

# Short Creek: "A Refuge for the Saints"<sup>1</sup>

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WALLACE STEGNER ONCE OBSERVED, "a faith crushed by law or force will merely go underground. . .when outward resistance is impossible, the inward resistance remains."<sup>2</sup> This description might well apply to this story of how Fundamentalist Mormons, before they were ever called by that name, chose a small, northern Arizona village, Short Creek, as a place of refuge to avoid legal prosecution over polygamy. Instead of disappearing from the political and legal landscape as they hoped, the refugees soon became the focus of national attention. The topic of polygamy drew the media to Short Creek just it had drawn the media to Utah in the previous century. News writers, photographers, and even one film maker flocked to the remote town in the autumn of 1935. They came "from the Atlantic to the Pacific coasts and north and south from Canada to the Mexican border" to report on the court trials of three men and three women for polygamy-related charges.<sup>3</sup> Wallace Stegner described Short Creek during this extraordinary moment as "the capital of the world."<sup>4</sup>

This story is largely drawn from the contemporary accounts of Joseph Lyman Jessop, a polygamist from Salt Lake City. Jessop was among a handful of men sent by priesthood leaders to Short Creek in May 1935 with the express

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2. Wallace Stegner, *Mormon Country*, (Lincoln and London: University of Nebraska Press, 1942), 225.

3. *Mohave County Miner*, 6 Sep 1935. Martha Sonntag Bradley, *Kidnapped from That Land: The Government Raids on Short Creek Polygamists* (Salt Lake City: University of Utah Press, 1993), 56-63, 224-225. Bradley cites from more than three dozen magazine and newspaper articles reporting Short Creek's polygamy in 1935.

4. Stegner, 223.

purpose of building "a branch of the Kingdom of God."<sup>5</sup> Through the medium of personal accounts, Jessop's diary provides a more intimate perspective on why he and his maverick Mormon brethren chose Short Creek as a place of refuge and why their activities quickly drew such dramatic attention.

### BACKGROUND OF JOSEPH LYMAN JESSOP

Joseph Lyman Jessop was a third-generation Mormon, born 10 February 1892 in Millville, Cache Valley, Utah. Both his grandfathers were early Utah pioneers who became polygamists.<sup>6</sup> Jessop's parents, however, were monogamists. They had been married only one year when Wilford Woodruff issued the 1890 Manifesto calling for an official end to plural marriage within the Church of Jesus Christ of Latter-day Saints.<sup>7</sup> After the Manifesto, the church moved ever more away from polygamy as well as from other distinctive Mormon practices and beliefs of the nineteenth century, such as the United Order, a belief in the imminent Millennial return of Christ, and a duty to build the Kingdom of God on earth. While this new Mormon world view was readily embraced by most LDS church members, the Jessops were among a small minority who resisted adaptation<sup>8</sup> and who continued to believe these abandoned practices were requirements for the goal of Mormon exaltation.<sup>9</sup>

Joseph Lyman Jessop married his first wife Winnie Porter in July 1917 in the Logan Temple. They had been married for five years when Jessop took a step which led to a life-altering decision. He left Millville and followed his father to

5. *Diary of Joseph Lyman Jessop*, vols. 1-3 (Privately Published, 2000). Joseph Lyman Jessop was born 10 February 1892 in Millville, Utah. He died 11 February 1936 in Murray, Utah. During the time he was in Short Creek in 1935, Jessop had three wives, Winnie Porter, Maleta Porter, and Beth Allred, and he had 17 children. He eventually became the father of 35 children. Prior to his death, he married Beth's divorced sister, Olive Allred, as a fourth wife. See also Lorraine A. Bronson, Winnie. (Privately published typescript book, 1989), a biography of Winnie Porter Jessop.

6. Joseph Lyman Jessop's father, Joseph Smith Jessop, was the son of Richard Jessop and Mary Ellen Shaffer. Richard Jessop was jailed in 1889 for unlawful cohabitation. Jessop's mother, Martha Moore Yeates, was the daughter of Frederick Yeates and Sarah Webb. Frederick Yeates served two six-month sentences for unlawful cohabitation, one conviction, presumably, for each of his two plural wives.

7. Bradley, 6. Driggs, "This Will Someday Be the Head And Not the Tail of the Church": A History of the Mormon Fundamentalists at Short Creek," *Journal of Church and State* 43 (Winter 2001): 201. Edward Leo Lyman, *Political Deliverance* (Urbana and Chicago: University of Illinois Press, 1986). Lyman argues that while Mormon leaders made concessions about polygamy in order to gain Utah statehood, it was probably not their original intent to end plural marriages permanently.

8. Driggs, 201-203.

9. *Diary of Joseph Lyman Jessop*, vol. 1 (22 Jan 1916), 105. In 1916, Joseph Lyman Jessop was shown a revelation to John Taylor on plural marriage that "few people [had] ever seen" by his uncles John and Fred Yeates. Jessop was likely referring to the 1886 revelation of John Taylor. Jessop defended the Mormon practice of polygamy on a few occasions during his 1910-1912 L.D.S. mission in the Southern States. His 1910 patriarchal blessing from a Logan temple worker promised him wives and children.

Salt Lake City to work at the Baldwin Radio Plant. The factory's owner, Nathaniel Baldwin, was a prominent Utah inventor and industrialist.<sup>10</sup> More importantly, Baldwin was a believer in continued plural marriage and felt it was his religious duty to help others who were also committed to "Old Fashioned Mormonism."<sup>11</sup> His patronage drew polygamists and would-be polygamists from all across Mormon territory to work at his factory.<sup>12</sup> As a result, as many as ten to twenty percent of Baldwin's employees were from families of post-manifesto plural marriages or had inclinations toward continued plural marriage.<sup>13</sup>

For the Jessops and others like them, employment at the Baldwin factory facilitated their introduction to Lorin C. Woolley and his elderly father John W. Woolley. The elder Woolley was a former stake patriarch and temple worker. Earlier, he had been excommunicated for performing post-Manifesto plural marriages.<sup>14</sup> The son, Lorin C. Woolley, was a former bodyguard of the third church president, John Taylor. Lorin now served on the Baldwin factory's board of directors. The Woolleys testified of President John Taylor's 1886 experiences and of apostolic authority given to them by Taylor to ensure the perpetuation of plural marriage.<sup>15</sup> For the Jessops, legitimate priesthood authority to perform plural marriage was essential, and the Woolleys' testimony was reassurance to them that the Lord intended for and had prepared the way for plural marriage to continue, despite the Church's 1890 Manifesto declaring that polygamy could no longer be sanctioned.

