The Extradition of Chester Rowe

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ISSN 0003-4827
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Recommended Citation

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"GONE IN THE GLOAMING" ANNOUNCED THE FRONT-PAGE headline on the *Grinnell Herald*'s biggest news story of 1895:

“Saturday evening, April 20, County-Treasurer Rowe came to Grinnell over the G. & M. He soon took a train out of town, and it was his intention never more to be seen in these parts. Nor is it at all likely that he will unless he returns in company with a detective.” Wearing a new black suit and carrying a small grip, Chester W. Rowe had left Montezuma, the Poweshiek County seat, earlier in the day. He had told his deputy at the county treasurer’s office, W. F. Allen, that he planned to visit his ailing father who had recently broken an arm. When his wife went to meet him at the small hamlet of Malcom a few days later, he was nowhere to be found. By Thursday, Deputy-Treasurer Allen became so worried that he called in a friend to help him go over the county’s books. On Saturday, April 27th, Allen broke the news to the county board of supervisors that he could not account for $31,325.90.¹ Chester Rowe’s little grip had apparently been crammed with embezzled greenbacks.

Rowe’s defalcation shocked and angered his neighbors in Iowa, and it had repercussions far beyond the state’s borders, ultimately affecting United States foreign relations. To prevent a lawbreaker from avoiding prosecution of his crimes

¹*Grinnell Herald, April 30, 1895.*
by escaping to another country, the United States had ratified extradition agreements with a number of foreign nations. These treaties enabled the federal government to request that a fugitive be returned for trial, and when Chester Rowe was eventually discovered abroad, the aggrieved parties in Poweshiek County instituted the cumbersome extradition process. It necessitated the involvement not only of Iowa officials, but also the secretary of state and even the president of the United States himself. Had all gone as expected, the embezzler would quickly have been returned to be dealt with by Poweshiek County's law enforcement agencies. Rowe was a clever crook, however, and he was able to devise an ingenious method for avoiding extradition. His case eventually stirred the anger of American diplomats and statesmen and led to a major international controversy.

The Crime and Its Aftermath

Chester W. Rowe led a quite ordinary, unremarkable life prior to his escapade. Like thousands of other Americans, he had started off his career by working for the railroad, serving as a station agent for the Rock Island line in Malcom, Iowa. The citizens of that small community thought well of this up-and-coming young man and elected him their mayor. Rowe enjoyed politics and, when the time came for the selection of county officers, he ran for the position of county treasurer. He won a two-year term in the general elections in the fall of 1891 and was re-elected in the fall of 1893. His second term as treasurer was to have expired in January, 1896.

Up to this point, Rowe appeared to be an honest, upstanding, and likable person. Because the county treasurer had access to and responsibility for large sums of money, candidates for that position customarily requested respected members of the community to vouch for their integrity. Rowe had convinced a group of prominent citizens to post a bond for him prior to his election. Although the bondsmen put up no money, they were presumably liable for any shortages uncovered in the county treasury up to $50,000. Rowe's bond had
been routinely renewed in 1893 when he had again run for office. Toward the middle of his second term, however, Rowe’s reputation in the county lost much of its luster. Some of his bondsmen became so nervous that they requested the county judge to relieve them of their bond, but the judge refused.²

Chester Rowe had begun his fall from virtue in the eyes of the community in the fall of 1894 when rumors linked his name with that of a local school teacher. As these rumors were damaging the teacher’s reputation, she had sued several local farmers for slander. In the “sensational trial” which followed, Rowe was called to testify and admitted that certain charges were correct, causing the woman to lose her slander suit. The *Grinnell Herald* saw the trial as the turning point in Rowe’s life:

> Since that time his friends nearly all forsook him and he was given abundant leisure to brood over his troubles. He did not pursue a course which tended to restore confidence in his integrity, but instead assumed a moody, revengeful demeanor, and it is said, remarked more than once that he didn’t care a milldam what the public thought of him. It is said now by some who knew him that he was not a stranger to poker.³

Newspapers throughout Iowa had been running a series of stories about the recently retired state treasurer of South Dakota, W. W. Taylor, who embezzled $367,000 and made off for parts unknown.⁴ After Rowe’s similar decampment, a rumor spread that he had once remarked “that Honduras was the place where no extradition laws could reach him and that if he were in Taylor’s place he’d disguise himself, even if he had to punch an eye out, and skip for Honduras.”⁵ Whether or not the rumor was true, Rowe obviously did a good deal of

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²Undated clipping from the Mexico City *Mexico Herald* contained in the Chester W. and Richard Rowe File, a part of the Iowa Secretary of State’s Criminal Cases in the Iowa State Historical Dept., Division of Historical Museum & Archives. This file hereafter cited as “Rowe File.”

