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*New Discoveries Prove
Court Record Authentic*

By Jerald and Sandra Tanner

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In the *Salt Lake City Messenger* for August, 1971, we announced one of the most important discoveries since Joseph Smith founded the Mormon Church in 1830. This is the discovery by Wesley P. Walters of an original document which is more than 140 years old. This document proves that Joseph Smith was a “glass looker” and that he was arrested, tried and found guilty by a justice of the peace in Bainbridge, New York, in 1826. (The reader will find a photograph of this document in the center of this booklet.) The importance of this discovery cannot be overstated, for it establishes the historicity of the account of the trial which was first published in *Fraser's Magazine* in 1873. We quote the following from that publication:

STATE OF NEW YORK v. JOSEPH SMITH.

Warrant issued upon written complaint upon oath of Peter G. Bridgeman, who informed that one Joseph Smith of Bainbridge was a disorderly person and an impostor.

Prisoner brought before Court March 20, 1826. Prisoner examined: says that he came from the town of Palmyra, and had been at the house of Josiah Stowel in Bainbridge most of time since; had small part of time been employed in looking for mines, but the major part had been employed by said Stowel on his farm, and going to school. That he had a certain stone which he had occasionally looked at to determine where hidden treasures in the bowels of the earth were; that he professed to tell in this manner where gold mines were a distance under ground, and had looked for Mr. Stowel several times, and had informed him where he could find these treasures, and Mr. Stowel had been engaged in digging for them. That at Palmyra he pretended to tell by looking at this stone where coined money was buried in Pennsylvania, and while at Palmyra had frequently ascertained in that way where lost property was of various kinds; that he had occasionally been in the habit of looking through this stone to find lost property for three years, but of late had pretty much given it up on account of its injuring his health, especially his eyes, making them sore; that he did not solicit business of this kind, and had always rather declined having anything to do with this business.

Josiah Stowel sworn: says that prisoner had been at his house something like five months; had been employed by him to work on farm part of time; that he pretended to have skill of telling where hidden treasures in the earth were by means of looking through a certain stone; that prisoner had looked for him sometimes; once to tell him about money buried in Bend Mountain in

Pennsylvania, once for gold on Monument Hill, and once for a salt spring; and that he positively knew that the prisoner could tell, and did possess the art of seeing those valuable treasures through the medium of said stone; that he found the (word illegible) at Bend and Monument Hill as prisoner represented it; that prisoner had looked through said stone for Deacon Heaton for a mine, did not exactly find it, but got a p____ (word unfinished) of ore which resembled gold, he thinks; that prisoner had told by means of this stone where a Mr. Bacon had buried money; that he and prisoner had been in search of it; that prisoner had said it was in a certain root of a stump five feet from surface of the earth, and with it would be found a tail feather; that said Stowel and prisoner thereupon commenced digging, found a tail feather, but money was gone; that he supposed the money moved down. That prisoner did offer his services; that he never deceived him; that prisoner looked through stone and described Josiah Stowel's house and outhouses, while at Palmyra at Simpson Stowel's, correctly; that he had told about a painted tree, with a man's head painted upon it, by means of said stone. That he had been in company with prisoner digging for gold, and had the most implicit faith in prisoner's skill.

Arad Stowel sworn: says that he went to see whether prisoner could convince him that he possessed the skill he professed to have, upon which prisoner laid a book upon a white cloth, and proposed looking through another stone which was white and transparent, hold the stone to the candle, turn his head to book, and read. The deception appeared so palpable that witness went off disgusted.

McMaster sworn: says he went with Arad Stowel, and likewise came away disgusted. Prisoner pretended to him that he could discover objects at a distance by holding this white stone to the sun or candle; that prisoner rather declined looking into a hat at his dark coloured stone, as he said that it hurt his eyes.

Jonathan Thompson says that prisoner was requested to look for chest of money; did look, and pretended to know where it was; and prisoner, Thompson, and Yeomans went in search of it; that Smith arrived at spot first; was at night; that Smith looked in hat while there, and when very dark, and told how the chest was situated. After digging several feet, struck upon something sounding like a board or plank. Prisoner would not look again, pretending that he was alarmed on account of the circumstances relating to the trunk being buried, [which], came all fresh to his mind. That the last time he looked he discovered distinctly the two Indians who buried the trunk, that a quarrel ensued between them, and that one of said Indians was killed by the other, and thrown into the hole beside the trunk, to guard it, as he supposed. Thompson says that he believes in the prisoner's professed skill; that the board which he struck his spade upon was probably the chest, but on account of an enchantment the trunk kept settling away from under them when digging; that notwithstanding they continued constantly removing the dirt, yet the trunk kept about the same distance from them. Says prisoner said that it appeared to him that salt might be found at Bainbridge, and that he is certain that prisoner can divine things by means of said stone. That as evidence of the fact prisoner looked into his hat to tell him about some money witness lost sixteen years ago, and that he described the man that witness supposed had taken it, and the disposition of the money:

