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Death to Seducers! Examples of Latter-day Saint-led Extralegal Justice in Historical Context

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DEATH TO SEDUCERS! EXAMPLES OF LATTER-DAY SAINT-LED EXTRALEGAL JUSTICE IN HISTORICAL CONTEXT

Craig L. Foster

Abstract: *Some people have suggested a strain of violence within nineteenth-century Latter-day Saint culture as violent as and perhaps more so than that of most Americans around them. Critics of The Church of Jesus Christ of Latter-day Saints point to a few well-known acts of extralegal violence as evidence of a culture of violence that permeated the early Church. But were these examples of violence really out of the norm of nineteenth-century American society? This article looks at examples of extralegal punishment for certain crimes, placing them and the examples of extralegal punishment in Utah within a greater historical and cultural context.*

Over the years, critics of The Church of Jesus Christ of Latter-day Saints and even some historians have suggested a strain of violence that permeated nineteenth-century Latter-day Saint culture which was as violent as and perhaps more so than that of most Americans around them. Indeed, according to well-known historian D. Michael Quinn, “Those violent norms were officially approved and published by the LDS Church in pioneer Utah.”¹ As I point out in this paper, the historical record is not as clear-cut as some may assume.

Before delving into the main topic of this paper — violence in service of extralegal justice in early America — it should be noted that it is easy for present-day sensibilities to be shocked and offended by the historical accounts treated in this paper. This is understandable; one can be excused for not even knowing that early Americans were familiar with and often approving of what we, today, view as barbaric acts. Looking at

1. D. Michael Quinn, “The Culture of Violence in Joseph Smith’s Mormonism,” *Sunstone* 164 (October 2011), 28.

these accounts — distasteful as it may be — is necessary if one wants to fully understand the historical context in which singular events dredged up by critics occurred.

Examining Two Commonly Cited Examples of Church-Approved Violence

While different examples are cited to push the argument of a prevalent strain of violence in early Church culture, perhaps some of the most popular are stories of castration in early territorial Utah. Even from the nineteenth-century there were accusations of multiple cases of castration by members of the Church, such as John D. Lee's *Mormonism Unveiled* (actually mostly written by William L. Bishop), which claimed that "many a young man was unsexed for refusing to give up his sweetheart" to "old, worn-out members of the Priesthood."² Despite accusations and tales of rampant castrations, there are only two well-documented cases: the castration of Henry Jones in Payson, Utah, in 1858 for incest and of Thomas Lewis of Sanpete County in 1856.³

On 27 February 1858, Hosea Stout recorded in his diary, "This evening several persons disguised as Indians entered Henry Jones' house and dragged him out of bed with a whore and castrated him by a square & close amputation."⁴ Although a couple of historians have referred to Jones's crime as adultery, several different records identify his crime as more than simple adultery or fornication. Rather, both he and his mother were killed for incest.⁵ Furthermore, John H. Beadle, editor of *The Utah Reporter* and outspoken critic of the Church, described Jones's crimes as two separate events. He wrote in *Polygamy or, the Mysteries and Crimes of Mormonism*,

2. John D. Lee, *Mormonism Unveiled: or, the Life and Confessions of the Late Mormon Bishop, John D. Lee* (St. Louis: Bryan, Brand & Co., 1877), 284–86.

3. "Mormonism's Early Secrets," *Salt Lake City Messenger* 92 (April 1997): 1; David L. Bigler and Will Bagley, *The Mormon Rebellion: America's First Civil War, 1857–1858* (Norman: University of Oklahoma Press, 2011), 113 and 286; D. Michael Quinn, *Same-Sex Dynamics Among Nineteenth-Century Americans: A Mormon Example* (Urbana: University of Illinois Press, 1996), 271.

4. *On the Mormon Frontier: The Diary of Hosea Stout*, ed. Juanita Brooks, Vol. 2, 1848–1861 (Salt Lake City: University of Utah Press, Utah State Historical Society, 1964), 653.

5. Bigler and Bagley, *The Mormon Rebellion*, 286 and Quinn, *Same-Sex Dynamics*, 271. Regarding incest, see Richard H. Cracroft, "Review of Orrin Porter Rockwell: *Man of God, Son of Thunder*, by Harold Schindler," *Brigham Young University Studies* 24, no. 3 (1984): 391.

“Henry ... had previously been emasculated on a charge of bestiality; now he and his mother were accused of incest, and shockingly murdered.”⁶

The castration of Henry Lewis was more complicated and the reasons less clear than those surrounding the Jones castration. An interesting and thoughtful essay by John G. Turner noted several reasons given for the castration, including a sexual crime on the part of Lewis; Bishop Warren Snow’s desire to marry a girl Lewis fancied; and the desire to make Lewis, who had a history of rebellion and violence, an example to deter other possibly rebellious young men. Turner felt the last was “the most likely conclusion.”⁷

The basic facts of the castration are that Henry Lewis, a young man residing in Manti in central Utah’s Sanpete Valley, was involved in two violent altercations in the fall of 1856 and seemed to be inclined to trouble.⁸ After the second violent altercation, Lewis, who had already been excommunicated from the Church for almost killing another man by hitting him on the back of the head with a shovel, was sentenced to five years in prison for threatening to kill another man during an argument. He was again “cut out[f] from the church.”⁹

On 29 October, Lewis was handcuffed and loaded into a wagon headed for the Utah Territorial Penitentiary. He didn’t even make it to Ephraim, a town fewer than seven miles north of Manti. At William Creek, south of Ephraim, he was “taken out of the wagon a blanket put round his head & actulay alter him like a pig by taking his Testicles clean out & he laid at this place in a dangerous state he was out two nights & part of two days before he was found.”¹⁰

6. J. H. Beadle, *Polygamy or, the Mysteries and Crimes of Mormonism* (Philadelphia: National Publishing Co., 1882), 145. Louis J. Kern, *An Ordered Love: Sex Roles and Sexuality in Victorian Utopias, the Shakers, the Mormons, and the Oneida Community* (Chapel Hill: The University of North Carolina Press, 1981), 163 and John D’Emilio and Estelle B. Freedman, *Intimate Matters: A History of sexuality in America*, 2nd ed. (1988; repr., Chicago: University of Chicago Press, 2012), 118; both discuss Jones’s castration/emasculatation as a result of bestiality.

7. John G. Turner, “‘Things Are So Dark and Mysterious’: Thomas Lewis, the Mormon Reformation, and Peace and Violence in Early Mormon Utah,” eds. Newell G. Bringhurst and Matthew L. Harris (working paper), 18–19, 22. A copy of the Turner manuscript is in possession of the author.

8. Ibid., 6, 10–11 and John A. Peterson, “Warren Stone Snow, a Man in Between: The Biography of a Mormon Defender” (MA Thesis, Brigham Young University, 1985), 113–15.

9. Turner, “‘Things Are So Dark and Mysterious’” 17.

10. Elizabeth Jones to Brigham Young, 2 and 8 November 1856, Box 69, Folder 7, Brigham Young Papers, Church History Library, The Church of Jesus Christ of

Later, Elizabeth Jones, Lewis's mother, learned that Manti Bishop Warren S. Snow had planned the attack along with his brother George Snow and George Peacock. In a letter to Brigham Young, she described her son as a "bloodless breathing tabernacle."¹¹ Some members of the Church leadership were appalled at what took place. It is said that while Brigham Young remained publicly quiet about the attack, he privately supported what happened. He explained, "I will tell you that when a man is trying to do right & do[es] some thing that is not exactly in order I feel to sustain him." Henry Lewis eventually recovered physically from the brutal attack but never quite recovered mentally and lived a sad life. Lewis family members, including a brother, Canaan Lewis, tried to get revenge on Warren Snow but were unable to, and eventually the tragic event faded into memory.¹²

Historians such as John G. Turner feel the Lewis castration had to do with issues other than sexual crimes, while others, such as Warren Snow biographer John A. Peterson, argue that based on the "sermons delivered in the Manti ward, the spirit of the times, the form of punishment itself and the record of Brigham's reaction to it, make it clear that Lewis had committed a sexual crime."¹³ Given the nature of the punishment, I would agree with Peterson and would assume it was one form or another of seduction. But more on that later.