³*Grinnell Herald*, April 30, 1895.


⁵*Grinnel Herald*, April 30, 1895.
thinking about his own escape plans. He systematically paid all of his outstanding bills before he left so that his wife and two children would not suffer unduly. Furthermore, he planned the whole affair in conjunction with his brother Richard, who was later located with him.

After the Rowes disappeared, the Poweshiek County board of supervisors arranged for the famous Pinkerton Detective Agency to investigate the case and to try to track down the two fugitives. For some time the agency had so few leads to their possible whereabouts that it was reduced to assigning agents to monitor the activities of the teacher involved in the slander suit. Then, the Pinkerton's world-wide network of affiliates turned up traces that Chester Rowe had passed through Winnipeg and Vancouver. Finally, the agency became convinced that the criminal had ended his flight in Mexico City. William A. Pinkerton therefore sent one of his agents, Assistant Supervisor William Farmer Forsee, to the Mexican capital to locate the embezzler.

After making inquiries for a few days, Detective Forsee learned that a saloon called "The Stock Exchange" had recently been leased by two men known as the "Rose" brothers. When Forsee went to the bar he instantly recognized Chester Rowe from a photograph and description he had brought with him. Instead of immediately contacting his supervisors, the Pinkerton's man became a habitué of the saloon in order to learn more about the brothers. Hoping to discover where they had hidden the stolen money, Forsee showed them $400 in gold and asked where he could safely keep such valuable property. The Rowes indicated a willingness to allow him to place it in the safe deposit vault they had leased from a local bank. Forsee reported all of his findings to Pinkerton, who passed the information on to the Poweshiek board of supervisors. They were eager to bring the criminals back for trial and punishment.¹

The Extradition Attempt

¹Undated clipping from the Mexico City Mexico Herald, Rowe File.
The Extradition of Chester Rowe

Some thirty years earlier, in 1861, the United States and Mexico had negotiated a broad-ranging extradition treaty which provided for the repatriation of their citizens accused of crimes. In addition to the more violent crimes of murder, piracy, and rape, the extraditable offenses included crimes against property like burglary, cattle-rustling, and the embezzlement of funds. The value of the items stolen or embezzled had to be reasonably large, however, in order to justify the cost and effort of a formal extradition proceeding. Poweshiek County’s loss of over $30,000 definitely qualified as a substantial embezzlement, and the American officials at all levels felt it well worth their time and effort to seek the return of the Rowe brothers. To start the extradition process, the board of supervisors requested the county’s grand jury to draw up formal indictments for both Chester and Richard Rowe indicating the nature and magnitude of the crime committed.

The treaty also specified that all extradition requests must come from the nation’s top governmental officer: “On the part of each country the surrender of fugitives from justice shall be made only by the authority of the Executive thereof.” Consequently, the Rowes could only be extradited if the president of the United States personally signed the request. C. N. Perry, a Grinnell farm machinery dealer who was serving as chairman of the Poweshiek board of supervisors, sent the grand jury’s indictment for Chester Rowe along with an explanation of the case to the governor of Iowa, Frank D. Jackson. Governor Jackson sent an extradition request and appropriate supporting papers to President Grover Cleveland on July 3, 1895. Because the case had been properly prepared, it was handled with dispatch. On July 8, Acting Secretary of State Alvey A. Adee informed Edward C. Butler, chargé d’affaires at the American Legation in Mexico City that the President has issued his warrant authorizing William Farmer

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2Poweshiek County Grand Jury Indictments of Richard Rowe and Chester W. Rowe, Rowe File.