And therefore the Court find the Defendant guilty. Costs: Warrant, 19c. Complaint upon oath, 25½¢. Seven witnesses, 87½¢. Recognisances, 25¢. Mittimus, 19¢. Recognisances of witnesses, 75¢. Supoena, 18¢. — \$2.68. (*Fraser's Magazine*, February, 1873, Vol. VII, pp. 229–230)

Although the Bainbridge court record was printed a few times it did not become too well known until Fawn Brodie printed it in her book *No Man Knows My History*. Immediately after her book appeared the Mormon leaders declared that the record was a forgery. The following appeared in the “Church Section” of the *Deseret News*:

... the alleged find is no discovery at all, for the purported record has been included in other books . . . after all her puffing and promise the author produces no court record at all, though persistently calling it such . . . This alleged record is obviously spurious . . . The really vital things which a true record must contain are not there, though there is a lot of surplus verbiage set out in an impossible order which the court was not required to keep.

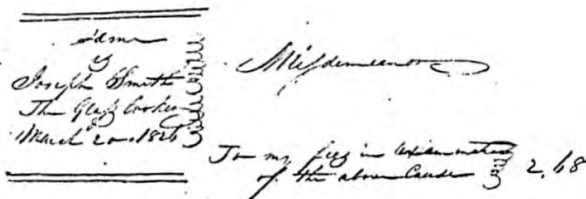
This record could not possibly have been made at the time as the case proceeded. It is patently a fabrication of unknown authorship and never in the court records at all. (*Deseret News*, Church Section, May 11, 1946, as quoted in *A New Witness For Christ In America*, Vol. 2, pp. 430-431)

The Mormon Apostle John A. Widtsoe stated: “This alleged court record . . . seems to be a literary attempt of an enemy to ridicule Joseph Smith by bringing together all the current gossip of that day and making him appear to confess to it . . . There is no existing proof that such a trial was ever held” (*Joseph Smith—Seeker After Truth*, Salt Lake City, 1951, p. 78).

The Mormon scholar Francis W. Kirkham claimed that he did a great deal of research with regard to this matter and came to the conclusion that the court record was spurious:

A careful study of all facts regarding this alleged confession of Joseph Smith in a court of law that he had used a seer stone to find hidden treasure for purposes of fraud, must come to the conclusion that no such record was ever made, and therefore, is not in existence . . . No record exists and there is no evidence to prove one was ever made in which he confessed in a justice of the peace court that he had used a seer stone to find hidden treasures for purposes of fraud and deception. (*A New Witness For Christ In America*, Vol. 1, pp. 385, 386 and 391)

The document which Wesley P. Walters found is Justice Albert Neely’s bill showing the costs involved in several trials in 1826. The fifth item from the top mentions the trial of “Joseph Smith the Glass Looker.” Below is a photograph of this portion of the document (see complete document on combined page 12-13 of this book).



The fact that the document says that Joseph Smith was a “Glass Looker” fits very well with the published version of the trial. In fact, this statement alone seems to show that the published account of the trial is authentic. Besides this, however,

Neely's bill provides additional evidence. It states that the trial took place on "March 20, 1826," and this is precisely the date found in the published account of the trial: "Prisoner brought before Court March 20, 1826" (*Fraser's Magazine*, Feb. 1873, Vol. VII, p. 229). In Albert Neely's bill the fee for this trial is listed as "2.68," and this is the exact figure found in the printed record: "Costs: . . . \$2.68."

In the face of this evidence it is impossible to continue to deny the authenticity of the court record.

In the book, *Joseph Smith and Money Digging*, we devoted over 15 pages to a study of this court trial. On page 38 we concluded: "Although the evidence supporting the authenticity of the 'court record' seems to be rather convincing, more research needs to be done." We did show, however, that the court record was brought to Salt Lake City by Emily Pearsall, the niece of Albert Neely. When Charles Marshall published the record in *Fraser's Magazine*, he stated: "During my stay in Salt Lake permission was courteously accorded me to copy out of a set of such judicial proceedings not hitherto published. I cannot doubt their genuineness. The original papers were lent me by a lady of well-known position, in whose family they had been preserved since the date of the transactions" (*Fraser's Magazine*, Feb. 1873, Vol. VII, p. 229).

In her attack on Fawn Brodie's book F. L. Stewart cast doubt upon the statement that Albert Neely was a justice of the peace in Bainbridge in 1826:

But was Albert Neely a justice of the peace in Bainbridge in 1826? He lost an election as justice for the year 1828. The election was held in November, 1827, and he received the fewest votes of all the candidates. He was later a justice of the peace in Manlius, New York, in 1838. No known records indicate that he was a justice in Bainbridge in 1826. (*Exploding The Myth About Joseph Smith, The Mormon Prophet*, New York, 1967, pp. 69–70)

During the past few years Wesley P. Walters has been doing a great deal of research concerning the court record. He has made several trips to New York in search of evidence. By June 23, 1971, he was able to give this encouraging report in a letter to a friend:

As I am sure you are aware, the document was printed three times—once in England (with a reprinting of this in N.Y.), once by Tuttle in the Schaff-Herzog Ency., and once by the Methodists. The first and last of these printings give the court costs. This summer I spent a few days at Norwich and among the county records I found some bills from the town of Bainbridge. Bills for the years 1826 and 1827 were missing, presumably among the water-damaged items the court house threw out some while back. However, the bills from 1825 and 1828 were there and give an example of what the J.P. charges were at that time. A subpoena was 6¢ each, so that a charge of 18¢ in the document must represent 3 subpoenas; Recognisance charge was 25¢, so that the document's charge of 25¢ is in perfect agreement and the charge of 75¢ for "recognisance of witnesses" must represent three such witnesses. There are a couple of items that are not clear as yet. The document lists warrant 19¢ and complaint upon oath as 25¢, whereas the justice bills I was able to find listed "oath & warrant"—25¢ . . . To my mind there is enough agreement here to make the possibility of the document being a forgery out of the realm of possibility.

Finally, the other surrounding circumstances all are in proper place . . . Miss F. L. Stewart in *Exploding the Myth* casts doubt on the court record because there was no evidence that Albert Neely was a J.P. in 1826. Well, I found his official appointment papers signed by the 3 circuit judges and the 15 county supervisors and the date of his appointment was November 16, 1825. If the bills for 1826 had been available still, I am sure there would have been an itemized account of all the warrants he issued, and cost involved for the town and county, as there are in the other justices['] bills for 1825 and 1828. In fact, the itemized bills were totaled and at the annual meeting of the Board of Supervisors the total amounts were “audited and allowed.” In their Supervisor’s record book for 1826 Albert Neely’s name appears under the town of Bainbridge as being paid \$6.34 by the town and \$15.44 by the county. So as far as I am concerned, there is no question in my mind that Albert Neely was a J.P. in 1826 and that Smith was tried before him, and that the published record is really a genuine account of what happened.

There are other little details that fit into place as well. The complaint, according to the trial record, was signed by Peter G. Bridgeman . . . Now I found the obituary notice of his wife’s death in 1831 and at that time he was called “Rev.” and living at Coventry, just west of Bainbridge. In 1829 he had been one of the organizers for incorporating the West Bainbridge Methodist Church . . . from every angle the whole matter has the ring of genuineness about it. (Letter written by Wesley P. Walters, dated June 23, 1971)

Just about a month after writing this letter, Wesley P. Walters was back searching for the missing bills. On July 30, 1971, we received a phone call announcing the important discovery—i.e., the discovery of Justice Neely’s bill for 1826. The same day Walters sent us a letter telling of other discoveries:

By this time you should have gotten over the shock of my phone call about finding the 1826 Neely bill...

In addition to what I sent you recording the bill for the trial of “Joseph Smith The Glass Looker” . . . there is also the bill of Constable Philip M. De Zang. His charges include ones for “Serving warrant—on Joseph Smith and tr[avel]” (very faint water damage), “Subpoening 12 Witnesses & travel”; “attendance with Prisoner two days & 1 nigh[t]”; “Notifying two Justices” and “10 miles travel with mittimus to take him.” . . . There are also bills from Arad Stowell (one of the witness[es] in the trial) for 1826 when he was serving as school commissioner.

On the next page of this booklet we have photographically reproduced Constable De Zang’s bill which tells of taking Joseph Smith a prisoner.

Importance of Discovery

Now that Wesley P. Walters has proven beyond all doubt that the Bainbridge court record is authentic, it will be very interesting to see how the Mormon leaders will react. As we have shown, their position in the past has been that the court record is “spurious.” The Mormon scholar Francis W. Kirkham has stated that if the court record could be proven authentic, it would show that Mormonism itself is untrue:

A careful study of all facts regarding this alleged confession of Joseph Smith in a court of law that he had used a seer stone to find hidden treasure for purposes of fraud, must come to the conclusion that no such record was ever made, and

1826

Meramec County St. Louis Mo.

To serve same warrant on S. B. Gardner of travel

Warrant him over night

Subpoening 11 witnesses

Notifying two Justices

Convincing him to leave

5 meals returned

Serving warrant on Gardner inquest of Court

Subpoening 11 witnesses

Serving warrant on appeal on Timothy Hoo

Subpoening 6 witnesses

Serving warrant

Notifying two Justices

Serving warrant of travel on Sarah Lavin

Subpoening 6 witnesses

Serving warrant

Notifying Justices

Serving warrant on Ira Church appeal

Subpoening 11 witnesses

Notifying Justices

→ Serving warrant on Joseph Smith of

Subpoening 12 witnesses of travel

Attended with Prisoner two days of 1 May

Notifying two Justices

10 miles travel with witnesses to take her

Above is a photograph of the bill of Constable Philip M. De Zang. Notice that the date 1826 is written at the top of the bill. The arrow points to the place where the Constable tells of "serving warrant on Joseph Smith . . ."