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10. Ibid., 206-207. Marianne T. Watson, "Joseph Lyman Jessop, The Baldwin Radio factory, and 'Old Fashioned Mormonism,'" unpublished manuscript dated 3 August 1992. (Hereafter: Watson, "Joseph Lyman Jessop.")

11. Merrill Singer, "Nathaniel Baldwin, Utah Inventor and Patron of the Fundamentalist Movement," *Utah Historical Quarterly* 47 (Winter 1979): 42-53, at 51.

12. Ibid., Also Nathaniel Baldwin Diaries, 1897-1961, Marriott Library Special Collections, University of Utah. Baldwin was excommunicated from the LDS Church in 1922 for "insubordination" related to his beliefs in plural marriage. His diaries reflect his close friendships with others who held similar beliefs and attending religious meetings with them as early as 1921. He also provided rooms in his "Omega" office building in East Mill Creek for study meetings.

13. Ibid., Also *Nathaniel Baldwin Diaries*, 1918-1925. Also *Diary of Joseph Lyman Jessop*, vols. 1-2 (1923 to 1924). At its peak, in the early 1920's, the Baldwin factory employed some 300 workers, the majority of whom were mainstream Mormons who were not interested nor involved in continued plural marriage. Since complete employee records have not been found, the figure of ten to twenty percent is based upon names of people found associated with Baldwin's factory who were later connected directly with the Fundamentalist movement, which total about 30. Baldwin also hired post-manifesto polygamists and members of their families, even some of the children and widows of John W. Taylor, who were not later connected with the Fundamentalist movement.

14. Driggs, 208. John Wickersham Woolley (1831-1928) was excommunicated 30 March 1914 for performing plural marriages. "Excommunication," *Deseret News*, 31 March 1914, at 1. "Excommunication of John W. Woolley," *Salt Lake Tribune*, April 3, 1914, at 4. "Excommunication of John W. Woolley," *Salt Lake Telegram*, 3 Apr 1914, at 3.

15. Bradley, 19.

While working at the Baldwin Radio Plant, Jessop and his family participated in study meetings and firesides with other believers in continued plural marriage.<sup>16</sup> This association, while casual in its nature, served as a catalyst which permanently welded the heretofore loosely connected believers in "the fulness of the gospel."<sup>17</sup> Gradually, these individuals and their families would coalesce into what would later be called the Fundamentalist Mormon movement.

In 1924, Joseph Lyman Jessop's convictions regarding plural marriage were cemented when he married Maleta Porter, a cousin to his wife Winnie, as his first plural wife. They were sealed in a ceremony performed by John W. Woolley in Centerville. Within the year, Jessop, his two wives, and several others believing in continued plural marriage—and also connected with the Baldwin Radio factory—were excommunicated from the Church.<sup>18</sup> At about the same time, the Baldwin Radio factory was threatened with insolvency and was placed into receivership.<sup>19</sup> Jessop and others of similar conviction were among the first to lose their jobs. While some stayed in the Salt Lake Valley, others returned home. Jessop decided to stay. He found part-time work at the Woolley farm in Centerville. During this period he became more intimately acquainted with John and Lorin Woolley.

After John Woolley passed away in December 1928,<sup>20</sup> Joseph Lyman Jessop was among those who were aware of Lorin Woolley's "calling" six men to assist him in perpetuating his apostolic mission from John Taylor.<sup>21</sup> Woolley organized the men as a Priesthood Council. The men were Joseph Leslie Broadbent, John Yeates Barlow, Joseph White Musser, Louis Alma Kelsch, Charles Zitting, and Dr. LeGrande Woolley.<sup>22</sup> The special mission of the Priesthood

16. The term "continued plural marriage" refers specifically to the continued practice of plural marriage as an ongoing institution rather than the belief in plural marriage as a doctrine of Mormonism which had been suspended with the 1890 Manifesto.

17. Plural marriage societies often refer to their beliefs as "the fulness," which is a shorthand term for "the fulness of the gospel as restored by Joseph Smith."

18. Diary of Joseph Lyman Jessop, vol. 1 (12 Feb 1924, 1 Apr 1924, 5 Jul 1924, 29 Oct 1924, 30 Nov 1924, 1 Feb 1925), 173-183.

19. *Ibid.* "Receiver for Baldwin Firm," *Salt Lake Tribune*, October 9, 1924; "Receiver Appointed for Baldwin Radio Works," *Deseret News*, October 9, 1924; "Baldwin Gives Version of Suit," *Salt Lake Tribune*, October 10, 1924; "Baldwin Factory Work to Continue Says Receiver," *Deseret News*, October 10, 1924.

20. John Wickersham Woolley was born 30 Dec. 1831 and died 13 Dec. 1928.

21. *Diary of Joseph Lyman Jessop*, vol. 2 (13 January 1934), 4-5. Jessop's diary on this date states, "now the Lord has again spoken from the heavens after a silence of many years. ... The Lord had chosen men to act with these Prophets and hold the Priesthood like unto them before the death of John W. Woolley, but they were not notified of this choosing while he lived. In March 1929, these two men were notified and received their ordination according to direction of Almighty God. Joseph Leslie Broadbent and John Y. Barlow then began to function accordingly. A little later Joseph W. Musser was likewise called and appointed, then Charles F. Zitting, then LeGrand Woolley, then Louis Kelsch, until now this body of seven men form a nucleus of the Sanhedrin of God. Mortal men did not select them nor even suggest a name to the Lord, but they were called direct from heaven."