3Bevans, IX, 819.
Forsee to proceed to Mexico for the purpose of taking into custody and returning to the State of Iowa for trial Chester W. Rowe, a fugitive from the justice of the United States, charged with the crime of embezzlement of public money and understood to be at present in the City of Mexico.\textsuperscript{10}

Ten days later, Adee asked Butler to have Richard Rowe apprehended and held for extradition as well. It appeared as though the two brothers would soon be going on trial back in Iowa.

Detective Forsee, now armed with the appropriate warrant and other necessary legal papers, called for assistance from the local authorities. Mexican police moved in and arrested the two brothers. Acting on Forsee's suggestion, the arresting officers found in Chester Rowe's possession a rental slip for a safety box at the International Mortgage Bank of Mexico, dated April 29th and made out to "Señor E. P. Rose." After they had checked the contents of the box, Chargé Butler was able to send a telegram assuring the State Department "Parties arrested, and stolen funds embargoed."\textsuperscript{11} Although Forsee had expected to be delayed while he awaited the processing of the official warrant for Richard Rowe's extradition, he had not foreseen any other complications in bringing the fugitives home.

Chester Rowe had anticipated that efforts might be made to have him extradited, however, and had taken certain steps in order to avoid it. He had discovered that the Mexican constitution permitted foreigners to acquire Mexican citizenship simply by acquiring real estate in the republic. Furthermore, citizenship could be obtained the moment the land purchase had been completed: "It shall be sufficient for them to make a declaration of their wish [to be naturalized] before the civil authorities of the place of their residence. On the presentation of that declaration at the ministry of [foreign] affairs, accompanied by their petition to that effect, their letter of citizenship


\textsuperscript{11}\textit{Ibid.} 998, 1002.
Consequently, shortly after his arrival in Mexico City, Chester Rowe purchased a small lot in the nearby town of Guadalupe and simultaneously became a Mexican citizen. According to the law, Mexico could never approve the extradition of one of its own citizens to another country.

The American State Department had apparently run into a stone wall in its efforts to get the fugitive back into the United States. The American authorities considered the rapidity of Mexico’s naturalization process highly irregular. Indeed, no such speedy means existed for aliens to acquire American citizenship. At least five years as a resident were a prerequisite for citizenship in the United States, although the residency period might be shortened by special legislation or in recognition of special services such as enlistment in the United States armed forces. Mexico, on the other hand, required no residency period at all. Just a few weeks after he had absconded with the county’s funds, Chester Rowe was able to become a Mexican citizen, protected by the Mexican government from repatriation to the United States.

Back in Grinnell, Supervisor Perry took the news hard. "Telegram from Forsee last evening informs us that Rowe is lost to us—will be tried there, but we will get Dick. Only four thousand dollars in deposit vault which is evidence of further stealing," Perry wrote a friend. He tried to resign himself to this disappointment by threatening that "We can at least make Dick's life a burden, which will be consoling and may convict him. We know he is guilty." The county did carry through on Perry's threat. In November, Richard Rowe was brought back to stand trial for acting as an accomplice in his brother's embezzlement. The young man was convicted and sentenced to a three-year term at the Iowa State Penitentiary in Ft. Madison. He served his full term.

Even though they were assured of bringing one of the fugi-

12 Relevant passages from Mexico's naturalization laws were printed in Foreign Relations, 1895, 1012-18.
13 C. N. Perry to E. G. O'Meara, July 30, 31, 1895, Rowe File.
tives to justice, the citizens of Iowa were dismayed that the other eluded their grasp. Many felt the fault lay with corrupt or lackadaisical Mexican authorities, and the local newspapers did little to discourage such attitudes on the part of their readers. Shortly after it had learned that Chester Rowe would not be extradited, the *Cedar Rapids Republican*, for example, proclaimed that

> It is well known that Mexico is a miserably governed country. Her courts are corrupt, her officers venal. Men like Rowe who possess a lot of ill-gotten wealth are easily able to fix things so that the Mexican authorities will not feel 'obliged' to deliver their bodies to be taken to the United States.'"  

The American diplomats still working on the case in Mexico City were quite annoyed at the coverage it was getting in Iowa. American Consul-General Thomas T. Crittenden wrote a long letter to Governor Jackson complaining that libelous characterizations in the American press might be having as much to do with impeding his extradition efforts as anything the Mexican authorities were doing. Crittenden stoutly defended the honor and reputation of Mexico's leaders. Both President Porfiro Díaz and Secretary for Foreign Affairs Ignacio Marischal were men of stellar character, the American diplomat insisted, and Marischal was "as unpurchasable as our own great secretary of state."