therefore, is not in existence . . . If any evidence had been in existence that Joseph Smith had used a seer stone for fraud and deception, and especially had he made this confession in a court of law as early as 1826, or four years before the Book of Mormon was printed, and this confession was in a court record, it would have been impossible for him to have organized the restored Church. (*A New Witness For Christ In America*, Vol. 1, pp. 385–387)

If a court record could be identified, and if it contained a confession by Joseph Smith which revealed him to be a poor, ignorant, deluded, and superstitious person—unable himself to write a book of any consequence, and whose church could not endure because it attracted only similar persons of low mentality—if such a court record confession could be identified and proved, then it follows that his believers must deny his claimed divine guidance which led them to follow him . . . How could he be a prophet of God, the leader of the Restored Church to these tens of thousands, if he had been the superstitious fraud which “the pages from a book” declared he confessed to be? (*Ibid.*, pp. 486–487)

In his book *The Myth Makers*, Dr. Hugh Nibley has written almost 20 pages in an attempt to discredit the “Bainbridge court record.” On page 142 of Dr. Nibley’s book we find this statement: “. . . if this court record is authentic it is the most damning evidence in existence against Joseph Smith.” Dr. Nibley’s book also states that if the authenticity of the court record could be established it would be “the most devastating blow to Smith ever delivered . . .” (*Ibid.*).

In his *History of the Church*, Joseph Smith admitted that he worked for Josiah Stowel, but did not acknowledge the fact that he was arrested or that he used a “seer stone” to find treasures:

In the month of October, 1825, I hired with an old gentleman by the name of Josiah Stowel, who lived in Chenango county, state of New York. He had heard something of a silver mine having been opened by the Spaniards in Harmony, Susquehanna county, state of Pennsylvania; and had, previous to my hiring to him, been digging, in order, if possible, to discover the mine. After I went to live with him, he took me, with the rest of his hands, to dig for the silver mine, at which I continued to work for nearly a month, without success in our undertaking, and finally I prevailed with the old gentleman to cease digging after it. Hence arose the very prevalent story of my having been a money-digger.

During the time that I was thus employed, I was put to board with a Mr. Isaac Hale, of that place; it was there I first saw my wife (his daughter), Emma Hale. On the 18th of January, 1827, we were married . . . at the house of Squire Tarbill, in South Bainbridge, Chenango county, New York. (*History of the Church*, Vol. 1, p. 17)

Since Joseph Smith did not mention the trial and since the court record was not printed until many years after his death, Mormon scholars concluded that the record must be “spurious.” Fawn Brodie reprinted it from the *New Schaff-Herzog Encyclopedia of Religious Knowledge*. Since this encyclopedia did not print this account until 1883, there was a wide gap between the date of the trial and the published version. Because Mormon writers contested the authenticity of the trial,

scholars began to search for more documentation. Helen L. Fairbanks, of Guernsey Memorial Library, Norwich, N.Y., made a very interesting discovery. She found that W. D. Purple, who had lived at Bainbridge and claimed to be an eyewitness to the trial had written concerning it in *The Chenango Union*, May 3, 1877. Wesley P. Walters has confirmed the fact that W. D. Purple was in Bainbridge in 1826. In a letter dated July 30, 1971, he stated: “. . . William D. Purple in May 1826 entered a complaint against someone whom he thought had stolen his coat, so he is there in 1826. This is mentioned in Tarble’s bill.” We have printed W. D. Purple’s account in its entirety in the book *Joseph Smith and Money Digging*, but we feel that it is so important that we shall include a portion of it in this booklet:

More than fifty years since, at the commencement of his professional career, the writer spent a year in the present village of Afton, in this County. It was then called South Bainbridge . . .

In the year 1825 we often saw in that quiet hamlet, Joseph Smith, Jr. . . . He was an inmate of the family of Deacon Isaiah Stowell . . . Mr. Stowel . . . took upon himself a monomani[a]cal impression to seek for hidden treasures which he believed were buried in the earth. He hired help and repaired to Northern Pennsylvania, in the vicinity of Lanesboro, to prosecute his search for untold wealth which he believed to be buried there . . .

There had lived a few years previous to this date, in the vicinity of Great Bend, a poor man named Joseph Smith . . . Mr. Stowell, while at Lanesboro, heard of the fame of one of his sons, named Joseph, who, by the aid of a magic stone had become a famous seer of lost or hidden treasures . . . He, with the magic stone, was at once transferred from his humble abode to the more pretentious mansion of Deacon Stowell. Here, in the estimation of the Deacon, he confi[r]med his conceded powers as a seer, by means of the stone which he placed in his hat, and by excluding the light from all other terrest[r]ial things, could see whatever he wished, even in the depths of the earth . . .

In February, 1826, the sons of Mr. Stowell, who lived with their father, were greatly incensed against Smith, as they plainly saw their father squandering his property in the fruitless search for hidden treasures, and saw that the youthful seer had unlimited control over the illusions of their sire . . . They caused the arrest of Smith as a vagrant, without visible means of livelihood. The trial came on in the above mentioned month, before Albert Neeley, Esq., the father of Bishop Neeley of the State of Maine. I was an intimate friend of the Justice, and was invited to take notes of the trial, which I did. There was a large collection of persons in attendance, and the proceedings attracted much attention.