These two documented examples of extralegal violence involving castration are shocking to twenty-first century sensibilities for their level of violence and blood-letting and inevitably lead one to ask whether or not such punishment was out of the norm of nineteenth-century American society. The answer would be yes and no.

Violent Rhetoric

Critics and historians alike have noted the violent rhetoric of early Utah leaders regarding sexual sins and crimes particularly. Such rhetoric was especially strong during the time of the Mormon Reformation of 1856-1857, when sermons by Brigham Young and other Latter-day Saint leaders were meant to cause the Saints to see the evil of their sins and want to confess and be forgiven. Blood atonement was emphasized for those guilty of adultery and other serious sexual sins. Not only did the General Authorities emphasize

Latter-day Saints, Salt Lake City, Utah.

11. Ibid.

12. Turner, "Things Are So Dark and Mysterious," 25, 28.

13. Peterson, "Warren Stone Snow, a Man in Between," 204; and Turner, "Things Are So Dark and Mysterious," 20.

painful punishment for sexual infidelity, so did local leadership. Bishop Warren Snow, for example, suggested that sisters committing adultery with Gentiles while their husbands were gone (on missions or otherwise), should have “a dagger . . . put through both their hearts.”¹⁴

Historians like the late Ronald W. Walker have argued that Brigham Young and other early Church leaders used harsh language that was like having “it raining pitchforks, tines downwards” and the sermons akin to “peals of thunder,” but more as a rhetorical device rather than a *carte blanche* to commit blood atonement or other forms of holy violence.¹⁵ Other historians have linked these sermons to Reformation acts of violence. Will Bagley and Michael Quinn have both suggested that Church leaders’ violent sermons encouraged significant levels of violence as members “carried out various forms of blood atonement.” Even Ronald W. Walker, Richard E. Turley, and Glenn M. Leonard admitted in *Massacre at Mountain Meadows* that “the tough talk about blood atonement and dissenters must have created a climate of violence in the territory.”¹⁶

While attention has been placed on Brigham Young’s and other leaders’ sermons as a catalyst for Latter-day Saint violence, the question must be asked, were nineteenth-century Latter-day Saints alone in encouraging extreme violence as punishment for sexual sins and crimes, or did their rhetoric and actions reflect the popular views of American society?

Non-member Violent Rhetoric and Violence

First of all, Brigham Young and other Latter-day Saint leaders were not alone in preaching strong, even violent sermons regarding real and perceived sin and society’s moral problems. On Sunday, 10 August 1834, Lyman Beecher “preached three anti-Catholic sermons in three different churches. All the churches were filled beyond capacity, and each audience was treated to a barrage of denunciations of the pope, Rome, and Catholicism. Other Congregational clergy in and around Boston followed Beecher’s lead that day, and some directly denounced

14. Warren Snow, “Minutes” (Provo Central Utah State Record, November 16, 1956), as quoted in Turner, “‘Things Are So Dark and Mysterious,’” 15.

15. Ronald W. Walker, “Raining Pitchforks: Brigham Young as Preacher,” *Sunstone* 8 (May-June): 7.

16. D. Michael Quinn, *The Mormon Hierarchy: Extensions of Power* (Salt Lake City: Signature Books, 1997), 256; and Ronald W. Walker, Richard E. Turley, and Glenn M. Leonard, *Massacre at Mountain Meadows: An American Tragedy* (New York: Oxford University Press, 2008), 25, both as quoted and as part of the general discussion regarding the influence of Mormon Reformation sermons on a Church culture of violence; Turner, “‘Things Are So Dark and Mysterious,’” 1–2, 15–16.

the Ursuline convent.”¹⁷ In fact, one preacher urged his listeners to attack the convent, saying, “Leave not one stone unturned of that curst Nunnery that prostitute female virtue and liberty under the garb of holy religion.”¹⁸ These anti-Catholic sermons of Lyman Beecher, particularly his Sunday evening sermon, “The Devil and the Pope of Rome” as well as the sermons of other ministers, were said to have encouraged an angry mob to burn the Ursuline convent in Charlestown, Massachusetts, the very next evening.¹⁹ “After the assault on the convent, Lyman Beecher expressed regret for the violence, but he denied that his sermons were responsible for inciting the mob.” He defiantly declared, “The excitement that produced the riot ‘had no relation whatever to religious opinions, and no connection with any denomination of Christians’ [and] contented himself with the belief that the riot would have occurred regardless of his sermons about the dangers of popery.”²⁰

Lyman Beecher’s son Edward Beecher also preached against Catholicism, describing celibacy practiced by Catholic priests as an evil that “transformed, in a very short time, an ordinary male into a raging sexual madman capable of any act of wickedness to satisfy his exorbitant and unrestrained lust. Murder, rape, incest, and child abuse were standard fare in the life of a male corrupted by the vow of celibacy.” Like his father’s sermons, Beecher’s also encouraged sectarian violence.²¹

17. Mary Anne Pagliarini, “The Pure American Woman and the Wicked Catholic Priest: An Analysis of Anti-Catholic Literature in Antebellum America,” *Religion and American Culture: A Journal of Interpretation* 9, no. 1 (Winter, 1999), 97.

18. Bradley J. Birzer, “Anti-Catholicism in Early America & the Burning of a Convent,” *The Imaginative Conservative*, October 13, 2018, <https://theimaginativeconservative.org/2018/10/catholicism-early-america-ursuline-convent-bradley-birzer.html>.

19. Pagliarini, “The Pure American Woman and the Wicked Catholic Priest,” 97; W. Jason Wallace, *Catholics, Slaveholders, and the Dilemma of American Evangelicalism, 1835–1860* (Notre Dame, IN: Notre Dame University Press, 2010), 10; and, Wilfred J. Bisson, *Countdown to Violence: The Charlestown Convent Riot of 1834* (New York: Garland Publishing, 1989), 110.

20. Wallace, *Catholics, Slaveholders, and the Dilemma of American Evangelicalism, 1835–1860*, 11.

21. Pagliarini, “The Pure American Woman and the Wicked Catholic Priest,” 104. Henry Ward Beecher, brother of Edward, also had a violent streak. An ardent abolitionist, he helped raise money to buy rifles for anti-slavery settlers in bleeding Kansas. Beecher “believed that the Sharps Rifle was a truly moral agency, and that there was more moral power in one of those instruments, so far as the slaveholders of Kansas were concerned, than in a hundred Bibles.” Beecher joined anti-slavery vigilantes in a confrontation with pro-slavery mobbers in Cincinnati in 1836,

Other American religious denominations also had what could only be as termed cultural strains of violence. Eli Farmer, an antebellum Methodist clergyman, not only preached violence but also practiced it. In the mid-1830s he confronted an antagonistic neighbor and “thrashed” him. The man continued to verbally abuse Farmer, who finally “caught him by the throat and running him against a fence choked him til his tongue protruded and he began to beg.” Farmer and other nineteenth-century “circuit-riding Methodist clergymen from Illinois, Indiana, and Ohio included many similar boastful and at times gory accounts of their willingness and ability to dish out physical beatings to various antagonists.”²²

These early Methodist clergymen “believed that violence was a proper response to challenges to one’s manhood and public reputation.” This reflected the teachings of early Methodist minister and John Wesley’s confidant that John Fletcher’s teaching that “the kingdom of heaven ‘permits certain kinds of violence.’”²³ The concept of public reputation and honor leading to violence extended to the pulpit. Francis Asbury, of the Methodist Episcopal Church in the United States, having committed to “either fight or die,” filled his published memoirs with accounts of “Satan’s constant assaults.”²⁴

Such assaults included physical ones. For example, frontier Presbyterian minister James Finley “once threatened to horsewhip a man who talked in a meeting.”²⁵ In 1848, this same James Finley was presiding at a quarterly meeting in Xenia, Ohio, when a Democratic congressman began haranguing him from the audience. Finley told the man to sit down and be quiet. The congressman “refused and insisted on his right to speak,” to which “Finley grabbed a large hickory cane, left the pulpit, and threatening to bludgeon him.”²⁶ A Methodist Sunday school superintendent in the Ohio Valley organized a posse to track down a tramp who had stolen a knapsack full of Bibles. When they found the tramp, the superintendent

according to Liz Sonnenborn, *Harriet Beecher Stowe* (New York: Chelsea House Publishers, 2009), 28–29.