The Secretary of State Takes a Hand

Richard Olney had been off on his customary summer vacation in July and August when the Rowe case had first reached the federal level. Consequently Second Assistant Secretary of State Alvey A. Adee had taken charge of handling what was expected to be a routine matter. When Secretary of State Olney became personally involved, however, the diplomatic fireworks began in earnest. As attorney-general in 1894, he had gained national fame and notoriety for his insistence upon sending federal troops into Chicago to quell the Pullman

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14 Undated clipping from the Mexico City *Mexico Herald*, Rowe File.  
15 T. T. Crittenden to Frank D. Jackson, September 4, 1895, Rowe File.
railroad strike. After Olney moved over to head the State Department, he continued to behave in a similarly combative manner. He had no intention of allowing Mexican laws to circumvent American justice without putting up a fight.

The affair had been simmering for some time when Olney initialed a long letter which clearly outlined the State Department's critical views of the Rowe case:

Rowe, it is believed, basely betrayed the public trust reposed in him by the community of which he was a native and an honored member, and under a false name sought a hiding place for himself among the people of a friendly, neighboring Republic, whose laws he violated in the very act of crossing its border with his ill-gotten gains. With a part of the proceeds of his crime, and taking advantage of a provision in Mexico's constitution and laws obviously designed to encourage the immigration of industrious and lawabiding settlers from other lands, he obtained, as a cover to his flight and as a barrier to pursuing justice, the shield of Mexican citizenship. The result is that this criminal has escaped unpunished from the people whom he has wronged and is a fellow-citizen of the people against whom his very presence is a wrong.16

During the course of several exchanges between diplomatic officials of both governments, however, it became obvious that the Mexicans differed fundamentally with Olney's concept of what could be considered appropriate in the realm of extradition, trial, and punishment. So divergent were the two nation's viewpoints that the Mexicans and Americans sometimes seemed to be discussing two entirely different cases.

The Mexican government's primary line of argument was that Rowe had legally and irrevocably become a Mexican citizen and thus could never be extradited by the United States. Despite persistent American criticisms about their naturalization process, the Mexican authorities refused to concede that it involved anything irregular or even unusual. Repeatedly falling back upon the language of their naturalization laws, they emphasized that no exceptions to the rules for granting Mexican citizenship existed. Therefore, even though Chester Rowe had previously engaged in criminal activity, he had in no

16Foreign Relations, 1895, 1008.
way violated the Mexican naturalization laws in purchasing his lot and becoming a Mexican citizen. The Americans tried to counter the assertion that Rowe had legitimately fulfilled the provisions of the Mexican naturalization laws by inquiring "whether Rowe's adoption of Mexican citizenship as a cloak to his crime is not inconsistent with the spirit if not the letter of the law, and subversive of its intent."

The Americans were particularly anxious that he not go unpunished, as others might emulate his actions:

The inevitable consequence of protecting Chester Rowe from extradition will be to induce other criminals in the United States to flee to Mexico as the most accessible and safest haven for the lawbreaker on the continent. If they have but the price of a bit of land they will flock to the Mexican border like the criminals of old to the city of refuge, and there, unwhipped of justice and rejoicing in evil, they will take on the highest honor and privilege the Mexican nation can bestow—its citizenship.

The Mexican government responded that Chester Rowe's example would actually serve as a warning to others contemplating a similar crime because he was slated to stand trial in the Mexican courts for bringing stolen funds into the country. The embezzler was hardly evading justice,

for C. W. Rowe shall be tried in Mexico, in accordance with Mexican law which allows for the punishment of crimes committed abroad, especially that of the embezzlement of funds under false pretenses, provided always that the guilty party preserved such funds in his possession, which, according to those who have moved in the extradition, is the case at issue.

In fact, the Mexican officials claimed, once Rowe had been turned over to the Mexican court, even President Porfíro Díaz could not interfere. "The President is therefore now without authority to pass upon the case, and only in case the judge should declare himself incompetent to try it could the matter of extradition be treated again."