The affidavits of the sons were read, and Mr. Smith was fully examined by the Court . . .

On the request of the Court, he exhibited the stone. It was about the size of a small hen’s egg, in the shape of a high-insteped shoe. It was composed of layers of different colors passing diagonally through it. It was very hard and smooth, perhaps by being carried in the pocket.

Joseph Smith, Sr., was present, and sworn as a witness . . .

The next witness called was Deacon Isaiah Stowell. He confirmed all that is said above in relation to himself, and delineated many other circumstances not necessary to record. He swore that the prisoner possessed all the power he claimed, and declared he could see things fifty feet below the surface of the earth,

as plain as the witness could see what was on the Justice's table, and described very many circumstances to confirm his words. Justice Neeley soberly looked at the witness and in a solemn, dignified voice, said, "Deacon Stowell, do I understand you as swearing before God, under the solemn oath you have taken, that you believe the prisoner can see by the aid of the stone fifty feet below the surface of the earth, as plainly as you can see what is on my table?" "Do I believe it?" says Deacon Stowell, "do I believe it? No, it is not a matter of belief. I positively know it to be true."

Mr. Thompson, an employee of Mr. Stowell, was the next witness . . . The following scene was described by this witness, and carefully noted: Smith had told the Deacon that very many years before a band of robbers had buried on his flat a box of treasure, and as it was very valuable they had by a sacrifice placed a charm over it to protect it, so that it could not be obtained except by faith, accompanied by certain talismanic influences. So, after arming themselves with fasting and prayer, they sallied forth to the spot designated by Smith. Digging was commenced with fear and trembling, in the presence of this imaginary charm. In a few feet from the surface the box of treasure was struck by the shovel, on which they redoubled their energies, but it gradually receded from their grasp. One of the men placed his hand upon the box, but it gradually sunk from his reach . . . Mr. Stowell went to his flock and selected a fine vigorous lamb, and resolved to sacrifice it to the demon spirit who guarded the coveted treasure. Shortly after the venerable Deacon might be seen on his knees at prayer near the pit, while Smith, with a lantern in one hand to dispel the midnight darkness might be seen making a circuit around the spot, sprinkling the flowing blood from the lamb upon the ground, as a propitiation to the spirit that thwarted them. They then descended the excavation, but the treasure still receded from their grasp, and it was never obtained.

.....
These scenes occurred some four years before Smith, by the aid of his luminous stone, found the Golden Bible, or the Book of Mormon. (*The Chenango Union*, Norwich, N. Y., May 3, 1877, as reprinted in *A New Witness For Christ In America*, Vol. 2, pp. 362–367)

For a complete reprint and study of Dr. Purple's account see our book *Joseph Smith and Money Digging*, pp. 23–29)

While Mormon writers were willing to concede that Purple mentioned the trial in 1877, they felt confident that no earlier mention of the trial would be discovered. Dr. Francis W. Kirkham made this statement: "No account of the life of Joseph Smith . . . prior to Purple in 1877, and Tuttle in 1883, assert that Joseph Smith confessed in a court of law that he had used a seer stone for any purpose, and especially that the record of such confession was in existence" (*A New Witness For Christ In America*, Vol. 1, pp. 386–387). Further research, however, led to the discovery that the court record had been printed in *Fraser's Magazine* ten years prior to the time when it was printed by Tuttle. In a "Supplement" to his book, Dr. Kirkham conceded that it had been printed in 1873.

Finally, Dale L. Morgan, a noted historian, discovered that the trial was mentioned as early as 1831 in a letter published in the *Evangelical Magazine and Gospel Advocate*, printed in Utica, N. Y. The letter is "signed A.W.B., and Mr. Morgan identifies him from subsequent articles as A.W. Benton" (*No Man Knows*

My History, p. 418A). Since Mr. Benton lived in Bainbridge, his account is very important. Wesley P. Walters has furnished us with a photograph of Benton's account as it appears in the *Evangelical Magazine and Gospel Advocate*. We cite the following from that publication:

Messrs. Editors— . . . thinking that a fuller history of their founder, Joseph Smith, Jr., might be interesting . . . I will take the trouble to make a few remarks . . . For several years preceding the appearance of his book, he was about the country in the character of a glass-looker: pretending, by means of a certain stone, or glass, which he put in a hat, to be able to discover lost goods, hidden treasures, mines of gold and silver, &c . . . In this town, a wealthy farmer, named Josiah Stowell, together with others, spent large sums of money in digging for hidden money, which this Smith pretended he could see, and told them where to dig; but they never found their treasure. At length the public, becoming wearied with the base imposition which he was palming upon the credulity of the ignorant, for the purpose of sponging his living from their earnings, had him arrested as a disorderly person, tried and condemned before a court of justice. But considering his youth, (he then being a minor,) and thinking he might reform his conduct, he was designedly allowed to escape. This was four or five years ago. (*Evangelical Magazine and Gospel Advocate*, April 9, 1831, p. 120)

In the book *Joseph Smith and Money Digging* we have photographically reproduced A.W. Benton's entire letter. From what we quoted above, however, the reader will notice that Benton claimed that Joseph Smith was "arrested as a disorderly person." This agrees well with the court record, for it states that Joseph Smith was "a disorderly person and an impostor." Benton's statement also agrees with the court record in stating that Joseph Smith was found guilty. Benton said that Joseph Smith was a "glass-looker," and the reader will remember that Justice Neely's bill refers to "Joseph Smith The Glass Looker." The court record states that the trial took place on March 20, 1826. This would have been five years prior to the time Benton wrote his letter in 1831. Mr. Benton states that the trial took place "four or five years ago."

