roy Johnson went and told the people that Louis told him to take the leadership and that Louis had stepped down," Kelsch felt that Johnson was misrepresenting the situation, but he was unwilling to claim the leadership without a personal revelation.⁸⁵ The FLDS Church now teaches that priesthood authority passed directly from John Y. Barlow to Leroy S. Johnson, without mentioning Musser, Kelsch, Woolley, or Zitting.⁸⁶

The Past as Prelude

Tens of thousands of Fundamentalist Mormons live in the Intermountain West today, including Canada and Mexico. The two largest organized groups trace their history and ecclesiastical authority back to the "priesthood split." They have evolved into markedly different communities with distinctive patterns of leadership revealed during the split.

Leroy Johnson led the Short Creek community until his death in 1986.⁸⁷ During that time the Priesthood Council evolved in the direction of more autocratic rule by a single leader, what they call "one-man rule."⁸⁸ The community continued a tradition of arranged marriages in which daughters were "turned over to the priesthood" by their fathers or other priesthood heads. They believe that this system is inspired and most adherents express confidence in it. Many times these girls were minors, not yet eighteen, at the time of their marriages. Recently this pattern has been the source of intense legal pressure.⁸⁹ In some instances, new plural wives were either widows or divorcées with children. This custom essentially meant that Johnson and his successors placed young

85. Bronson, *Louis Alma Kelsch*, 85–86.

86. Rulon Jeffs, *History of Priesthood Succession in the Dispensation of the Fullness of Times and Some Challenges to the One Man Rule: Also Includes Personal History of Rulon Jeffs* (Sandy, Utah: President Rulon Jeffs for the Fundamentalist Church of Jesus Christ of Latter-day Saints, 1997).

87. Phyllis Gillespie, "Uncle Roy' Johnson dies at 98," *Arizona Republic*, November 27, 1986, A-1.

88. Jeffs, *History of Priesthood Succession*.

89. In 2003, Rodney H. Holm, a police officer in Hildale, Utah, was prosecuted for polygamy-related crimes. See Mark Haynes, "Hildale Polygamist Guilty of Unlawful Sex, Bigamy," *Salt Lake Tribune*, August 15, 2003, A-1; Mark

women with husbands. Short Creek continued to be communal with nearly all holdings held by the United Effort Plan Trust (UEP). This land-holding structure was essentially affirmed by a 1998 Utah Supreme Court decision when a dissenting group tried to break the trust.⁹⁰

After Johnson's death in 1986, Rulon Jeffs, a former LDS missionary to Great Britain and an accountant who had been part of the community most of his adult life, succeeded him.⁹¹ Jeffs was revered as a prophet by his people, and his decisions went largely unquestioned. The community grew significantly in numbers and economic strength, weathering several legal challenges during his distinctly autocratic administration. One of his sons, Warren Jeffs, ran a religious school in the Salt Lake Valley until he relocated to Colorado City/Hildale shortly before his father's death in 2000. His move was in response to a call from "Uncle Rulon" that believers should gather in that area.

After the elder Jeffs's death at age ninety-three on September 8, 2002, he was succeeded by Warren, then forty-five.⁹² While internal conflicts in the community are rarely discussed with the public, some members left the community, many of them relocating in Centennial Park. Others remained in their homes but challenged UEP legal control in a costly and bitter lawsuit eventually heard by the Utah Supreme Court. Some left Fundamentalism entirely. In January 2004, Warren Jeffs excommunicated more than twenty prominent priesthood holders in what outsiders widely interpreted as a consolidation of power.⁹³ In some instances the excommunicants were men who had advocated that increased engagement with the outside world would provide more jobs and improve the

Haynes, "FLDS Mum on Bigamy Verdict," *Salt Lake Tribune*, August 16, 2003, B-1; "In God's Name," *People*, October 6, 2003, 74-79.

90. *Jeffs et al. v. Stubbs et al.*, 970 P.2d 1234 (Utah 1998).

91. Rulon T. Jeffs was born on December 6, 1909, and was called to the British Mission from Highland Park Ward (Salt Lake City) on June 3, 1930. Missionary Record Index. He was excommunicated from the LeGrand Ward, Bonneville Stake, on April 14, 1941, and died on September 8, 2002, in Colorado City, Arizona.

92. Michael Janofsky, "Mormon Leader Is Survived by 33 Sons and a Void," *New York Times*, September 15, 2002, A-16A; Adams, Manson, Smith, and Stack, "Living the Principle: Polygamy on the Border."

93. Patrick O'Driscoll, "Tales of Fear, Retribution at Secretive Desert

community's economic security. Colorado City's mayor, Dan Barlow, another son of John Y. Barlow, had been a particularly able advocate of this thinking. He resigned as mayor shortly after his excommunication and reportedly moved to St. George, Utah.

About every twenty or thirty years since the "priesthood split," the FLDS community has experienced a traumatic division of its own. A significant number, usually in family clusters, either deny the leader's authority to do certain things or are expelled from the main body and form another religious community more or less based on the same belief system. This pattern repeated itself late in Leroy Johnson's life when he expelled Hammon, Timpson, and their followers in a conflict that included an expensive court fight all the way to the Utah Supreme Court. Many in the expelled group relocated a short distance away, forming the community of Centennial Park.