Confident that Rowe would be amply punished for his crime, the Mexican authorities felt they need take no further steps. They were particularly anxious not to deviate from their position in this case because, if they did so, they would be setting a precedent which the United States could cite in re-
questing special treatment in future cases. Furthermore, the Rowe case did not appear so important as to require an exception to their rules: "The crime at issue is repugnant, as all crimes are," Foreign Secretary Marischal admitted, "but it is not of colossal proportions, nor is it a crime such as horrorizes humanity."

Secretary Olney's extended response to the Mexican arguments points up several interesting aspects of contemporary American attitudes about law enforcement and the importance of punishing criminals as a deterrent to future crime.

The right of Mexico to hold Rowe for trial upon the charge of bringing stolen property into Mexico is acknowledged, and the United States has no desire to interfere with the execution of the Mexican law upon him; but the offense for which he is arraigned in Mexico is not the offense for which he is wanted in the United States, and the punishment which may be administered in the Mexican court is no vindication of the law of the State of Iowa which was violated and set at naught by Rowe. There is, furthermore, another reason why it is important that Rowe should be brought back to the place where he committed the crime and there tried and punished for it, and why any amount of punishment in Mexico will not suffice. In our law, the end of punishment judicially administered is not in the nature of atonement or expiation for the crime committed, but it is a precaution against future offenses of the same kind, and has for its prime object and purpose the deterrent influence of the offender's example upon others who were cognizant of his crime and might otherwise be tempted to imitate it. This element of the effect of legally administered punishment is wanting when the crime is committed in one place and the consequent punishment is inflicted at another and a distant place. The State of Iowa earnestly desires, not to avenge itself upon Rowe, but to make an example of him for the benefit of those who may otherwise be tempted to do as he has done—embezzle trust funds and escape to Mexico.

Despite the eloquence of the American appeal, the Mexican government never reconsidered its decision. The final Mexican statement went to the extreme of claiming that Detective Forsee had helped close out any chance for reconsideration. Acting as the agent of the State of Iowa, Forsee had agreed to testify at Chester Rowe's trial in Mexico City. The
Mexican government contended that the detective had thereby implicitly admitted that Mexico had a right to try Rowe—a right the nation could exercise only if the fugitive actually was a citizen of Mexico. Carrying this line of reasoning to its logical conclusion, they indicated that Forsee had thus certified that Rowe was a Mexican citizen not subject to United States extradition.

Forsee agreed to testify only after the Poweshiek County officials had given up hope of getting Rowe back and decided to make the best possible case against him in the Mexican court. As early as August, 1895, Supervisor Perry had raised the question of how the country might fund its prosecution of the fugitive in Mexico. Perry requested help from the State Executive Council for the payment of expenses for the “sending of witnesses and counsel and a variety of trimmings looking to a conviction by the Mexican Courts. It is rough,” he lamented, “for our County to foot the entire bill.” 17 Although there is no record of the state’s response, County Auditor W. L. Buxton, armed with affidavits, eventually appeared at the trial as a witness for the prosecution.

The Final Resolution of the Case

Although Chester W. Rowe had skillfully managed to escape the clutches of American justice, he certainly did not avoid punishment for his crime. On May 4, 1896, more than a year after he had left Iowa, Rowe’s trial for the importation of stolen property into Mexico ended. Minister Matt W. Ransom at the American Legation notified Secretary Olney of its outcome: “I have the honor to advise you that on Saturday night last, after a long and exhaustive trial, Chester A Rome [sic] was convicted and sentenced to twelve years’ imprisonment in the penitentiary, a fine of $2,000 and politically disfranchised.” Although Ransom insisted that the legation had never acquiesced to Mexico’s refusal of the American extradition request, he did feel that “justice has surely and effectually been done.” 18

17 C. N. Perry to E. G. O’Meara, September 5, 1895, Rowe File.
18 Foreign Relations, 1896, 454.
Still rankled over his government's failure in this case, Richard Olney refused to let the matter drop without a final protest. The secretary of state ordered Minister Ransom to express to Señor Marischal this Government's appreciation of Mexico's action in preventing this fugitive from the justice of the United States from going unpunished. Nevertheless, we adhere to the position heretofore maintained by us in regard to his extradition, and regret that in criminals escaping from punishment here there may be a more or less pronounced failure of justice.¹⁹

The officials of Poweshiek County joined the secretary of state in denying that full retribution had occurred, and they never relented. After he had served a portion of his sentence in Mexico City's Belem Prison, Chester Rowe requested a gentleman named J. L. Stark to appeal to the United States government for leniency. Stark sent his appeal to the man then serving as secretary of state, John Hay, on November 22, 1898. The letter spun out a tale of woe designed to elicit the state-man's sympathy. According to Stark, Rowe's family was suffering grievously because of his continuing imprisonment.