Dr. Hugh Nibley tried to dismiss Benton's letter as "fiction." In his book, *The Myth Makers*, page 157, we find this statement: ". . . we are inclined to regard A.W.B.'s story of the 1826 trial as fiction . . . without the reality of the peep-stones, the whole legend of the 1826 trial collapses . . . the 1826 trial, unattested in any source but his for fifty years, was a product of A.W.B.'s own wishful thinking."

Actually, there was some good evidence from a Mormon source to show that Joseph Smith had some trouble with the law at the time he was working for Josiah Stowell. In 1835 Oliver Cowdery, one of the three witnesses to the Book of Mormon, wrote the following:

Soon after this visit to Cumorah, a gentleman from the south part of the State . . . employed our brother . . . This gentleman, whose name is Stowel, resided in the town of Bainbridge . . . Some forty miles south . . . is said to be a cave . . . where a company of Spaniards . . . coined a large quantity of money . . . our brother was required to spend a few months with some others in excavating the earth, in pursuit of this treasure . . .

On the private character of our brother I need add nothing further, at present, previous to his obtaining the records of the Nephites, only that while in that country, some very officious person complained of him as a disorderly person, and brought him before the authorities of the county; but there being no cause of action he was honorably acquitted. (*Latter Day Saints' Messenger and Advocate*, Oct. 1835, Vol. 2, pp. 200–201)

While Oliver Cowdery disagrees with the court record when he states that Joseph Smith was acquitted, he is in agreement with the court record and with A.W. Benton's letter in stating that Joseph Smith was charged with being "a disorderly person."

The Mormon writer F. L. Stewart tried to make it appear that the statement by Cowdery referred to another incident altogether, but Richard L. Anderson, who rejected the authenticity of the court record, had to admit that she was in error: "... Stewart attempts to equate this early trial with one mentioned by Lucy Smith in Wayne County in 1829. But this conclusion violates Cowdery's description both in location and chronology; the trial he mentions took place 'previous to his obtaining the records of the Nephites'" (*Brigham Young University Studies*, Winter 1968, p. 232). Dr. Anderson admitted that the trial took place, but he stated that the published version was a "fictitious transcript of a genuine trial." Wesley P. Walter's work now shows that the trial did occur and that the transcript is accurate.

Serious Implications

Now that the authenticity of the court record has been established, the Mormon Church leaders are faced with a serious dilemma. The court record plainly shows that Joseph Smith was deeply involved in magic practices at the very time he was supposed to be preparing himself to receive the plates for the Book of Mormon. More important, however, is the fact that it undermines the whole story of the divine origin of the Book of Mormon. A careful examination of Joseph Smith's story of the coming forth of the Book of Mormon and even the text of the book itself reveals it is just an extension of his money-digging practices. For example, the court record shows that Joseph Smith had used a stone placed in his hat to find treasures "for three years" prior to 1826. Now according to eyewitnesses to the translation of the Book of Mormon, Joseph Smith translated the plates in the same manner. David Whitmer, one of the three witnesses to the Book of Mormon, stated: "I will now give you a description of the manner in which the Book of Mormon was translated. Joseph would put the seer stone into a hat, and put his face in the hat, drawing it closely around his face to exclude the light; and in the darkness the spiritual light would shine. A piece of something resembling parchment would appear, and on that appeared the writing" (*An Address To All Believers In Christ*, David Whitmer, p. 12).

The Mormon historian, B. H. Roberts frankly admitted that Joseph Smith sometimes used a "Seer Stone" to translate:

The seer stone referred to here was a chocolate-colored, somewhat egg-shaped stone which the Prophet found while digging a well in company with his brother Hyrum, for a Mr. Clark Chase, near Palmyra, N.Y. It possessed the qualities of Urim and Thummim, since by means of it—as described above—as

Cherokee County to Albert Neely

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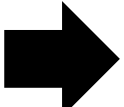
Joseph Smith The Glass Looker March 20. 1826 Misdemeanor
 To my fees in examination of the above cause 2.68

James Evans 1st 2. 1826 Champerty
 To examination of above cause 2.18

James Evans Appant + Battery
 To my fees in above cause 1.46

Robert Samell Petit Larceny Oct 3. 1826 To fees in above cause 1.85

James Church Appant and Battery Nov 9. 1826 To fees in above cause 2.53
 Albert Neely, Jud. of Peace \$16.37



same	Misdemeanor	
vs		
Joseph Smith		
The Glass looker		
March 20, 1826	To my fees in examination of the above cause	2.68