22. Driggs, 208. *Diary of Joseph Lyman Jessop*, vol. 2 (13 January 1934), 4-5.

Council was to keep plural marriage alive.<sup>23</sup> This was to be done alongside the church and not in competition with it. Historian Martha Sonntag Bradley described the path Fundamentalist Mormons aspired to travel as a "road often running parallel to the visible Mormon Church" in order to "maintain the pure and unadulterated church, the 'invisible church,' the church of the original teachings of Joseph Smith."<sup>24</sup>

### LDS CHURCH INSTIGATES SURVEILLANCE OF POLYGAMISTS

In 1930, the Church had been struggling for some forty years to convince a doubting nation it was sincere in ending polygamy.<sup>25</sup> Seventh Church President Heber J. Grant especially resented reports of new polygamy springing up among church folds. He made concerted efforts to excommunicate known polygamists and any who might enter into or perform new plural marriages. With increasing determination, President Grant directed church leaders to shun any polygamy which could be in any way connected with the church.<sup>26</sup> In the April 1931 General Conference of the church, President Grant promised that the church would "give such legal assistance as we legitimately can in the criminal prosecution of such [plural marriage] cases."<sup>27</sup> Two years later, Grant presented an official 16-page statement, sometimes called the "Final Manifesto," that went far beyond previous church statements to deny the legitimacy of plural marriages after 1890.<sup>28</sup>

The 1933 "Final Manifesto" marked a change in the way church leaders dealt with polygamists. Under Grant, the church initiated cooperation with government for the surveillance and prosecution of polygamists.<sup>29</sup> A compulsory loyalty oath was introduced for any church members whose actions or loyalties might be suspect.<sup>30</sup> Anti-polygamy legislation was introduced in the mostly

23. Joseph W. Musser Diary, 13 November 1936.

24. Bradley, 39.

25. This forty-year period is the subject of Thomas G. Alexander, *Mormonism in Transition: A History of the Latter-day Saints, 1890-1930*, (Urbana and Chicago: University of Illinois Press, 1986).

26. Bradley, 13-14.

27. Driggs; Heber J. Grant, *General Conference Reports*, April 1931; Messages, V: 292-303. Joseph W. Musser diaries, April 4, 1931. D. Michael Quinn, *J. Reuben Clark: The Church Year* (Provo, Utah: Brigham Young University Press, 1983), 183-186. President Heber J. Grant called J. Reuben Clark as second counselor in the First Presidency. Clark could not, according to biographer Michael Quinn, "look upon polygamy after the 1890 Manifesto with the least degree of allowance" and felt it was almost impossible for a Church member to be loyal after becoming involved in what he called the "web of renegade polygamy," which he regarded as tantamount to adultery. So, when Church President Grant "gave J. Reuben Clark a mandate to suppress the . . . practice of polygamy, President Clark went at it with a vengeance."

28. Quinn, 183-186.

29. Marianne T. Watson, "The Fred E. Curtis Papers: L.D.S. Church Surveillance of Fundamentalist Mormons," 1937 to 1954, unpublished manuscript dated 10 August 2001.

30. Ibid., Bradley, 56-57.

"Mormon" Utah State Legislature which significantly increased the penalties for unlawful cohabitation when compared to what they had been during Utah's raid period in the 1880s.<sup>31</sup> In 1935, all these measures created a political and social climate unfavorable for Fundamentalists. More than ever, they felt a need for a place of refuge.

### SHORT CREEK, A PLACE OF REFUGE TO BECOME A MILLENNIAL CITY

In July 1926, Lorin C. Woolley prophesied to some of "perilous times to come in which. . .those who would live the law [of plural marriage] would be at the point of annihilation because the persecution would be so great."<sup>32</sup> With such apocalyptic prospects in mind, Woolley sent Joseph Lyman Jessop and two of his brothers, Richard and Vergel, on a two-week trip to southern Utah and to the Arizona strip area.<sup>33</sup> Their main destination was Lee's Ferry, Arizona, where polygamists Carling Spencer, Jerry Johnson, and Elmer Johnson lived. Their purpose was "to look over the place as a [possible] gathering place for the saints."<sup>34</sup> Then they visited Isaac Carling in Short Creek for the same purpose. They had known Carling since 1924 when they had all worked at the Baldwin Radio Factory.<sup>35</sup> After the men returned and reported their findings, no decision was made to take any action.

Eight years later, the two sites were again considered as possible places of refuge. In March 1934, not long after Joseph Lyman Jessop married his third wife, Beth Allred, he and four other men went to Lee's Ferry and Short Creek.<sup>36</sup> After their return, Jessop made a report of the six-day mission to members of the Priesthood Council.<sup>37</sup> Though Jessop didn't record in his diary his assessment of either place, he apparently did not think "the conditions" at Short Creek were conducive for a place of refuge since he privately discouraged his brother-in-law Axel Fors from moving there.<sup>38</sup>

The idea of a place of safe retreat became even more important when it was rumored that, "The officers of the law are looking seriously into the family life of several of us, and it looks like persecution is nearing."<sup>39</sup> Jessop expressed anxiety

31. Ibid., 16-17.

32. *Diary of Joseph Lyman Jessop*, vol. 1 (28 Jan. 1928), 8.

33. Ibid., 7-8. The Arizona Strip area refers to the northern part of the state which is cut off from the main area by the Grand Canyon.

34. Ibid.

35. Driggs, 207; Bradley, 46.

36. Joseph Lyman Jessop and Beth Allred were married 7 January 1934. Beth was the daughter of post-manifesto polygamist B. Harvey Allred and his second wife Mary Evelyn Clark who were sealed 15 July 1903 in Mexico by Apostle Anthony W. Ivins.

37. Since Lorin C. Woolley was ill, J. Leslie Broadbent and John Y. Barlow, as the next senior members of the Priesthood Council, directed the mission.

38. *Diary of Joseph Lyman Jessop*, vol. 1 (3 May 1934), 58.