22. Douglas Montagna, “‘Choked Him Til His Tongue Protruded’: Violence, the Code of Honor, and Methodist Clergy in the Antebellum Ohio Valley,” *Ohio Valley History* 7, no. 4 (Winter 2007): 16.

23. Jeffrey Williams, *Religion and Violence in Early American Methodism: Taking the Kingdom by Force* (Bloomington: Indiana University Press, 2010), 3.

24. Ibid.

25. Dickson D. Bruce, Jr., *Violence and Culture in the Antebellum South* (Austin: The University of Texas Press, 1979), 113.

26. Montagna, “‘Choked Him Til His Tongue Protruded,’” 22.

insisted the man be punished immediately rather than being bound over for a trial. The thief was given thirty-nine lashes.²⁷

Another Methodist clergyman, Peter Cartwright, told about how some Latter-day Saints had disrupted a camp meeting over which he presided. He ordered them out, yelling, “Don’t show your face here again, nor one of the Mormons. If you do, you will get Lynch’s law.’ In short, the preacher threatened to kill any Saints who dared to show their faces at a Methodist meeting.”²⁸

As during the American Revolution, leading up to and during the Civil War, a number of sermons were preached that were called *war sermons*. For example, a Reverend Mr. Boardman of Pownal, Maine, preached what one parishioner called a “lynch law sermon” and others a “war sermon.”²⁹ Another minister who preached a war sermon was the Rev. Mr. Burkholder, who preached in the Sandusky Methodist Episcopal Church and whose sermon was accompanied with fervent amens. Henry Ward Beecher, one of the most famous preachers of his day, “was energized, even elated by the rebellion.” Shortly after the firing on Fort Sumter, while discussing the attack, he preached, “So far as I myself am concerned, I utterly abhor peace on any such grounds. Give me war redder than blood and fiercer than fire.”³⁰

In Auburn, Ohio, the Re. Father Creedon of the local Catholic Church “preached a war sermon in which he said, I wish every man that can leave his family to enlist.” He went on to explain that as the nation was in peril, “let every Irishman show that he is worthy to be a part of great and glorious nationality.” He ended his sermon with “There are two classes whom I most despise — traitors and cowards — and those who can enlist, and do not, are either one or the other.” An Iowa paper reported in August 1861 that the Toledo, Iowa, rifle company marched double file one Sunday to the Congregational Church, where they “listened to a very appropriate war sermon by the Rev. G. H. Woodward.”

27. Ibid., 27–28.

28. Ibid., 28–29. According to Richard Carwardine, “Methodists, Politics, and the Coming of the American Civil War,” *Church History* 69, no. 3 (September 2000): 593, Peter Cartwright could be combative, even violent, in the course of his circuit-riding duties because the “reminiscences of his early career in Tennessee, Kentucky, and Ohio are seemingly little more than a succession of battles with evangelical rivals, of whom Baptists are the principal foe.”

29. “Our last Skedaddle,” *The Portland Daily Press* (September 20, 1862), 3.

30. Debby Applegate, *The Most Famous Man in America: The Biography of Henry Ward Beecher* (New York: Three Leaves Press, 2006), 327.

That same evening, the company “marched in the same manner to the M. E. Church and were ably addressed by the Rev. R. Swearingen.”³¹

In the eastern Iowa vigilance movement, the Emmeline Vigilance Committee was presided over by the Rev. Ewald Cooly, and a Rev. A. McDonald served as the group’s treasurer.³² In Socorro, New Mexico the vigilante committee included two ministers.³³ In post-Civil War Missouri, some of the most violent vigilantes were Bald Knobbers, made up mostly of Democrats and Baptists who “cracked down” on institutions and individuals “who violated their notions of moral behavior.” “This aspect of Bald Knobber vigilantism grew out of an intensely devout evangelical Christianity that many of the members practiced. The leadership of the Christian County vigilantes included many ministers, lay ministers, and church members who believed that by reforming the morals of their community that were doing God’s work.”³⁴

Latter-day Saints were not alone in encouraging extreme violence as punishment for sexual sins and crimes. Following are some examples of such ideas expressed in nineteenth-century newspapers. During the infamous Beecher-Tilton Scandal Case of 1875 in which Henry Ward Beecher was accused of adultery with a friend and fellow parishioner’s wife, Elizabeth Tilton, much was written about the accusations and ensuing scandal. The press, unsurprisingly, wrote hundreds of articles about the trial. Newspapers reported the closing argument of Tilton’s lawyer, who dramatically declared, “Let it be written on every door throughout this land, ‘Death and destruction to the seducer.’”³⁵

31. “A War Sermon,” *The Wyandot Pioneer* (4 April 1862), 3; “A Catholic Priest’s War Speech,” *The Shasta Courier* (3 August 1861), 1; and, *The Iowa Transcript* (22 August 1861), 2.

32. Michael J. Pfeifer, “Law, Society, and Violence in the Antebellum Midwest: the 1857 Iowa Vigilante Movement,” *The Annals of Iowa* 64, no. 2 (Spring 2005), 157.

33. Barbara Marriott, *Outlaw Tales of New Mexico: True Stories of New Mexico’s Most Famous Robbers, Rustlers and Bandits* (Guilford, CT: TwoDot, 2007), 69.

34. Matthew J. Hernando, *Faces Like Devils: The Bald Knobber Vigilantes in the Ozarks* (Columbus: The University of Missouri Press, 2015), 17. See also Matthew James Hernando, “The Bald Knobbers of Southwest Missouri, 1885–1889: A Study of Vigilante Justice in the Ozarks” (PhD diss., Louisiana State University, 2011).

35. “Beecher-Tilton — Incidents of the Great Trial,” *The Grange Advance* (19 January 1875), 2. According to Larry Witham, *A City Upon a Hill: How Sermons Changed the Course of American History* (New York: Harper One, 2007), 174, the Beecher-Tilton affair became public news when Victoria Woodhull published it in her magazine. A church trial exonerated Beecher. Tilton then sued Beecher on charges of adultery with his wife, Elizabeth Tilton. “In July 1875, a divided

In 1859 the *Keowee Courier* of Pickens Court House, South Carolina, had the same sentiment: “Death to the seducer, is and should be the unwritten law, higher and more certain than written codes.”³⁶ This was a sentiment echoed in 1885 when a St. Paul newspaper reported on a sensational trial in Minneapolis: “Our Written law says that killing is murder, but there is a great unwritten law which says that he who slays a seducer shall be justified in the act.”³⁷ In 1880, the Rev. Dr. Horatio Stebbins, a well-known and esteemed Unitarian preacher, declared, as reported in an article titled “Seduction Should be Punishable with Death,” that “had he been armed on a certain occasion he would have shot the seducer of his daughter — as her husband has since done — is the confession of human nature.”³⁸

In February 1857, the *Daily Nashville Patriot*, in an article titled “A Higher Law,” about a wronged husband killing his wife’s seducer, wrote in part, “Whatever may be the code of morality, we contend that nothing but justice was administered to Clawges. Death should be the inevitable penalty of seduction; if the law does not provide it, public opinion should.”³⁹

The Philadelphia jury obviously felt the same sentiment: Sherlock, Clawges’s killer, was set free. He was not alone in being acquitted by sympathetic juries for killing seducers. In 1871, John W. S. Browne, a Memphis gas-fitter originally from Ohio, shot and killed J. Theodore Adams for seducing, impregnating, and refusing to marry Browne’s daughter. Browne was later acquitted by a grand jury. The newspaper stated that this should be a “warning to seducers, in the action of the grand jury, [that] will give society the protection which is demanded.”⁴⁰

In an article titled “Killing seducers is not criminal in California,” stating that Muybridge, a California photographer who shot and killed a man named Larkyns for seducing his wife, had been acquitted by a jury.

jury deliberated for six days but could not arrive at a verdict.” Despite the hung jury, according to Barbara A. White, *The Beecher Sisters* (New Haven, CT: Yale University Press, 2003), 205, for years there had been “gossip about Henry and various women” to the point that one contemporary Congressman remarked, “I am reliably assured that Henry Ward Beecher preaches to at least twenty of his mistresses every Sunday.”