The wife and children are dependent upon the charity of her relations who are themselves poor, and one of the children has been lying at the point of death for some days in Chicago in their home over a stable, the disease being a malignant fever probably coming from the stable underneath their miserable dwelling.

In the event that this information might prove insufficient to touch Secretary Hay's heart, Stark rang in Rowe's "poor old mother" who had purportedly mortgaged all of her property and "rendered herself homeless in her old age" in attempting to get her son restored to his family. Stark concluded his letter by indicating that the Mexican government might release or parole Rowe if the United States government indicated it would not object.²⁰

Before Hay responded to this emotional appeal, he forwarded a copy of it to Governor Leslie M. Shaw of Iowa. He, in turn, sent it on to the Poweshiek County officials who were

¹⁹Ibid., 455.
²⁰J. L. Stark to John Hay, November 22, 1898, Rowe File.
still insensed over Rowe's defalcation. Chairman of the Board of Supervisors John Moore cooperated with County Auditor W. L. Buxton in drafting a point by point rebuttal of all of Stark's contentions. "In the first place," they wrote, "Mr. Rowe has never shown any signs of contrition or repentance, neither has he ever made any proposition that was tangible as to what he would do toward making his shortage good either in whole or in part." The only money the county had ever gotten back was the $3800 which Detective Forsee had found in the Mexican bank vault and had impounded at the time of the arrest.

Furthermore, the county officials maintained, the heartrending tale of Rowe's family pining away for his return was pure fabrication. Rowe's mother was, of course, aged, but she certainly was not dependent, having in her possession some $4500 in property. Nor was Rowe's family in the desperate straits Stark had described:

It is not true that Mrs. C. W. Rowe is in Chicago living over a livery stable, neither has she at any time. Her home is at Atilissa, Iowa. . . . We are creditably informed that the family is in good health and that the children are dressed as well or better than most children in that vicinity are. The Businessmen of Atilissa say Mrs. Rowe is a good customer and that she pays her bills promptly not withstanding the destitution Mr. Stark's letter shows her to be in.\(^\text{21}\)

Governor Shaw relayed the contents of this letter to the State Department in Washington. On January 4, 1899, Secretary Hay informed the governor that, in view of these comments, the United States would make no effort to have Rowe released from prison.\(^\text{22}\)

Hay's letter closed the book on the Rowe embezzlement case. The good citizens of Poweshiek County never recovered the remainder of their money nor did they ever have an opportunity to try and convict the scoundrel who had made off with it. On the other hand, the Iowans could take pride in the fact that local, state, and national officials had responded to

\(^{21}\)John Moore and W. L. Buxton to The Governor of Iowa, December 14, 1898, Rowe File.  
\(^{22}\)John Hay to Governor of Iowa, January 4, 1899, Rowe File.
their plight with compassion, efficiency, and diligence. And, even though these gentlemen expressed concern that a criminal was evading American justice, the whole affair served to underline and strengthen the fundamental principle of international law that each nation, large or small, is sovereign within its own borders. Meanwhile, Chester Rowe, languishing in his Mexican prison cell, and Richard Rowe, confined in the Iowa State penitentiary, had ample opportunity to ponder the truth of the adage that crime does not pay.

Book Reviews

A Peculiar People: Iowa's Old Order Amish, by Elmer Schwieder and Dorothy Schwieder. Ames: Iowa State University Press, 1975. pp. ix, 188, Illustrations, notes, appendices, bibliography, index. $8.50

Even though Saint Titus, trusted disciple of Saint Paul, was told by Paul that Jesus Christ "gave himself for us, that he might redeem us from all inequity, and purify unto himself a