39. Ibid., 27 March 1934-2 Apr 1934, 18. The four men who accompanied Joseph Lyman Jessop were Richard Jessop, John Y. Barlow, Morris Kuoz, and Arnold Boss.

after he heard several sermons preached against polygamy at the April 1934 LDS General Conference priesthood meeting. The last speaker was President Heber J. Grant. Jessop wrote that Grant "assailed vigorously and devilishly Israel Barlow, John W. Woolley and Lorin C. Woolley and all who have said and urged the practice of plural marriage. . .and called these polygamists 'the slickest bunch of liars in existence.'" During the talks, ". . . a packed house of men laughed at all these jests of ridicule and slander against the Lord's own."<sup>40</sup> Jessop said he "sat and prayed in soberness, 'O God, let Thy will be done. Send fourth [sic] thy judgments in thine own due time and way, and I pray help me to be ready by keeping all the laws and commandments and put and keep my own house in order.'"<sup>41</sup>

Only a few days later, Jessop recorded his awareness of the Church's involvement in legal prosecution:

We have news from reliable sources that Officers of the Federal Government of the U.S. are here from Washington at the solicitation of Heber J. Grant and his helpers to persecute [sic] and imprison and penalize those who are trying to obey the fulness of the gospel. Heber J. Grant says to them, "Give them the limit and the Church will furnish the money to fight the case."<sup>42</sup>

A few days later one man and wife were arrested and briefly jailed on charges relating to polygamy.<sup>43</sup> Quickly, some polygamists went into hiding.<sup>44</sup>

Jessop's diaries reveal that the Priesthood group—those associated with the Priesthood Council—responded to threats of legal prosecution in the spring and summer of 1934 in five specific ways: (1) holding prayer circles; (2) conducting personal and communal fasts; (3) publishing a small religious book in defense of their beliefs; (4) writing an open letter of warning addressed to Heber J. Grant and "all those who are persecuting the saints,"<sup>45</sup> and (5) searching for a place of refuge.

Three events exacerbated the growing crisis. Lorin C. Woolley died on 20 September 1934. Just six months later, on 16 March 1935, Woolley's successor as the senior member of the Priesthood Council, J. Leslie Broadbent, also died. Broadbent's death at age 43 was a shock to the Fundamentalists.<sup>46</sup> The same week, the Utah State Legislature passed House Bill No. 124, which elevated the punishment for unlawful cohabitation from a misdemeanor, punishable by up to

40. *Diary of Joseph Lyman Jessop*, vol. 2 (7 Apr 1934), 19.

41. Ibid.

42. Ibid., 24 May 1934, 22. A few days later Jessop wrote of hearing a similar report, "One proposition is to send us to Mexico."

43. Ibid., 21 Apr. 1934, 19. Polygamist Abe Teerlink and his wife Rosa were charged in relation to polygamy.

44. Ibid., 15 May 1934, 21.

45. Ibid., 24 June 1934, 25.

46. Ibid., 16 Mar. 1935, 53.

six months incarceration, to a felony, punishable up to five years. The new law was scheduled to go into effect two months later, on 15 May 1935. This legislation set in motion the events which produced the drama in Short Creek later that summer and fall.

When the brethren of the Priesthood Council learned about the "new anti-polygamy law," they studied it with an attorney and determined it was intended "to make trouble."<sup>47</sup> The next day, the "largest assembly ever" gathered for a fast meeting.<sup>48</sup> To reaffirm their resolve, several brethren met with the Priesthood Council and "covenanted to keep *all* the commandments of the Lord."<sup>49</sup>

In early May, with just two weeks before the new unlawful cohabitation statute was to take effect, Jessop told his family ". . . something is going to be done on account of persecution. I may be sent away from you. I don't know where."<sup>50</sup> On 10 May, with only five days left of the countdown, Jessop and others met with brethren of the Priesthood Council to read and discuss a letter from Price Johnson of Short Creek in which he once again recommended the town as a place of refuge.<sup>51</sup> Johnson's plan was accepted as a last-minute measure.

Joseph Lyman Jessop, his brother-in-law Ianthus W. Barlow (John Y. Barlow's brother), and another young polygamist, Carl E. Jentzch, were chosen as a vanguard to join the brethren at Short Creek and assist them in their land and sawmill affairs. Jessop and Jentzch were ordained high priests and set apart to "prepare a refuge for the saints who will come to this country."<sup>52</sup> Joseph Musser promised them water would "break forth as it was needed."<sup>53</sup> Musser wrote of the occasion:

We met with these brethren and set them apart for their labors. . . . They were instructed to proceed to Short Creek, accept the leadership of Bro. Price. W. Johnson, and not to drive a nail or saw a board, or engage in any occupation except under the influence of the Spirit of the Lord. Not to have their minds on money, but upon the glory of God. The brethren felt splendid and covenanted to carry out instructions.<sup>54</sup>

Musser felt inspired that this action was the beginning of the re-establishing of the United Order. He predicted, "Though it has a very small beginning, it will grow to fill the whole earth."<sup>55</sup>

47. *Diary of Joseph Lyman Jessop*, vol. 2 (23 Mar. 1934), 53.

48. *Ibid.*, 25 Mar. 1935, 54.

49. *Ibid.*, 4 Apr. 1935, 55.

50. *Ibid.*, 30 Apr. 1935, 57.

51. *Ibid.*, 10 May 1935, 58.

52. *Ibid.*

53. *Ibid.*

54. *Joseph W. Musser Diary*, 10 May 1935.