36. “Death to the seducer,” *Keowee Courier* (30 July 1859), 2.

37. “Are we Invoking a Shower of Fire and Brimstone?” *St. Paul Daily Globe* (22 March 1885), 4.

38. “Seduction Should be Punishable with Death,” *Wheeling Register* (3 August 1880), 3.

39. “A Higher Law,” *Daily Nashville Patriot* (6 February 1857), 1.

40. “A Warning to Seducers,” *The Athens Post* (26 October 1871), 1.

Although Muybridge had claimed temporary insanity, his claim had not been believable. The jury had ignored that defense and instead acquitted Muybridge “on the ground that he was justified in killing Larkyns for seducing his wife. They said that if their verdict was not in accordance with the law of the books, it was with the law of human nature; that under similar circumstances, they would have done as Muybridge did, and they could not punish him for doing what they would have done themselves.”⁴¹

A Virginia defense attorney was even more blunt in discussing death to seducers:

The general principles on the subject of homicide have been read from the books. The law of nature underlies all human law, and has been asserted in Virginia from times immemorial. We brought from England the common law, which still exists. By it a man could, by instant death, punish the seducer of his wife or daughter. But what has been the practice? There is not a man on the jury who has not seen this law ignored, and the man who slayed another for such an offence has been acquitted. ... The law of nature and the human heart underlie a case like this, and all the legislation on God’s earth cannot alter them. Did you ever hear of a man being hung for killing the seducer of his wife. That isn’t one millionth part as strong as this. While, in the other case, the woman is guilty, it is necessary to kill her seducer to protect society.⁴²

Kenneth L. Cannon, in his seminal work “Mountain Common Law’: The Extralegal Punishment of Seducers in Early Utah,” wrote, “Utah’s Mormon majority condoned extralegal measures in at least one area: the punishment of seducers.”⁴³ As Cannon explained in his article, Irish convert Howard Egan had returned to Utah after a period of absence from the territory and found that his wife, Tamson, had been seduced by a man named James Monroe and had given birth to a child as a result of the seduction. Monroe had wisely gotten out of town when he heard of Egan’s return and was endeavoring to leave the territory. Egan went after Monroe and eventually found him in a wagon train camped near the Utah border, where he proceeded to kill him. At his subsequent trial,

41. “Killing seducers is not criminal in California,” *Memphis Daily Appeal* (24 February 1875), 2.

42. “The Grant-Pollard Trial,” *The Daily Dispatch* (6 March 1869), 1.

43. Kenneth L. Cannon II, “Mountain Common Law’: The Extralegal Punishment of Seducers in Early Utah,” *Utah Historical Quarterly* 51, no. 4 (Fall 1983): 308.

Latter-day Saint Apostle George A. Smith defended Egan and in his final remarks, speaking, as he called it, “common mountain English.” Smith expressed a sentiment similar to those expressed in other parts of the country regarding seducers: “The principle, the only one, that beats and throbs through the heart of the entire inhabitants of this territory, is simply this: The man who seduces his neighbor’s wife must die, and her nearest relative must kill him!”⁴⁴

The notion of “honor was a defining concept for most Americans, holding particular sway in the South and West.”⁴⁵ An aspect of “honor” was that no man had the duty to retreat when confronted and in serious cases, “violence against the offender was often the only way to restore lost honor.”⁴⁶ A man’s honor extended to female members of his household. “No insult to a man’s honor was more egregious, and thus more deserving of violent response, than a serious imputation on the character of a close female relative.”⁴⁷

Sexual deviance involving a man’s wife, mother, or sister, was considered an attack on his honor as well as hers, and “physical retort” was considered to be “the proper means of restoring lost honor. . . . The law did not technically

44. Cannon, “Mountain Common Law,” 312. Not only did it appear to be accepted, even expected, that a man would kill the seducer of his wife or other female member of his family; that sentiment extended to also protecting the life or safety of female members of the family. In Craig L. Foster, “The Butler Murder of April 1869: A Look at Extralegal Punishment in Utah,” *Mormon Historical Studies* 2 (Fall 2001): 107–8, the article describes the brutal assault on Ellen Close Butler and her daughters by a vagrant who used a hatchet. One little girl was instantly killed, while Ellen and another daughter suffered severe injuries. William Butler, husband and father, as well as neighbors in the farming community of Marriott, Utah, hunted the criminal down; Butler fought with him and eventually shot and killed him. Butler then went into nearby Ogden and turned himself in to local authorities, who told him he had done the right thing and to go home and take care of his family. He was later acquitted after a very short hearing and again told he had done the right thing by killing the attacker.

45. Patrick Q. Mason, *The Mormon Menace: Violence and Anti-Mormonism In the Postbellum South* (New York: Oxford University Press, 2011), 5.

46. Ibid.

47. Ibid. Bertram Wyatt-Brown, a renowned historian of the Southern United States and its culture of violence, wrote in *Honor and Violence in the old South* (New York: Oxford University Press, 1986), 36, “that nothing could arouse such fury in traditional societies as an insult hurled against a woman of a man’s household. . . . The intensity of feeling arose from the social fact that a male’s moral bearing resided not in him alone, but also in his women’s standing. To attack his wife, mother, or sister was to assault the man himself. Outsider violence against family dependents, particularly females, was a breach not to be ignored without risk of ignominy.”

sanction such violence, but most states and juries, acting under what historians have called ‘the unwritten law,’ were loathe to prosecute, let alone convict, an aggrieved husband who killed his wife’s seducer.”⁴⁸

While death to seducers seems to have been a popular sentiment even among Latter-day Saints, particularly on the part of cuckolded husbands, castration seems to have been a barbaric way of avenging a sexual sin or crime. Further, as John Turner correctly points out in his essay “Castration as a vigilante punishment against white men ... was extremely uncommon.”⁴⁹ Sadly, this was long used as a form of extralegal punishment against black men accused of rape or other sexual crimes against white women and was usually used as a form of torture before lynching the unfortunate man.

There are, however, examples of castration of white men and other particularly violent forms of punishment for adultery, incest, and other types of sexual crimes inflicted on real and accused perpetrators by people not members of the Church. This article will look at examples of extralegal punishment for adultery, incest, rape, and seduction.

Adultery

Certainly, most cases of extralegal punishment for adultery were shooting, tarring and feathering, or whipping. Probably the most popular of those more common punishments was shooting. Most of the shooting scrapes involved a single shooter, usually the husband shooting the other man.

For example, in Holton, Kansas, Rueben R. Boan, a prominent farmer in that part of Jackson County, returned to his home and found that his wife and a man named James P. Price had bolted the door to the home. When they refused to open the door, Boan fired his shotgun through the door, hitting price in the arm and nearly severing it. While Price was able to make an escape, Boan fired another round of buckshot into the fleeing man’s back and neck. The man died a few days later from his gunshot wound. Boan was bound over and stood trial for murder. The jury found him not guilty, the popular sentiment being the killing was justified.⁵⁰ Another case happened in Port Hope in southern Ontario,

48. Mason, *The Mormon Menace*, 5. According to Mason. p. 4, to Hector McLean and sympathetic Southerners, “Parley P. Pratt was a seducer, adulterer, and apostle of depravity who had deeply dishonored [McLean], and thus deserved his fate.” The real victim was McLean, not Pratt.

