



Federal Investigation of Polygamous Mormons Under the White Slavery Act

Stephanie Kirk, Loa Markarian (Research Mentor: Paul Anthony)



Background

In the 1890s, the Church of Jesus Christ of Latter Day Saints, known colloquially as the Mormon Church, publicly discontinued its practice of plural marriage. This occurred after pressure from the United States government. The practice continued in private, and those who participated in it via entering into new plural marriages or performing new plural marriages were eventually excommunicated. This led to the formation of the FLDS, or the Fundamentalist Church of Jesus Christ of Latter Day Saints. The Mann Act, or the White Slave Traffic Act of 1910, which made it a felony to transport women for “immoral purposes” across state lines, has also been used to prosecute members of the FLDS.

Analyzing FBI documents from primarily the 1930s-40s, which include information from leads the FBI was using to newspaper clippings, our research asks the question of how members of the FLDS were historically surveilled by the government under this act, as well as how they were perceived.

Methods

- FBI files were requested to do with the subject at hand. These documents are under classification 31, which has to do with the White Slave Traffic Act.
- We sorted through scanned files of the requested documents and filled out an excel sheet to better organize them. This was done by making different columns for the box number (the box the files were in), the file numbers and names, dates, mentioned people, etc.
- We kept track of interesting findings via a notes column in the excel sheet, as well as by taking pictures of interesting things within the documents and independently organizing them.

Examples of Findings

Here's Home Life Glimpses of Utah Plural Family



WHAT A MAN . . . Proving his contention that he wouldn't ask one of his wives to do something he wouldn't do, Heber Kimball Cleveland, (left) defendant in Utah polygamy case, helps his 17-year-old wife, Marie Beth Barlow Cleveland, with family washing. Cleveland is reported to have admitted seven marriages. At right, Marie and Rhea Alred Kunz look through a cook-book as they help prepare family dinner. "We learn to control jealousy in plural marriage," says Marie.

Engaged to Baby

David Brigham Darger was said to have taken a girl from Colorado to Utah, "where he showed his depraved mind and natural bent for unlimited sexual intercourse" by becoming engaged to a baby girl six days old. The brief accused Vergel Y. Jessop with permitting the children of his legal wife to witness "him in bed with a girl he had brought to his home." The Government pressed kidnapping charges against two men and a woman, accused of abducting a 15-year-old girl with the mentality of a "high grade moron" so that she might become the polygamous wife of 70-year-old William Chatwin. The multiple cases will be decided by Federal Judge T. Blake Kennedy of Wyoming within 60 days. There will be no oral testimony and the verdict will be rendered solely upon the basis of submitted briefs.



ALBERT BARLOW Respects Wives' Rights

Respect Wives' Rights

"And we respect their rights," Barlow emphasized, "including their right to have children only when they are physically, mentally and spiritually ready to have families. "If a wife wants to have a child, then we believe it is the man's duty to father a child for her. "However, we have the right to refuse if we believe that she is not in good enough physical condition to have a baby at that particular time."

The defendants are members of a religious cult called the Fundamentalists. Typical of their attitude is David Brigham Darger, 41, husband of five and father of 12. "We may have to go to jail," Darger said, "but it wouldn't be the first time people were sent to jail because of religious beliefs."

Discussion

Clippings of newspapers tend to follow figures mentioned in documents, indicating media as a method of how the FBI would keep up with people and leads. For example, one document goes over a series of “undeveloped leads” that include people that come up later in the legal cases and, subsequently, in the news.

These newspapers and photos have brought light to the key findings of this federal investigation. At the heart of the investigation lie prominent men being tracked by the government, including John Barlow, Joseph Musser, Herber Kimball Cleveland, Louis Kelsch, and Charles Zitting. Although further investigation into federal files is likely necessary, the discoveries made so far represent a pivotal moment in the ongoing debate over religious freedom, individual rights, and the role that law enforcement plays in regulating religious factors.

References

Bowman, Matthew. *The Mormon People: The Making of an American Faith* (Random House, 2012).

Bradley, Martha Sontag. *Kidnapped from That Land: The Government Raids on the Short Creek Polygamists*. (University of Utah Press, 1993).

Daynes, Kathryn M. *More Wives Than One: Transformation of the Mormon Marriage System, 1840-1910*. (Urbana: University of Illinois Press, 2001).

Adams, Brooke, et al. "The Theory of Collective Memory and the 1953 Short Creek Arizona Polygamous Raid." *Journal of Family History*, vol. 38, no. 4, Oct. 2013, pp. 443-65.

Bradley-Evans, Martha. "The Raids at Short Creek and Yearning for Zion Ranch and the Law of Unintended Consequences." 2014. *Polygamy's Rights and Wrongs: Perspectives on Harm, Family, and Law*, edited by Gillian Calder and Lori G. Beaman, UBC Press, pp. 196-214.

Acknowledgement

Thanks to Hope Longe for retrieving the documents studied.