Above is a photograph of Justice Albert Neely's bill showing the costs involved in several trials in 1826. The fifth item from the top mentions the trial of "Joseph Smith the Glass Looker." When the letter "s" is repeated in documents of Joseph Smith's time, as in the word "glass," the two letters appeared as a "p" (see the word "assault" in items 1, 4, 7 and 9). To the left we have typed out the portion of the bill which mentions Joseph Smith. This bill proves that the published court record is authentic.

well as by means of the Interpreters found with the Nephite record, Joseph was able to translate the characters engraven on the plates. (*A Comprehensive History of The Church of Jesus Christ of Latter day Saints*, Vol. 1, p. 129)

In the Book of Mormon we read: "And the Lord said: I will prepare unto my servant Gazelem, a stone, which shall shine forth in darkness unto light . . ." (Book of Mormon, Alma 37:23). In the *Doctrine and Covenants* 78:9, Gazelam is identified as "Joseph Smith, Jun."

Joseph Smith claimed that his Urim and Thummim—which he also used to translate—consisted of "two stones in silver bows . . ." (*History of the Church*, Vol. 1, p. 12). It would appear, then, that Joseph Smith fastened two of his "seer stones" together to make his "Urim and Thummim." The testimony given in the 1826 trial shows that as early as 1826 Joseph Smith was using two different stones.

However this may be, Joseph Smith's father-in-law, Isaac Hale, noticed a definite relationship between the method Joseph Smith used to translate the Book of Mormon and the way he searched for buried treasures. Isaac Hale's affidavit was published in *Mormonism Unveiled* in 1834, but Mormon writers have claimed that the affidavits published in this book were corrupted by Philastus Hurlburt. The Mormon writer Richard L. Anderson, however, has discovered that the statements from "Joseph Smith's in-laws and their Pennsylvania friends" were "apparently procured by Howe's direct correspondence independent of Hurlbut" (*Dialogue: A Journal of Mormon Thought*, Summer 1969, p. 25). They were first printed in the *Susquehanna Register* and then reprinted in the *New York Baptist Register*. Wesley P. Walters has sent us a photograph of Isaac Hale's affidavit as it appeared in the *New York Baptist Register*. The following is taken from Mr. Hale's affidavit:

I first became acquainted with Joseph Smith, Jr. in November, 1825. He was at that time in the employ of a set of men who were called "money diggers;" and his occupation was that of seeing, or pretending to see by means of a stone placed in his hat, and his hat closed over his face. In this way he pretended to discover minerals and hidden treasure . . . Smith, and his father, with several other "money diggers," boarded at my house while they were employed in digging for a mine that they supposed had been opened and worked by the Spaniards, many years since. Young Smith gave them great encouragement, at first, but when they arrived in digging, to near the place where he had stated an immense treasure would be found, he said the enchantment was so powerful that he could not see . . .

After these occurrences, young Smith made several visits at my house, and at length asked my consent to his marrying my daughter Emma. This I refused, and gave him my reasons for so doing; some of which were, that he was a stranger, and followed a business that I could not approve; he then left the place. Not long after this, he returned, and while I was absent from home carried off my daughter, into the state of New York, where they were married without my approbation or consent . . . In a short time they returned . . .

Smith stated to me that he had given up what he called "glass looking," and that he expected to work hard for a living, and was willing to do so. He also made arrangements with my son . . . to go up to Palmyra, and bring his (Smith's) furniture &c . . . Soon after this, I was informed they had brought a wonderful book of plates down with them . . . The manner in which he pretended to read

and interpret, was the same as when he looked for the “money diggers,” with the stone in his hat, and his hat over his face, while the book of plates was at the same time hid in the woods! (*New York Baptist Register*, June 13, 1834)

In our book *Joseph Smith and Money Digging* we have printed this affidavit in its entirety from Howe's *Mormonism Unveiled*. A careful comparison with the printing in the *Baptist Register* shows that it has not been “heavily edited” as Mormon writers have charged.

Now that Howe's printing of the affidavits from Pennsylvania has been shown to be accurate, we must take a more serious look at the affidavits from the Palmyra-Manchester area. This is especially true now that the 1826 court record has been proven authentic. In the past Mormon writers have always claimed that Joseph Smith's neighbors made up the stories of his use of the stone for money-digging. The court record, however, shows that Joseph Smith himself admitted that “he had a certain stone which he had occasionally looked at to determine where hidden treasures in the bowels of the earth were . . . That at Palmyra he pretended to tell by looking at this stone where coined money was buried in Pennsylvania, and while at Palmyra had frequently ascertained in that way where lost property was of various kinds; that he had occasionally been in the habit of looking through this stone to find lost property for three years . . .”

Now, in light of this confession by Joseph Smith himself, the statements by his neighbors must be seriously considered. In his affidavit, Peter Ingersoll stated:

I, Peter Ingersoll; first became acquainted with the family of Joseph Smith, Sen. in the year of our Lord, 1822 . . .