49. Turner, “‘Things Are So Dark and Mysterious,” 19.

50. “A Bad Scrape,” *The Holton Recorder* (24 December 1896), 1; “Shot by an injured husband,” *Emporia Gazette* (6 January 1897), 1; “The Boan-Price Shooting Scrape,”

Canada, where the wife of a barrister, George Brogdin, had run off and started living with another lawyer named Thomas Henderson. Six weeks after their departure, Henderson returned to the Lake Ontario town where Brogdin, who had heard Henderson would be on the steamboat, was waiting for him. Brogdin boarded the steamer as soon as it arrived and found Henderson at the boat's bar. He walked up behind Henderson and shot him in the back of the head in front of three hundred witnesses waiting on the wharf. The next day, a coroner's jury found that Brogdin had "fired under great and justifiable provocation." When Brogdin came to trial later that year, the prosecution stated there was "no plainer case of murder." The jury, however, declared Brogdin not guilty, thus ruling the "the killing was justifiable."⁵¹

Amazingly, until 1973 it was legal in Texas "for one man to kill another if the former caught the latter in the act of committing adultery with the killer's wife." A stipulation was that the man had to catch the adulterers in the actual act. Under these conditions, the law allowed cuckolded husbands "certain shooting rights." But the unwritten folk law, "commonly understood by most early-day Texas juries, was much broader. ... Not only was the cuckold granted unlimited shooting rights, but those rights were also extended to just about anyone else in his family."⁵²

But shooting adulterers was not just a male sport. There was one case of an estranged wife shooting her husband's paramour. Rather than being acquitted, she "was sent to the lunatic asylum" but was shortly after "liberated" after she had "regained her health."⁵³ A Fort Worth, Texas, woman shot her husband's lover. Her defense was she was "protecting her home." A sympathetic jury acquitted her.⁵⁴

Like shooting, whipping more often than not involved one or two people punishing the adulterer but could also involve a mob. Tarring and feathering usually involved a mob of varying size. Such incidents took place across the country and usually involved the man as the victim of the mob's wrath. Yet that was not always the case. In Ontario, Canada,

The Holton Recorder (31 December 1896), 8; "Bound Over," *The Holton Recorder* (January 7, 1897), 8; "District Court," *The Holton Recorder* (November 11, 1897), 8; and, "Not Guilty," *The Holton Recorder* (November 18, 1897), 8.

51. "Home News," *Nelson Examiner and New Zealand Chronicle* (21 March 1856), 3; and Peter Ward, *Courtship, Love, and Marriage in Nineteenth-Century English Canada* (Montréal: McGill-Queen's University Press, 1990), 47.

52. Bill Neal, *Getting Away with Murder on the Texas Frontier* (Lubbock: Texas Tech University Press, 2006), 230.

53. *Hartford Weekly Times* (26 January 1850), 4.

54. Neal, *Getting Away with Murder on the Texas Frontier*, 230.

in 1865 a committee of women ordered an adulteress woman out of town on threat of tarring and feathering and being ridden out of town on a rail.⁵⁵ In 1872, a group of women tarred and feathered a woman accused of seducing their husbands.⁵⁶

Extralegal punishment for adultery did not stop at shooting, tarring and feathering, or whipping. There were cases of castration. Perhaps one of the better known and more bizarre cases of castration as extralegal punishment for adultery involved a United States Congressman named Robert Potter, who was described by one writer as “one of the most bloodthirsty politicians the country has seen, and certainly the most emasculating.”⁵⁷ He was elected to the North Carolina House of Commons in 1826 and served until 1828, when he was elected to Congress as a Jacksonian Democrat, where he served from 1829 to November 1831 after he attacked and castrated two men who he claimed were having an adulterous affair with his wife.⁵⁸

The incident was even more bizarre. The two men Potter claimed were committing adultery with his wife were both cousins of hers. The first was a 55-year-old reverend named William Lewis Taylor, the second a 17-year-old who was identified by different names in different accounts. Potter was able to overpower each of the men at separate times on the same day and proceeded to castrate them. He was arrested the next day for the attacks and eventually served six months in prison. Regarding his conviction, he wrote, “I am consoled by the conviction that in what I have done I have only acted upon those feelings which nature has implanted in the hearts of all men, indeed, I may say, of all animals; and that each of you would have done the same thing under the same circumstances.”⁵⁹

Unsurprisingly, Potter and his wife divorced. Despite the castrations and prison time, Potter’s constituents returned him to the North Carolina House of Commons in 1834. He was kicked out for good in 1835 after pulling a gun on another member of the House of Commons when the two got in an argument over a card game. Shortly after that, Potter left for Texas, where he signed the Texas declaration of independence, fought at the Battle of San Jacinto, became Secretary of the Navy for the

55. “Moral But Not Charitable,” *The States Rights Democrat* (14 October 1865), 1.

56. “Shocking Treatment of a Woman,” *Deseret News* (1 May 1872), 1.

57. Dirk Langeveld, “Robert Potter: Kind of Nutty,” *The Downfall Dictionary*, March 20, 2009, <http://downfalldictionary.blogspot.com/2009/03/robert-potter-kind-of-nutty.html>.

58. *Ibid.*

59. *Ibid.*

Republic of Texas, and served two terms in the Texas senate. In 1842 he was involved in an east Texas feud known as the Regulator-Moderator War, in which he was a Moderator leader. One evening, his house was surrounded by Regulators, and he was killed.⁶⁰

While not as sensational, there were other cases of castration for adultery. In New Ross, Indiana, in 1876 a man named William Lockman was taken by a party of five masked men and castrated as punishment for adultery. The article read, "The outrage is received with comparative unconcern by the residents of New Ross, owing to the character of Lockman, who is charged with being a professional adulterer."⁶¹ In Bedford, Michigan, an angry husband tied up a man and castrated him.⁶² In 1886, a band of masked men in Jackson County, West Virginia, took Hezekiah Alltop, a minister who "had been caught in a compromising position with a female member of his flock," or, as another newspaper reported, "has for a long time been conducting himself in a most licentious manner with members of his flock," and gave him a terrible flogging. They then castrated him by mutilating "his person in a shocking manner."⁶³

Perhaps the most savage example of extralegal punishment for seduction and adultery occurred in 1880 when a man named Walrop was caught after having seduced and run away with his wife's young sister. He was arrested in Spalding County, Georgia, but was taken from the sheriff's custody by an enraged mob and beheaded.⁶⁴

Incest

Incest was a crime that caused strong emotions of anger and disgust. Just the accusation of incest could set off fatal events. In 1881, Berry Carpenter

60. Ibid., and Andy Cush, "Remembering Robert Potter, the North Carolina Castrator, Idiot of Yesteryear," *Gawker*, May 19, 2016, <https://gawker.com/remembering-robert-potter-the-north-carolina-castrator-1775161444>. Robert Potter had remarried in Texas but did not have any children with his second, much younger wife. Adding to the craziness of the Potter story, according to "Hunting for Heir to a Great Fortune," *The Salt Lake Tribune* (September 29, 1910), 14, in 1910 a search was conducted by lawyers in Texas and North Carolina for Potter's heirs because oil and gas was found on his property and was valued at \$1,500,000, which with inflation would be approximately \$40,574,800 in 2020.

61. "Horrible Outrage at New Ross," *The Daily Ledger-Standard* (16 February 1876), 1.

62. "A Wronged Husband's Revenge," *Bismarck Tribune* (23 June 1882), 6.