55. *Ibid.*

Jessop felt his course was fixed. He penned in his diary, ". . . I pray, O my Father in Heaven, Help me to fill this great mission acceptably unto thee. . . ." That evening he called his wives together and "prayed in tears. . . feeling keenly the thots [sic] of being separated for perhaps many months."<sup>56</sup> Jessop decided it was best not to tell his younger children about the plan. The next morning, Jessop arose at 4:15 a.m. He gave his wives and three oldest children blessings and kissed them all goodbye. Then he with Carl Jentzch began a 350-mile journey toward Short Creek. They arrived the following evening, believing they were relatively safe from the reach of Utah law enforcement.<sup>57</sup>

### BUILDING THE KINGDOM OF GOD IN SHORT CREEK

Jessop, Jentzch and Ianthus W. Barlow, who had arrived earlier, began their mission in earnest. They met with seven men from the Short Creek area in a priesthood meeting to discuss "means and plans of action." Each man "consecrated all to the building of the Kingdom of God." A week later, the presidency for "this branch of the Kingdom of God" was organized. Ianthus W. Barlow was set apart as President, Isaac Carling as First Counselor, and Elmer Johnson as Second Counselor.<sup>58</sup> They and their brethren were instructed to prepare Short Creek "for the coming of the saints. . . to build a city of Zion and feed eventually millions of people."<sup>59</sup>

A little over a week later, Elders Price W. Johnson and Carl Jentzch returned to Salt Lake. They reported to the Priesthood Council that all the brethren involved were willing to put their land and assets into a common fund for the benefit of "our brethren" under the jurisdiction of the Priesthood Council. Like Joseph Musser, they felt that this was the beginning of living in a United Order.

A whirlwind of activity characterized the polygamists' presence in Short Creek. Hardly a day passed without arrivals or departures of those connected in some way with the movement. Family members of the men from Salt Lake began arriving. Jessop's third wife, Beth, came with their first child, four-month-old Winnie Faye.<sup>60</sup> Before the end of the summer, the small flock comprised perhaps a hundred souls.<sup>61</sup>

56. Ibid.

57. *Diary of Joseph Lyman Jessop*, Vol. 2 (13-14 May 1935), 59.

58. Ibid., 23 May 1935, 60.

59. Ibid., 17 May 1935, 59.

60. Ibid., 22 May 1935, 60.

61. Ibid., 17 May 1935, 59. The size of this "flood" on Short Creek, in terms of new population, is estimated to have been some 50 to 60 people. Combined with the families of those already from the area, the entire movement was probably around 100. Of the 16 men identified by name in Jessop's journal who were bound by priesthood covenant to the movement, seven came from the Salt Lake area: Ianthus W. Barlow, Joseph L. Jessop, Carl Jentzch, John Y. Barlow, Harold Allred, and Joseph L. Jessop's two brothers, Richard and Fred. Ten were all from the Short Creek area or from Southern Utah. They were Price Johnson, Elmer Johnson, Isaac W. Carling, Leonard Black, Isaac Carling Spencer, Jerry Johnson, Henry Covington, LeRoy Johnson, Vergel Jessop, and Warren

Building "the Kingdom" in the remote desert village of Short Creek during the summer of the 1935, in the midst of the Great Depression, was not an easy undertaking.<sup>62</sup> A great deal of energy, time and attention was spent to obtain the basic needs of water, food and shelter. Daily or weekly chores included gardening, hauling wood for cooking and baking, grinding wheat for bread, and maintaining the few automobiles available. Almost immediately, the group of men began digging a well (though they never found water), drew up plans for a windmill, and began ploughing land and planting crops—beans, melons, corn, rye and other grains. They laid out streets for the city-to-be and began gathering machine parts to construct a power plant. Assignments were given to log trees and to work at the sawmill, and arrangements were made to obtain a planing machine for lumber. Time was taken to write letters to loved ones left behind in Salt Lake City.

As a skilled carpenter, Joseph Lyman Jessop kept especially busy although he often complained about the lack of materials and the difficulty of working with poor or green lumber. He helped to build a privy, enlarge a cabin, and construct a small shop to house power machinery. He built a few screen doors to keep out flies, a great necessity in the hot climate. In exchange for a six-dollar store credit, he built a door frame and drawers for a cabinet. When it was Jessop's turn to work at the sawmill in the canyon, he not only cut logs like everyone else, but made a table and a chair for the loggers' cabin. He was particularly in demand when a new home was started for Ianthus Barlow.

### MILLENNIAL FERVOR SPARKED

The movement in Short Creek quickly inspired a millennial zeal among Fundamentalists. To many, involvement in Short Creek, either directly or indirectly, symbolized their commitment to the fulness of the gospel. Some, however, were more reluctant. When Morris Kunz voiced his reticence in a Sunday meeting, Joseph Musser recommended that Bro. Kunz be excused, that his services could be used to good advantage in Salt Lake, rather than in Short Creek, and that he should not go "until he can feel satisfied it is the will of the Lord."<sup>63</sup>

On 20 June 1935, the Priesthood Council met in Salt Lake City and decided that any brethren sent down to Short Creek who became dissatisfied might be released and return home. More importantly, they decided Bro. John Y. Barlow was to move to Short Creek and take full charge of operations there, "using his

Black. Over the next three months, Jessop identified a total of 60 persons who were somehow connected with the effort in Short Creek. Of these, 54 individuals were members of the 16 families listed above, a number of whom were older unmarried sons whose labor contributed greatly to the movement. Six others were visiting relatives. Of the 60, 29 or about half, came from Salt Lake, and one of these was a baby born after their arrival—the son of I.W. and Violet Barlow. However, missing from this list are names of some wives and most younger children.

62. Driggs, 210.

63. Joseph W. Musser Diary, 13 June 1935.

judgment and taking action as occasion requires."<sup>64</sup> Bro. Musser, with the help of the other brethren of the Council, was to have similar jurisdiction in Utah in Barlow's absence.