While numerically smaller at the time of the split, the Salt Lake-based group which followed Rulon Allred has thrived with less friction. Allred led with the assistance of a Priesthood Council appointed by Musser, which he maintained with new callings and which still exists today. Allred was murdered in 1977 by followers of the crazed Ervil LeBaron. He was succeeded by his younger brother, Owen Allred, born January 15, 1914, in Blackfoot, Idaho. At this writing, Owen Allred still leads the AUB, although age and illness have forced him to delegate most of his responsibilities to the Priesthood Council.

Rulon Allred, and now Owen Allred, are revered by their believers and are considered to have prophetic powers. But they do not preside with the same near-absolute authority of FLDS leaders. AUB leaders do not attempt to exercise absolute control over their flock and are more tolerant of different viewpoints. AUB members enjoy the steady presence of a Priesthood Council which discusses problems and plays a substantial role as a kind of executive committee in making decisions for the community. The council therefore moderates any extreme impulses or personal conflicts that might come with a single leader. In that respect, the Priesthood Council plays the same role as the LDS Church's First Presidency and Quorum of

Church," *USA Today*, January 26, 2004, A-3; Nick Madigan, "Leader of Polygamous Sect Faces Rebellion," *New York Times*, January 27, 2004, A-15; David Kelly, "The Eyes of Outsiders Are Cast on a Polygamous Community," *Los Angeles Times*, January 27, 2004, A-8; Eric Gorski, "Tempest Looms for Polygamous Community," *Denver Post*, February 8, 2004, A-1.

Twelve Apostles. The AUB is also much more engaged with the surrounding society in social, business, and educational ways, thus tending to moderate the community without robbing it of its unique character.

Plural marriage is emphasized in the AUB, but Owen Allred has repeatedly told me and the press that he will not solemnize unions in which one partner is younger than eighteen. Further, he interviews all of the parties, including existing wives, to ensure that all agree to the union.⁹⁴

The AUB has members in both rural and urban areas. They are modest in dress but avoid the conspicuously nineteenth-century styles typical of the FLDS. Many members practice a United Order style of communal living but in a variety of smaller communities with more flexibility than in the FLDS United Effort Plan. In general, they are more likely to assimilate and less likely to experience confrontations with the nonbelievers among whom they live.

In his thoughtful book *When Religion Becomes Evil*, moderate Baptist theologian Charles Kimball discusses the points at which, in his view, religious belief ceases to uplift and becomes dangerous. He writes about Fundamentalist Islamists, Christians, Jews, and some Asian traditions. (Fundamentalist Mormons do not appear in his book.) Kimball identifies five "clear signals of danger" or "warning signs": absolute and exclusive truth claims, the requirement of blind obedience from followers, trying to establish "a time when the ideal [religious community] was achieved" without regard to "whether or not the perceived ideal ever really existed," teaching believers that the religious ends justify the means even when they conflict with accepted positive ideals, and declaring "holy

94. Owen Allred, "Polygamist Communities Support Women Making Own Marital Decisions," *Salt Lake Tribune*, February 25, 2001, AA-6. On August 15, 1998, Allred wrote to Governor Mike Leavitt and Attorney General Jan Graham: "The doctrine of free agency requires every man and woman to make choices of his or her own free will and take responsibility for individual conduct. Consistent with our belief of free agency, the AUB does not arrange marriage between its members. We further view intermarriage between close relatives as an abomination of God's law. We discourage dating until age of 17 and advise our young adult members to postpone considering marriage until their vocational or college education is obtained, or at least until the age of 21. . . . Only through the exercise of a person's free agency should a person decide whether to undertake the benefits and responsibilities of plural marriage, and whom to marry. Church leaders do not make these decisions for its members."

wars.”⁹⁵ While much of Kimball’s discussion does not translate well into an LDS setting, the book does offer insights into the more extreme reaches of Mormon Fundamentalism.

“Veneration of a religious leader becomes dangerous when that leader has unrestricted power and total control,” Kimball observes. “Corrupt religion frequently includes coercive pressure tactics designed to keep members in line.” This is especially dangerous with apocalyptic predictions: “When the unquestioned authority figure declares [that] a cataclysmic end is near, what else really matters? Everything about normal daily life pales by comparison. Public criticism of the group and family interventions simply reinforce the view that the evil world is hostile to the truth and the end is near. Typically, the group becomes even more introverted and withdraws even further from the larger society.”⁹⁶

Ultimately, it will be up to FLDS members to decide if they are being well served by their current leadership. Some obviously have decided they are not and have physically left the community (or, if remaining in Colorado City/Hildale, have repudiated Jeffs’s authority). Leaving is complicated because property issues are extremely difficult to resolve under the UEP cooperative. Polygamous marriage between adults without formal state sanctions now seems to be beyond the reach of criminal prosecutions.⁹⁷ But some conflicts with the criminal law continue because of the involvement of individuals under age eighteen. There is, however, absolutely nothing in the history or traditions of the FLDS community that would make them potential Wacos or Jonestowns.

In summary, both of the large Fundamentalist Mormon groups are here to stay. No amount of government or social pressure will eliminate them. It will only drive them further underground.

95. Charles Kimball, *When Religion Becomes Evil: Five Warning Signs* (New York: HarperSan Francisco, 2002), 38, 105. Another interesting and insightful book on fringe religious movements is Philip Jenkins, *Mystics and Messiahs: Cults and New Religions in American History* (Oxford: Oxford University Press, 2000).

96. Kimball, *When Religion Becomes Evil*, 82, 83, 86.

97. *Lawrence v. Texas*, 123 S.Ct. 2472 (2003), decided on June 26, 2003, found that a Texas statute making it a crime for two same-sex adults to engage in intimate sexual conduct violates the due process clause of the U.S. Constitution.