63. *Semi-weekly Interior Journal* (22 June 1886), 2 and "A Lecherous Minister's Fate," *The Sedalia Weekly Bazoo* (22 June 1886), 1.

64. *The Weekly Herald* (26 August 1880), 3.

of New Albany, Indiana, shot and killed his brother for accusing him of committing incest with his own daughter.⁶⁵ Perhaps the reaction to being accused was strong not only for the repugnancy of the crime but also because the accused knew the usual public reaction to such a charge.

There are a number of accounts of mob violence against those accused of incest. In 1873, Albert H. Essex of Newport, Rhode Island, was released because family members refused to testify against him. A mob stoned the carriage he was riding in. He caught a train, but mobbers stopped the train outside of town and chased him through the forest into a neighboring town and then beyond. He escaped but had to move to Massachusetts to get away from people trying to punish him.⁶⁶ The Rev. Benjamin Lawson of Bristol seduced and then ran away with his niece. He was caught and brought back to the southwest Virginia town, where a mob gathered to lynch him but were forced to disperse.⁶⁷ Rueben Bastrick of Gosper County, Nebraska, was arrested for impregnating his sixteen-year-old daughter, who died in childbirth. He was mobbed, as his son had been mobbed the previous year for incest with a sister.⁶⁸

While there were cases of mobs tarring and feathering and whipping men accused of incest, the *Los Angeles Daily Herald* suggested that in the case of incest, “burning at the stake would be too mild a punishment.”⁶⁹ Although there were no published cases of castration for incest, there were numerous cases of lynching and attempted lynching throughout the United States. More often than not, such cases also involved brutal beatings and other forms of punishment as a preliminary to the ultimate lynching.⁷⁰

Remarkably, some newspapers even encouraged vigilante lynching as extralegal punishment for incest. Reporting an incest case, a Kentucky newspaper ended the article with “If Judge Lynch would take charge of

65. “Fratricide,” *Sacramento Daily Record-Union* (11 June 1881), 8.

66. “The Essex Case,” *Rutland Weekly Herald* (20 February 1873), 5; “The Way of the Transgressor is Hard,” *Richmond Dispatch* (21 February 1873), 3. Albert H. Essex, according to FamilySearch Family Tree, was born in 1824 and died in 1898. He moved to Fall River, Massachusetts, where he lived the remainder of his life.

67. “The Laws-on Lawson,” *Bristol News* (14 June 1872), 4.

68. *The McCook Tribune* (11 November 1886), 2.

69. *Los Angeles Daily Herald* (5 May 1889), 4.

70. Very early, the term *lynching* was used for any extralegal punishment and could, therefore, be used for whipping, tarring and feathering and other mob punishment. By at least the middle of the nineteenth century, however, lynching had come to be used almost exclusively to mean hanging. It is with this in mind that I use the term *lynching*.

such a case as this there could surely be no objection from any quarter.”⁷¹ *The Arizona Champion* reported an incest case in 1884 and ended the short article as follows: “Thieves are hung on the Pacific slope for stealing a horse, and yet such brutes are spared to be dealt with according to the law. We were never an advocate of mob violence, but in the above case our protest would be very feeble.”⁷²

Rape

Rape was almost as repugnant as incest, which usually involved the rape of a family member. Because of the nature of the crime, public reaction and extralegal punishment could be swift and violent. There are numerous accounts in the newspapers of rapists being lynched or shot by angry mobs. Following are just a few of many examples of extralegal punishment: In 1875, two men were lynched in Florida for rape. The Coroner’s verdict was “Hanged by parties unknown, and served them right.”⁷³ In 1870, two teen sisters were brutally raped by a gang of six men in Fort Scott, Kansas. These men were caught and lynched by a mob. The article describing the horrific event and subsequent ruthless punishment of the perpetrators ended with “The universal verdict here is that, in this instance at least, the summary manner infliction of punishment is entirely justified.”⁷⁴ In 1881, a sixteen-year-old California boy attacked three teen girls on their way to Sunday School and attempted to rape one of them. He was arrested but shortly thereafter was taken from the jail and lynched. “The general verdict [of local citizens] seems to be, ‘served him right.’”⁷⁵ A newspaper article titled “Deserved his Fate” reported in 1886 that the lynching of Eli Owens of Hebron, Nebraska, “was one of the most exciting affairs on record.” A large mob broke the jail doors down and dragged him out, he fighting the whole time. They carried him off in a wagon while the sheriff gave pursuit. By the time Owens was found, he had been lynched. There were signs he had been severely beaten before being lynched for the forcible rape of his sister-in-law.⁷⁶

Utah was not immune to extralegal violence against rapists. The wife and young teen daughter of an Ogden man named George Wolverton

71. *Semi-Weekly Interior Journal* (24 November 1891), 2.

72. *The Arizona Champion* (8 March 1884), 3.

73. *The Grange Advance* (20 July 1875), 2.

74. “A Fiendish Outrage,” *The Stark County Democrat* (25 May 1870), 1.

75. “A Sixteen-Year Old Boy Lynched by Masked Men,” *Sacramento Daily Union* (12 January 1881), 2.

76. “Deserved his Fate,” *Arizona Weekly Journal-Miner* (23 June 1886), 2.

were raped by two transients. One man was caught, tried and found guilty. He was sentenced to fifteen years in the territorial penitentiary, but while being taken to prison, the man was shot several times by Wolverton, who was then arrested and put on trial for murder. On Saturday, 3 April 1869, Wolverton was acquitted, the jury classifying the act as justifiable homicide.⁷⁷

Lynching and shooting were not the only forms of punishment meted out on rapists and accused rapists. There were cases of stoning, tarring and feathering, and whipping. One man who raped a young girl in Ohio was caught by an enraged mob who “stoned, beat and shot him in five places, dragged his body through the streets by a horse, while life was in it, and then hung him to a tree, where he died.”⁷⁸

Legal punishment for rape could also be brutal. In Vancouver, British Columbia, a man found guilty of rape of a young girl was sentenced to two years in the penitentiary and “to receive twenty-five lashes with a cat-o’-nine-tails.”⁷⁹

But what about castration? There are a few examples of mobs punishing men with castration for rape and attempted rape. A traveling singing master chloroformed one of his students in Georgia and attempted to violate her. He was caught, whipped, and castrated by a crowd. Another man in Virginia was also taken from a jail cell and castrated for attempted rape. In Falls City, Nebraska, a man by the name of “Shorty” Wilson raped a seven-year-old girl. He was arrested and put in jail, but “a mob of three hundred citizens” broke the jail door down, took the prisoner out, and castrated him. They then returned the man to jail.⁸⁰

While these are examples of extralegal punishment, from the earliest times, castration for rape and other sexual crimes was also a legal form of punishment, or at least was considered a form of punishment. “Most frequently castration was used to punish moral crimes to make a repeat

77. “Acquitted,” *Deseret Evening News* (5 April 1869), 3 and “Summary Punishment of Criminals in Utah,” *Urbana Union* (21 April 1869), 4. See also Cannon, “Mountain Common Law,” 319–20 and Foster, “The Butler Murder of 1869,” 109–10.

78. “A Sensual Beast Meets His Just Deserts [sic],” *Little Rock Daily Republican* (2 August 1878), 1.

79. “Chinaman to be Lashed,” *Sacramento Daily Record-Union* (18 November 1890), 4.