Musser's teachings to Fundamentalist audiences in the summer of 1935 bore four main themes. First, he stressed individual responsibility, preaching that "it is up to all the brethren to know for themselves," and that every person "should place himself in a position to know for himself whether or not the Priesthood is right and then act accordingly."<sup>65</sup> However, he qualified individual responsibility by saying that brethren who were "expressing the hope that [they] may soon get the 'word of the Lord,' should understand that they are getting this word every time the Priesthood [Council] takes official action. . .that is as much of the 'word of the Lord' they may ever expect to get until they accept it as such, when the Lord would give them further direction."<sup>66</sup> He said those who were looking for angels to answer them would not get their anticipations satisfied, for "We are required to live by faith."<sup>67</sup>

Second, Musser emphasized the importance of working communally and preparing to live the United Order. He told the saints that from this time greater responsibility would rest upon them and that "no one present, working selfishly for himself, would succeed. Only community effort would be successful."<sup>68</sup> He promised "they would never become rich in worldly things, except the Lord had something special for them to do, and that from now on none of them would 'make money' to any appreciable degree outside of the spirit of the United Order."<sup>69</sup> He said none were prepared for United Order. "We must overcome selfishness, prejudice, envy and learn to love our neighbor as ourselves" and "quit gossiping and bearing false witness."<sup>70</sup> "When this is achieved," he told them, "we will be able to live in accordance with God's plan and find it so much easier. . .we will wonder why we didn't adopt it before."<sup>71</sup>

Third, he expounded upon the order of priesthood leadership and explained that Bro. John Y. Barlow, by virtue of his seniority, was at the head of the Priesthood Council no matter where he was. Under Barlow's direction, men might be appointed to take charge of certain works, as had been done, and they would be respected in their positions, yet should always be subject to the head.

Fourth, Musser emphasized the importance of individual agency, saying, "individual responsibility must be recognized. Men cannot be saved if deprived of their agency."<sup>72</sup> While Musser preached to the saints in Salt Lake, his admonitions may have been more relevant in Short Creek where unity was crumbling.

64. *Ibid.*, 20 June 1935.

65. *Ibid.*, 13 June 1935.

66. *Ibid.*

67. *Ibid.*

68. Joseph W. Musser Diary, 10 May 1935, 27 May 1935.

69. *Ibid.*, 3 June 1935.

70. *Ibid.*, 23 June 1935.

71. *Ibid.*

72. Joseph W. Musser Diary, 13 June 1935.

## CONTENTION AMONG THE BRETHREN

During the thirteen weeks that Joseph Lyman Jessop spent in Short Creek, one of his greater concerns was contention among his brethren. Manifested at first as discouragement, feelings gradually increased until they emerged as outright strife. Finally, the authority of those in charge was questioned. The source of the deepest division, however, was John Y. Barlow's plan to form a trust or holding company as the beginning of a United Order.

About two weeks after arriving, Jessop wrote of despondency among several: "All present feel glum and under a heavy load until they could hardly smile. I tried to cheer them up."<sup>73</sup> A few days later, several had complained that "the spirit of union is not as great as it should be among the men here."<sup>74</sup> Disunity became even more evident when an "instructive" letter arrived from Joseph W. Musser, and some of the brethren responded with the spirit of fault-finding.<sup>75</sup>

On the first of July, Jessop made a trip to Salt Lake City, his only chance that summer to visit the two wives and the children he had left behind. His main purpose for the trip, however, was to consult with the brethren of the Priesthood Council. He met with John Y. Barlow, Joseph W. Musser, and Louis Kelsch. They warned him to be "very, very careful while in Salt Lake because 'the law authorities have a very clear case against you. . .and the officers are watching for you.'<sup>76</sup> These brethren then asked Jessop for a detailed report of affairs in Short Creek. He told them, ". . .it was a case of walking by faith and not by sight, for there is no sight in it—I mean no sight of sufficient crops, no water, no building material in sight at present, so we are walking by faith." When asked if he wanted to go back, Jessop replied, "For me there is nothing else to do because I have been called and set apart for this work, and I feel just like going back and doing all I can for the cause."<sup>77</sup> When Jessop mentioned Bro. Musser's yet unfulfilled prophecy that water would come forth in Short Creek, Musser sat in silence a moment, then looked up and said, "It will come when you are united and not until then."<sup>78</sup>

Two days later, Jessop helped load vehicles with the household goods of John Y. Barlow's family for their move south. As previously decided by the Priesthood Council, Barlow was going to Short Creek to take charge of the whole project, temporally and spiritually.

At his departure, Jessop was clearly distressed by his two wives' "love and loneliness inexpressible" and the tears of his children, whom he had to leave

73. Ibid., 30 May 1935, 60-61.

74. Ibid., 3 June 1935, 61.

75. Ibid., 23 June 1935, 62. Letter, Joseph W. Musser to "Our Brethren in the Covenant of Christ," 18 Jun 1935.

76. Ibid., 2 July 1935, 63-64.

77. Ibid.

78. Ibid.

once again. "I felt a vacancy that words cannot express. All I can do is Pray. I left them in the hands of the Lord."<sup>79</sup>

In Short Creek, the brethren made efforts to unite. After having prepared by fasting, they met in a special priesthood meeting on 7 July. Bro. John Y. Barlow presented the articles and laws of the United Trust that had been prepared by the Priesthood Council. All present voted to give their property.

Despite such an outward display of unity, controversy over the United Trust was hardly resolved. Jessop learned of the extreme dissatisfaction of Carl Jentzch, who was "much affected by and opposed to some clauses in the document of the United Trust."<sup>80</sup> Jentzch said he could see "oceans of tears shed by this people because of it." He began preparations to "go back to the City and quit. . .on account of the clauses," which he said guaranteed nothing.<sup>81</sup> Jessop agreed that the United Trust clauses in question appeared "harsh and unfair" and felt that they "were not meet for men."<sup>82</sup> His journal records several prayers on the matter.<sup>83</sup> He even personally approached Bro. Barlow, who told him, "I got this [the idea for the United Trust] in answer to my prayers and I know I am right."<sup>84</sup>

At a priesthood meeting held in Short Creek on 11 August, Jessop "tried to unite the spirit of those present." Despite his effort, the meeting erupted into a verbal tug-of-war over the matter of authority of the presiding brethren. Jessop felt he "could not agree in full with either side" and did not say anything during the debate. He confided to his journal, "I'm having plenty of fight with myself of late to try to feel good as I should."

