
CAPITAL PUNISHMENT

Ancient scriptures indicate that capital punishment is an appropriate penalty for murder. God said to Noah, "And whoso sheddeth man's blood, by man shall his blood be shed; for man shall not shed the blood of man" (JST Gen. 9:12). And to Moses the Lord said: "He that killeth any man shall surely be put to death" (Lev. 24:17). Thus it is clear that when the civil and religious authorities were combined, as in the days of the Old Testament prophets, capital punishment was the directed result.

In modern times with the separation of church and state, the power to take physical life is reserved to the state. Modern revelations do not oppose capital punishment, but they do not direct its imposition to civil government. In the same revelation where the Lord instructed the Prophet Joseph SMITH, "And again, I say, thou shall not kill; but he that killeth shall die," the Lord made the application of capital punishment contingent on the laws of civil government: "And it shall come to pass, that if any persons among you shall kill they shall be delivered up and dealt with according to the laws of the land . . . and it shall be proved according to the laws of the land" (D&C 42:19, 79). In a headnote to the published account of this revelation, the Prophet specified the revelation embraced "the law of the Church," which might indicate that even when capital punishment does not result from murder the murderer dies as to things pertaining to the Spirit.

The FIRST PRESIDENCY and the QUORUM OF THE TWELVE APOSTLES affirmed this position against murder in an official declaration dated December 12, 1889, written in response to rumors perpetrated by enemies of the Church that it taught its members that they were not bound by the laws of the United States. Included in that official declaration is the proclamation "this Church views the shedding of human blood with the utmost abhorrence" (MFP 3:183).

Church leaders have frequently made statements consistent with the scriptures and declarations quoted above. Elder Orson F. Whitney said in the October 1910 general conference, "To execute a criminal is not murder" (CR, Oct. 1910, p. 51). Elder Bruce R. McConkie wrote, "Mortal man is not authorized, except in imposing the requisite death penalties for crimes, to take the blood

of his fellow beings under any circumstances" (McConkie, p. 257).

In summary, capital punishment is viewed in the doctrines of the Church to be an appropriate penalty for murder, but that penalty is proper only after the offender has been found guilty in a lawful public trial by constitutionally authorized civil authorities.

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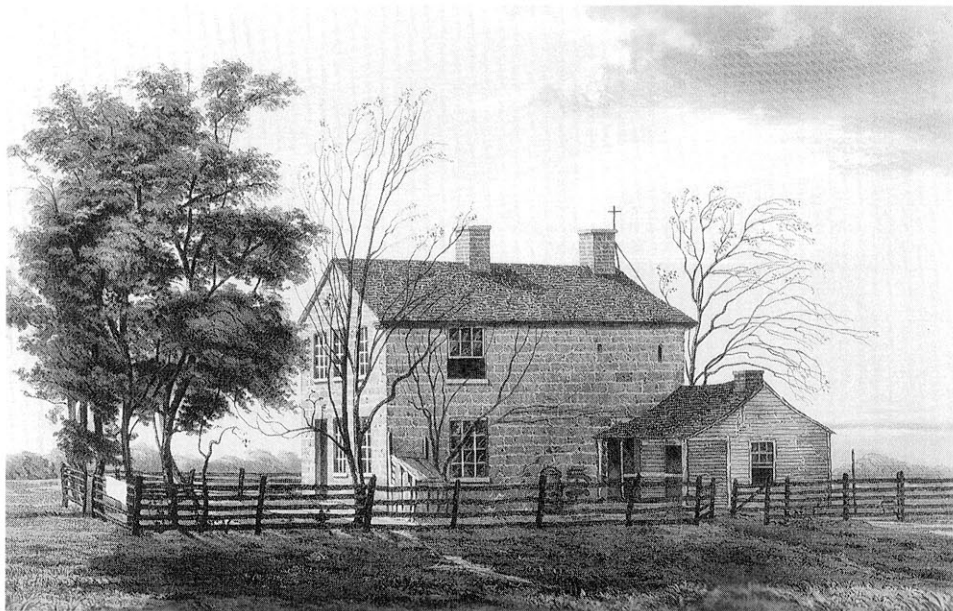
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CARTHAGE JAIL

The old jail in the town of Carthage, Illinois, seat of Hancock County, was the site of the MARTYRDOM OF JOSEPH AND HYRUM SMITH on June 27, 1844, by a mob of approximately 150 men. Today it is a HISTORICAL SITE of the Church and serves as a memorial to prophets of God who suffered martyrs' deaths.

The jail was built in 1839. Constructed of native red limestone, the two-story rectangular gable-front building measures twenty-nine by thirty-five feet. Like other county jails in Illinois, Carthage Jail was built to incarcerate petty thieves and debtors and to serve as a temporary holding place for violent criminals. It housed a debtor's room in the northwest corner of the first floor, and a dungeon, or "criminal cell" on the second floor, north side. There was also a living area for the jailer's family that included a kitchen, a dining room, and bedrooms. The cells were dark and generally foul-smelling and had only meager makeshift furnishings.

Joseph SMITH, Hyrum SMITH, and several other LDS leaders were incarcerated in Carthage Jail on June 25, 1844, to answer charges stemming from the destruction of the press used to print the anti-Mormon newspaper *Nauvoo Expositor*. During their three-day confinement they sought, through letters and personal appeals—even to the governor, then in Carthage—for an impartial reso-



This etching by Charles B. Hall shows the Carthage Jail (c. 1855), where Joseph and Hyrum Smith were martyred. They were shot by a mob in the upstairs bedroom of the jailor's quarters on June 27, 1844. Courtesy Rare Books and Manuscripts, Brigham Young University.

lution of the charges and for protection from people openly threatening their lives.

They were first placed in "close confinement" in the dungeon. Later they were moved to the debtors' cell and then to the jailor's upstairs bedroom in the southeast corner. By midday of June 27, only the Smiths and John TAYLOR and Willard Richards of the Quorum of the Twelve Apostles remained confined in the jail. The governor had disbanded the militia, left the prisoners under guard of the Carthage Greys (known enemies of the Latter-day Saints), and gone to NAUVOO with a detachment of troops.

Shortly after 5:00 P.M. a large force of armed men with blackened faces rushed the jail. Overcoming token resistance by the Greys, some of the mob entered the building, ascended the stairs to the landing just outside the upstairs bedroom, and commenced shooting into the room through the closed door. Hyrum Smith, PATRIARCH TO THE CHURCH and associate President in the Church's First Presidency, was gunned down. John Taylor was critically wounded, but Willard Richards miraculously escaped injury (*HC* 6:561–622). The Prophet, shot from both inside and outside the jail as he prepared to leap from an upstairs window, fell to the ground dead, near a well.

Carthage Jail served Hancock County until 1866. It was then a private residence, until the Church purchased it in 1903. Assisted by the Illinois Department of Public Works and Buildings, the Church completed a partial restoration of the jail in 1935.

In 1989, on the 145th anniversary of the martyrdom, the Church completed a major renovation of the whole Carthage Jail block. The jail proper was restored to its 1844 condition, and the block was fenced, landscaped, and dressed with walks, monuments, and sculpture. The adjacent visitors center, enlarged to accommodate 150 people, now holds exhibits and a theater showing a film that portrays Joseph Smith's religious and spiritual experiences.

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