80. *The Weekly Democratic Statesman* (19 March 1874), 3; “News Condensed,” *Semi-Weekly Interior Journal* (24 June 1890), 2; and “News and Comment,” *The Atchison Daily Globe* (23 August 1899), 1.

crime impossible.”⁸¹ During the Middle Ages in different parts of Europe, both homosexuality, particularly pederasty, and the rape or seduction of a virgin were punished by castration.⁸²

In colonial Pennsylvania, a person convicted a second time of rape was castrated and branded with an “R” on the forehead. A married man convicted of sodomy was also castrated.⁸³ In post-Revolution Virginia, Thomas Jefferson and others on the Committee to Revise the Laws of the Commonwealth recommended castration for bestiality, sodomy, and rape.⁸⁴ In 1890s Baltimore, Maryland, a grand jury recommended castration as punishment for rape. Legislation was also introduced at various times in Arkansas, Illinois, Indiana, Kansas, Michigan, Ohio, and Tennessee. The Kansas legislation was encouraged to legislate that “All brutes in human form found guilty of rape or incest, are to serve a term in the penitentiary, and before they are discharged, they are to be castrated.” In 1880, Senator George Edmunds of Vermont introduced a memorial into the United States Senate signed by both female and male residents of Washington, DC, asking to make rape punishable by castration.⁸⁵

Two years previous to Edmunds’s memorial, the Travis County, Texas, grand jury recommended that castration for rape be substituted by whipping. How many, if any, rape cases were officially punished by

81. Victor T. Cheney, *A Brief History of Castration*, 2nd ed., (Bloomington, Indiana: Author House, 2006), 6.

82. Mathew Kuefler, *The Boswell Thesis: Essays on Christianity, Social Tolerance, and Homosexuality* (Chicago: The University of Chicago Press, 2006), 256–57.

83. Kathryn Preyer, “Penal Measures in the American Colonies: An Overview,” *The American Journal of Legal History* 26:4 (Oct 1982), 33–38.

84. Alf J. Mapp, Jr., *Thomas Jefferson: America’s Paradoxical Patriot* (Lanham: Rowman & Littlefield, 1987), 123–24. According to Mark Stein, *American panic: A History of Who Scares us and Why* (New York: St. Martin’s Press, 2014), 177, all thirteen colonies had laws that prescribed the death penalty for homosexuality. Jefferson wanted to eliminate the death penalty for sexual crimes and felt castration would be more appropriate.

85. “This Will Prevent Rapes,” *The News and Observer* (9 September 1899), 1; “The Grand Jury of Baltimore,” *Alexandria Gazette* (9 September 1899), 2; *The Ottawa Free Trader* (22 February 1879), 2; “The Arkansas Legislature,” *St. Louis Globe-Democrat* (4 February 1881), 2; *The Indiana State Sentinel* (7 February 1883), 4; *The Atchison Daily Globe* (4 February 1897), 2; *The Rock Island Argus* (11 April 1885), 2; *Belmont Chronicle* (1 February 1883), 2; “A Summary Remedy,” *Morning Oregonian* (18 January 1895), 3; “Rape and Incest Law,” *The Western Sentinel* (5 February 1897), 4; “Here comes the Edmunds boom!” *The Weekly Kansas Chief* (8 April 1880), 2; “A Remarkable Memorial,” *Cheyenne Daily Sun* (25 March 1880), 1; and “Proposed Punishment for Rape,” *St. Albans Daily Messenger* 25 March 1880), 1.

castration isn't known, but it was the official form of punishment.⁸⁶ In the early twentieth-century, three states, "Washington in 1909, Nevada in 1911, and Indiana in 1917, introduced castration as an alternative or supplementary punishment."⁸⁷ As late as 1997, a *Slate* article stated how "Texas Gov. George Bush signed a law letting judges offer castration as an option for perpetrators of sex crimes. Florida, California, and Montana have all enacted more stringent laws to order involuntary chemical or surgical castration of these criminals."⁸⁸

Seduction

Only a few seducers were castrated by angry mobs or enraged husbands. Of those, one is of particular interest: A certain William Hoffman was said to have tried on several occasions to seduce a St. Louis, Missouri, lady named Mary Cecilia Baker. In fact, Baker claimed that at one point he tried to force himself on her, but she held him off, after which he apologized to her for losing control but again begged her to run off with him. She informed her husband, Wilson C. Baker, who then ordered Hoffman never to have anything again to do with his wife or face the consequences. Baker also gave his wife a pistol to defend herself.⁸⁹

Within a short time, Hofmann again tried to seduce Mary Baker. She fired her pistol at Hoffman but missed him. The shots, however, brought Wilson Baker and three of his friends, who took hold of Hoffman, stripped him, and tied him to the bedpost. Baker grabbed a whip and "beat him almost to a jelly, hardly leaving an inch of his body unmarked." He then produced a knife and began to castrate Hoffman but was stopped before he completed his task.

Baker and the other men were arrested and taken to jail to await trial, but the story did not end there. Hoffman recovered from his beating and partial castration and a little over a month later met Mrs. Baker while walking along a street in St. Louis. The original reports were that she chased Hoffman into a dry goods store and shot him as he attempted to hide himself, mortally wounding him. She was arrested and taken to

86. *Waco Daily Examiner* (27 November 1878), 2.

87. Cheney, *A Brief History of Castration*, 7–8.

88. Atul Gawande, "The Unkindest Cut: The science and ethics of castration," *Slate*, July 12, 1997, <https://slate.com/technology/1997/07/the-unkindest-cut.html>.

89. "Outrage in St. Louis," *Daily Evening Star* (14 March 1854), 4 and "Attempted Seduction and Terrible Punishment," *The Daily Dispatch* (11 March 1854), 3.

jail, where that night a large mob tried to break open the jail to mete out punishment on both Wilson and Mary Baker.⁹⁰

In the weeks that followed, as Mary Cecilia Baker's story came out, she explained his numerous attempts to seduce her. When those did not work, he wrote a series of anonymous letters to her husband accusing her of a bad reputation and infidelity. Finally, after all that had taken place, when they met on that St. Louis sidewalk, he approached her and called her a "damned whore." Then she pulled a gun and chased him into the store, shooting and mortally wounding him. With the full story, public opinion shifted, and when she was brought to trial in November, the jury found her not guilty, concluding that the killing was justified. Her husband, Wilson C. Baker, was also acquitted, and public opinion favored the acquittals.⁹¹

Most extralegal punishment for seduction was not this colorful or extreme. Nevertheless, stories of castration as a means of punishing seduction do exist. In this light, the tarring and feathering and attempted castration of Joseph Smith on the night of March 24, 1832, at the John Johnson Farm in Hiram, Ohio, may have been due in part to the mob's belief that Joseph Smith had been intimate with Marinda Nancy Johnson, daughter of John Johnson. Some writers have suggested that one of the mob, Eli Johnson, brother of Marinda, wanted to have Joseph Smith castrated because he believed Smith had been intimate with Marinda; other historians have disagreed, noting the lack of evidence for such a claim.⁹²

90. "A Devil of a Woman," *The Jeffersonian* (27 April 1854), 2; "Tragedy at St. Louis — Hoffman shot by Mrs. Baker," *Des Moines Courier* (20 April 1854), 2; and "The Way of Transgressors," *Monongalia Mirror* (6 May 1854), 3.

91. "Trial and Acquittal of Mrs. Baker, at St. Louis," *The New York Herald* (29 November 1854), 2.

92. Richard Lyman Bushman, *Joseph Smith: Rough Stone Rolling* (New York: Alfred A. Knopf, 2005), 179; Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City, Utah: Signature Books, 1997), 231; and Linda King Newell and Valeen Tippetts Avery, *Mormon Enigma: Emma Hale Smith* (Garden City, NY: Doubleday, 1984), 42–43. John J. Hammond, *A Divided Mormon Zion: Northeastern Ohio or Western Missouri?*, Vol. 3, *The Quest for the New Jerusalem: A Mormon Generational Saga* series (Bloomington, IN: Xlibris, 2012), 311, lists the historians arguing that the attempted castration was for Smith's intimacy with Johnson. These include Brodie, Donna Hill, Newell & Avery, Quinn, and George D. Smith. Hammond notes that Bushman, Compton, Staker, and Van Wagoner dismiss accusations of sexual misconduct. Hammond then argues about the attempted castration of Smith, "Why would the 'mob' have gone to the trouble to bring along a physician to castrate *only Joseph Jr.* unless there was some connection in their minds to sexual misconduct?" According to Louis J. Kern, *An Ordered Love: Sex Roles and Sexuality in Victorian Utopias, the Shakers, the*

Noted historian Richard Lyman Bushman is correct when he notes the lack of evidence of any sexual impropriety on the part of Joseph Smith. Still, in volatile situations like mob violence, perception always trumps reality. Despite the lack of evidence, then or now, whether Joseph Smith was actually sexually intimate with Nancy Johnson is a moot point, for in the minds of the mobbers, he had been intimate, and their actions demonstrate one of the extralegal ways of punishing a person for a sexual crime.