On 15 August, in Salt Lake City, Joseph Musser received word of the "serious inharmony" at Short Creek.<sup>85</sup> It was reported that two of the brethren, Harold Allred and Ianthus W. Barlow, objected to the Priesthood Council entering into temporal matters, claiming their calling to be exclusively to exercise the sealing powers. Musser observed, "They will trust their eternal salvation with us but fear our judgment in temporal matters."<sup>86</sup>

A few days later, at a Thursday evening priesthood meeting, John Y. Barlow called upon each one present to express himself. Each man "ask[ed] forgiveness of the others and all felt better."<sup>87</sup> The sacrament was administered, and then all joined in prayer. That was Joseph Lyman Jessop's last meeting as a resident of Short Creek. The very next week, on 20 August, he received a letter from Joseph Musser urging his immediate return to Salt Lake City.

79. *Ibid.*, 4 July 1935, 64.

80. *Ibid.*, 16 July 1935, 65.

81. *Ibid.*, 17 July 1935, 65.

82. *Ibid.*, 17 July 1935, 22 June 1935, Vol. 2, 65-66.

83. *Ibid.*, 28 July 1935, 16 July 1935, 17 July 1935, Vol. 2, 63, 66.

84. *Ibid.*

85. *Joseph W. Musser Diary*, 15 August 1935.

86. *Ibid.*

87. *Diary of Joseph Lyman Jessop*, Vol. 2 (11 Aug 1935 and 15 Aug 1935), 68-69.

## CHALLENGING THE LDS CHURCH

The Fundamentalist movement in Short Creek had been created in the midst of a small but very mainstream L.D.S. community. In fact, LDS church authorities had been well aware that polygamists were living in Short Creek *before* the decision was ever made by Fundamentalist Mormons to make it a place of refuge. The previous year, on 30 August 1934, four Short Creek Church members had been excommunicated for preaching or practicing polygamy.<sup>88</sup> So, in 1935, the growing numbers of polygamists in Short Creek and the discussions they generated in the Short Creek Ward drew more than casual attention.

At first, Jessop had refrained from attending the Short Creek Branch, feeling that it was "best not to crowd in upon them because they would think we are trying to run them out."<sup>89</sup> But, after receiving a personal invitation, Jessop was glad to attend regularly. In spite of the fact that he had been excommunicated from the Church a decade earlier, he still considered himself in every way a Latter-day Saint.<sup>90</sup> Almost immediately, he noted tensions over doctrine during class discussions between the regular church members and the Fundamentalists, some of whom were still members of the church in good standing. One Sunday meeting became especially tense when Jessop and others, "Took issue in favor of the laws of the Lord in preference to those of the land."<sup>91</sup>

The following Sunday, leaders from the Zions Park Stake came to set matters straight. Jessop's account of the meeting described the church leaders' remarks as demeaning to the Fundamentalists. He wrote:

Bro. Jeppson began defending the law of the land against polygamy, quoted scripture and spent much time belittling anyone who should oppose the Manifesto, calling them silly people. He shuddered at the thought [sic] of going against the Govt. of the U.S. [Then,] Bro. David Hershi endorsed Jeppson's remarks. . . . Another Councilman, a Bro. Sandberg, spoke along the same lines.<sup>92</sup>

As soon as the meeting was over, Jessop and Carl Jentzch challenged the church leaders to allow open debate on the subjects they had discussed. Heated debates and discussions erupted both inside and outside the meeting house among men and women on both sides of the issue. Listening crowds looked on for the better part of an hour. Jessop described the commotion:

88. Driggs, 210; Bradley, 52. Isaac Carling was excommunicated for preaching polygamy. The other three, all found to have entered polygamous marriages, were Warren E. Johnson, Viola Spencer Johnson, and a plural wife of Price Johnson, Hellen Lucy Hull.

89. *Diary of Joseph Lyman Jessop*, vol. 2 (26 May 1935), 60.

90. *Ibid.*, 181. Jessop was excommunicated in December 1924 from the East Mill Creek Ward in Salt Lake City "for practicing and teaching principles contrary to the rulings of the church."

91. *Ibid.*, 7 July 1935, 64.

92. *Ibid.*

I with Carl Jentzch walked to the front to Bro. Edwin Black who had charge of the meeting and We protested them, charging they had been teaching false doctrine and [asked him to] ask the house, that the people may hear the other side. I challenged Sandberg. . .to meet the issue point by point before the people. The other speakers left the building. Harold Allred and wives came up and introduced themselves to him [Sandberg], as also [my wife] Beth, showing up our baby, saying, "And here is one of those whom you said had no right to be born." Orlin Colvin and wife came up defending the side against plural marriage. I challenged him to meet me in open debate before the people. Then John T. Spencer came also on their side, and I said, "I challenge you too, John Spencer." He flew angry and bristled up like a banty rooster. We had a large crowd around us, and some cornered Jeppson outside, so we went after them strong for about 45 minutes, and they refused to listen further and left us. Many of those present argued for the truth and others against it."<sup>93</sup>

That confrontation was the match that set Short Creek aflame in a blaze that all the world would see. It soon became clear that law enforcement and media had been contacted by high-level church leaders.<sup>94</sup> Within the week a report came that complaints had been made to prosecute several men on polygamy charges.<sup>95</sup> Eleven days later, the first photographer, a man from the International News Service, showed up in Short Creek. He wanted to see "the 400 people and 40 new homes under construction and. . .to get a photograph of at least one polygamous family where 3 babies were born to one man by three wives in one month." Jessop flatly stated, "He took a picture of I. W. Barlow's house (the only one under construction), also a picture or two of the village."<sup>96</sup>

By that time, articles about the polygamists in Short Creek had already been published in the *Salt Lake Tribune*. What bothered Jessop most was the report that leaders of the church were "urging the officers of Mohave County, Arizona, to arrest and embarrass [sic]" them.<sup>97</sup> Two days later on 9 August, the Mohave County Sheriff and the County Attorney came to Short Creek, looking to find someone to sign complaints, so they could make arrests.<sup>98</sup> After finding a local

93. *Diary of Joseph Lyman Jessop*, vol. 2 (21 Jul 1935), 66.