Castration aside, the usual forms of extralegal punishment for seduction included mobbing, shooting, stabbing, tarring and feathering, and whipping. More often than not, the newspaper articles reported approvingly of victims of seduction or enraged mobs taking revenge on seducers. Also, women arrested for punishing seducers were usually acquitted by sympathetic juries. As the *Sacramento Daily Union* reported in an article titled “The Lady and the Pistol,” “If the wrong be shown to have invited the vengeance, and outraged virtue makes this last appeal for its vindication, society looks with lenient judgement on the deed.”⁹³

Conclusion

So what does all of this mean? It certainly does not come as a surprise to most people that the United States in the nineteenth century could be a violent place. Nor were cases of extralegal punishment and violence surprising. Indeed, the popular perception of the nineteenth-century American frontier was a “rough-and-tumble” place with “nose-biting, eye gouging, hair pulling” fights and quick and violent extra-legal justice.⁹⁴

Some cases involved extreme uses of violence, such as castration. Still, as John Turner pointed out in his own essay, castration as punishment for white offenders was less common than for African-American offenders.

Mormons, and the Oneida Community, (Chapel Hill, NC: The University of North Carolina Press, 1981), 140, “In later years, Brigham Young lent credence to the young Smith’s reputation for amorous escapades when he claimed that Eli Johnson, one of the leaders of the mob that attacked Smith in 1832, wanted to have him castrated for putative intimacies with his sister, Nancy.”

93. “The Lady and the Pistol,” *Sacramento Daily Union* (30 June 1886), 2, as originally published in the *San Francisco Examiner*.

94. Katherine E. Ledford, “A Possession, or an Absence of Ears’: The Shape of Violence in Travel Narratives about the Mountain South, 1779–1835,” in *Blood in the Hills: A History of Violence in Appalachia*, ed. Bruce E. Stewart (Lexington: University of Kentucky Press, 2012), 141n11. Ledford notes that this style of fighting was so well known that such “fights became a staple of literary accounts of the frontier and the backcountry South and Southwest.”

Nevertheless, there are examples of such, and most cases involved a sexual crime such as adultery, rape, or seduction. Castration was used or considered in various parts of the country as legal punishment for sexual crimes like rape and incest.

Ironically, in light of the attempts to associate Latter-day Saints with castration because of the two documented cases, it's interesting to note that George Q. Cannon recorded in his own journal in 1874 a threat of castration. This came at the height of the debate over the bill that became the Poland Act of 1874, which was passed to aid prosecutions of polygamy under the Morrill Anti-Bigamy Act. Several Congressmen were particularly bitter regarding members of the Church. One, Mississippi Congressman George C. McKee, "said if he could, he would have every Mormon man castrated."⁹⁵

There is no denying that acts of violence took place in territorial Utah, including the two castration incidents already discussed. The examples discussed in this paper, which spanned from a little before the middle to the end of the nineteenth-century, are not meant to justify what happened in Utah. Rather, these examples are meant to place the events in Utah in a greater context and ask the question, Was Latter-day Saint-dominated territorial Utah as violent or even more violent than the territories and states surrounding it?

Obviously, Utah was not immune to extralegal and vigilante violence. Scott K. Thomas wrote in "Violence across the Land: Vigilantism and Extralegal Justice in the Utah Territory" that "the region suffered its fair share of extralegal justice."⁹⁶ Because of the theocratic beginnings of Utah territory, it is, according to Thomas, "impossible to distinguish between religious zealotry and vigilante violence."⁹⁷ Nevertheless, the level of extralegal violence in Utah appears to have been less than in surrounding areas. Historian David T. Courtwright wrote: "Some regions, such as the South and the frontier and the urban ghettos, have experienced very high levels of violence and disorder, while others, such as rural New England or Latter-day Saint Utah, have been far more tranquil places."⁹⁸

95. "2 June 1874," The Journal of George Q. Cannon (website), accessed 20 March 2020, <https://www.churchhistorianspress.org/george-q-cannon/1870s/1874/06-1874>.

96. Scott K. Thomas, "Violence across the Land: Vigilantism and Extralegal Justice in the Utah Territory," *All Theses and Dissertations* (Paper 2485, Brigham Young University, 2010), 22–23.

97. *Ibid.*, 23.

98. David T. Courtwright, *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City* (Cambridge: Harvard University Press, 1996), 1.

Legal historian D. Michael Stewart remarked about territorial Utah, “Extralegal violence was rare compared to that found in other frontier communities.”⁹⁹ And well-respected historian Thomas G. Alexander wrote:

Statistics of murders for the nineteenth century are difficult to come by. ... The available evidence shows, however, that beyond a few well-publicized murders, we have every right to believe that compared with surrounding territories, Utah was a relatively murder- and violence-free community. ... In fact, barring further evidence to the contrary, the best evidence we have at this point is that Utah was one of the least violent jurisdictions in the western United States.¹⁰⁰

Historian and folklorist Eric A. Eliason agrees with Alexander: “In fact, if anything distinguished Deseret from elsewhere in the West, it was its reputation for well-established and fair courts (administered by LDS bishops) and a remarkably low level of violence — vigilante, criminal, or otherwise.”¹⁰¹

Thus, extralegal violence in Utah, including extreme examples such as castration, were not out of the norm of nineteenth-century cases of extralegal violence. Furthermore, despite such examples of extralegal

99. D. Michael Stewart, “The Legal History of Utah,” in *Utah History Encyclopedia*, ed. Alan K. Powell (Salt Lake City: University of Utah Press, 1994), 323, as cited in “Did Utah foster a culture of violence in the 19th century?” FairMormon, https://www.fairmormon.org/answers/Utah/Crime_and_violence/Culture.

100. Thomas G. Alexander, “Review of Blood of the Prophets: Brigham Young and the Massacre at Mountain Meadows,” *Brigham Young University Studies* 42, no. 1 (January 2003): 170–71. Thomas G. Alexander’s citation reads: “James Elbert Cutler, Lynch-Law: An Investigation into the History of Lynching in the United States,” (New York: Negro Universities Press, 1969), 180. On the lynching of an African-American, see Craig L. Foster, “Myth vs. Reality in the Burt Murder and Harvey Lynching,” manuscript furnished by the author. I am indebted to Foster for sharing other material on lynching as well.” Alexander quotes Bagley, *Blood of the Prophets*, 42. Alexander is cited in “Did Utah foster a culture of violence in the 19th century?”

101. Eric A. Eliason, “Review of: *Forgotten Kingdom: The Mormon Theocracy in the American West, 1847–1896*,” *FARMS Review of Books* 12, no. 1 (2000): 95–112, as cited in “Did Utah foster a culture of violence in the 19th century?” Moreover, Historians such as Eugene W. Hollon, in *Frontier Violence: Another Look* (New York: Oxford University Press, 1974), have argued that western frontier violence has been over-emphasized. Thomas J. Dilorenzo, “The Culture of Violence in the American West: Myth versus Reality,” *The Independent Review* 15 (Fall 2010): 227 writes, “An alternative literature based on actual history concludes that the civil society of the American West in the nineteenth century was *not* violent.” If this thesis is correct, Utah would have been a less violent territory within a region less violent than popular perceptions have depicted.

violence, Utah was, in many ways, less violent than the surrounding states and territories during the same time-period and Utah's society was not based on a culture of violence.

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