94. Bradley, 6. Bradley states: "The *Kansas City Times* quoted Apostle Melvin J. Ballard as admitting to the partial responsibility for the prosecution of Spencer, Allred and Johnson when it shared information with the government that had been gathered for Church trials." Driggs, 213-214. *Truth*, January 1936.

95. *Ibid.*, 26 July 1935, Vol. 2, 66.

96. *Ibid.*, 6 Aug. 1935, Vol. 2, 67.

97. *Ibid.*, 7 Aug. 1935, 67; Driggs, 213-214; *Truth*, January 1936.

98. *Ibid.*, 9 Aug 1935, 68. Also Bradley, 54. Bradley states, that on "16 August 1935, [County Attorney] Bollinger succeeded in surprising the fundamentalists with warrants. . ." "It is not likely the arrests were a total surprise, given the fact that the polygamists had been warned of the probability arrests some three weeks before, on 21 July 1935. Jessop's diary clearly identifies the day of the initial arrests as 9 August not 16 August; he states it was Jack Childers who finally signed the complaints. Wallace Stegner's account (Stegner, 220), as told to him by Short Creek resident [non-

homesteader to do the deed, six of Short Creek's "most solid citizens," including Bro. John Y. Barlow, were arrested.<sup>99</sup> Barlow was charged with "Open and notorious cohabitation" with a woman other than his legal wife.<sup>100</sup> It is no small irony that the very first prosecutions of polygamists following the passage of Utah's 1935 unlawful cohabitation law were not in Utah but in Short Creek, Arizona.

Jessop left Short Creek the morning of 21 August. When he asked John Y. Barlow whether or not to return, Barlow answered that he "thot it best [for Jessop] not [to] go."<sup>101</sup> So Jessop was not an eye witness of Short Creek's extraordinary moment as the capital of the world that brought reporters, photographers, and film-makers "from the Atlantic to the Pacific coasts and north and south from Canada to the Mexican border."<sup>102</sup> He did not see the trial, described as "a comedy of errors," when the "schoolhouse filled to overflowing with visitors from all across the state" and reporters from a half dozen newspapers "noted every moment" with flashbulbs "exploding across the makeshift courtroom."<sup>103</sup> Nor did he see "Paramount News set up a movie camera in the schoolhouse and [film] the entire proceedings."<sup>104</sup> Neither was he a witness the very next day when the LDS church authorities presented its newly instituted loyalty oath to the members of the Short Creek Branch, requiring them, under threat of excommunication, to declare their support of the First Presidency of the church "without any mental reservation" and to "denounce the practice and advocacy of plural marriage."<sup>105</sup>

Jessop had been plucked out of the crisis in Short Creek only days before its culmination, a crisis he had helped foment. He could only track from afar the trials and the subsequent conviction of three Short Creek saints—two polygamists and one plural wife.<sup>106</sup> Those who were imprisoned for polygamy were released within a year and returned to Short Creek.<sup>107</sup> The LDS Church eventually withdrew its branch from the town, leaving it to those who had made it a polygamist community.

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polygamist] Jon Reed Lauritsen, agrees in substance with Jessop's account, stating that Sheriff Graham and County Attorney Bollinger "had trouble getting complaints," but finally got "Jack Childress," a homesteader, to sign.

99. Ibid., Driggs, 213. Bradley, 55. Those arrested were Isaac Carling Spencer, Sylvia Allred Spencer, Price Johnson, Hellen Hull, John Y. Barlow, and Mary "Roe" Barlow. Charges against all were dismissed in September 1935 by Short Creek Justice of the Peace J. M. Lauritzen based on "information and belief" amounting to rumor. Soon new complaints were drawn and warrants issued.

100. Joseph W. Musser Diary, 20 August 1935.

101. Ibid., 3 Sep 1935, 70.

102. *Mohave County Miner*, 6 Sep 1935. Bradley, 56-63, 224-225. Bradley cites from more than three dozen magazine and newspaper articles.

103. Ibid., 56.

104. Ibid.

105. Driggs, 211.

106. "Short Creek Embroglio," *Truth*, vol. 1 (October 1935), 51. Bradley, 54-55, 62. Driggs, 213-214. The two men, Price W. Johnson and Isaac Carling Spencer, spent not quite a year in prison and were let out early for good behavior. Sylvia Allred, plural wife of Isaac Carling Spencer, who was pregnant at the time of her arrest and trial, received a suspended sentence after the birth of her baby.

107. Ibid.

## CONCLUSION

When legal efforts were made in the 1935 to stop polygamy, Fundamentalist Mormons designated Short Creek, Arizona, as a place of refuge. It was a last-minute decision, born of desperation, to go underground and avoid legal prosecution over plural marriage. In their zeal to build Zion, to do more than just an escape, the Fundamentalists inadvertently created a movement which drew inordinate and immediate attention, church excommunications, legal battles, and media scrutiny. Despite Short Creek's 1935 moment in the sun, the Fundamentalist Mormon movement at Short Creek did not wither away, and the opposition did not end polygamy as anticipated by some church and government officials. Large-scale government raids in 1944 and 1953 only strengthened individual and community resolve. Although residents eventually changed its name to Colorado City to avoid stigma from the raids, the town will soon celebrate seventy years since it was designated as a place of safety in 1935.<sup>108</sup> Short Creek's legacy as a "refuge for the saints" survives in a growing, thriving community for a segment of Fundamentalist Mormon polygamists and their families.<sup>109</sup>

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108. Short Creek's name was officially changed to Colorado City in 1962.

109. Driggs, 51. Driggs states: "Short Creek has today disappeared from maps but thrives as Hildale, Utah, and Colorado City, Arizona. . . . It is important to appreciate that Mormon Fundamentalism is not a monolithic group any more than the larger Christian or Islamic communities are homogenous. The Short Creek Community is but one part of a much larger and very diverse group. There are some sympathies but no formal ties between Short Creek and any of the other Fundamentalist communities."