In the month of August, 1827, I was hired by Joseph Smith, Jr. to go to Pennsylvania, to move his wife's household furniture up to Manchester, where his wife then was. When we arrived at Mr. Hale's, in Harmony, Pa. from which place he had taken his wife, a scene presented itself, truly affecting. His father-in-law (Mr. Hale) addressed Joseph, in a flood of tears: “You have stolen my daughter and married her. I had much rather have followed her to her grave. You spend your time in digging for money—pretend to see in a stone, and thus try to deceive people.” Joseph wept, and acknowledged he could not see in a stone, now, nor never could; and his former pretensions in that respect, were all false. He then promised to give up his old habits of digging for money and looking into stones . . .

Joseph told me on his return, that he intended to keep the promise which he had made to his father-in-law; but, said he, it will be hard for me, for they will all oppose, as they want me to look in the stone for them to dig money; and in fact it was as he predicted. They urged him, day after day, to resume his old practice of looking in the stone. (Affidavit of Peter Ingersoll, as printed in *Mormonism Unveiled*, pp. 232, 234 and 235; photographically reprinted in *Joseph Smith and Money Digging*)

William Stafford gave this information in his affidavit:

I, William Stafford . . . first became acquainted with Joseph Sen., and his family in the year 1820. They lived, at that time, in Palmyra, about one mile and a half from my residence. A great part of their time was devoted to digging for money: especially in the night time, when they said the money could be most easily obtained. I have heard them tell marvellous tales, respecting the discoveries

they had made in their peculiar occupation of money digging. They would say, for instance, that in such a place, in such a hill, on a certain man's farm, there were deposited keys, barrels and hogsheads of coined silver and gold—bars of gold, golden images, brass kettles filled with gold and silver—gold candlesticks, swords, &c. &c. They would say, also, that nearly all the hills in this part of New York, were thrown up by human hands, and in them were large caves, which Joseph, Jr., could see, by placing a stone of singular appearance in his hat, in such a manner as to exclude all light; at which time they pretended he could see all things within and under the earth—that he could see within the above mentioned caves, large gold bars and silver plates—that he could also discover the spirits in whose charge these treasures were, clothed in ancient dress . . .

Joseph Smith, Sen., came to me one night, and told me, that Joseph Jr. had been looking in his glass, and had seen, not many rods from his house, two or three kegs of gold and silver, some feet under the surface of the earth; and that none others but the elder Joseph and myself could get them. I accordingly consented to go, and early in the evening repaired to the place of deposit. Joseph, Sen. first made a circle, twelve or fourteen feet in diameter. This circle, said he, contains the treasure. He then stuck in the ground a row of witch hazel sticks, around the said circle, for the purpose of keeping off the evil spirits. Within this circle he made another, of about eight or ten feet in diameter. He walked around three times on the periphery of this last circle, muttering to himself something which I could not understand. He next stuck a steel rod in the centre of the circles, and then enjoined profound silence upon us, lest we should arouse the evil spirit who had the charge of these treasures. After we had dug a trench about five feet in depth around the rod, the old man by signs and motions, asked leave of absence, and went to the house to inquire of young Joseph the cause of our disappointment. He soon returned and said, that Joseph had remained all this time in the house, looking in his stone and watching the motions of the evil spirit—that he saw the spirit come up to the ring and as soon as it beheld the cone which we had formed around the rod, it caused the money to sink. We then went into the house, and the old man observed, that we had made a mistake in the commenc[e]ment of the operation; if it had not been for that, said he, we should have got the money.

. . . Old Joseph and one of the boys came to me one day, and said that Joseph Jr. had discovered some very remarkable and valuable treasures, which could be procured only in one way. That way, was as follows: That a black sheep should be taken on to the ground where the treasures were concealed—that after cutting its throat, it should be led around a circle while bleeding. This being done, the wrath of the evil spirit would be appeased: the treasures could then be obtained, and my share of them was to be four fold. To gratify my curiosity, I let them have a large fat sheep. They afterwards informed me, that the sheep was killed pursuant to commandment; but as there was some mistake in the process, it did not have the desired effect. This, I believe, is the only time they ever made money-digging a profitable business . . .

When they found that the people of this vicinity would no longer put any faith in their schemes for digging money; they then pretended to find a gold bible . . . (Ibid., pp. 237–239)

The reader will remember that the Mormon historian B. H. Roberts stated that Joseph Smith found his “Seer Stone” while “digging a well in company with his

brother Hyrum . . .” In his testimony Willard Chase also tells that the stone was found in a well:

I became acquainted with the Smith family . . . in the year 1820. At that time, they were engaged in the money digging business, which they followed until the later part of the season of 1827. In the year 1822, I was engaged in digging a well. I employed Alvin and Joseph Smith to assist me . . . After digging about twenty feet below the surface of the earth, we discovered a singularly appearing stone, which excited my curiosity. I brought it to the top of the well, and as we were examining it, Joseph put it into his hat, and then his face into the top of his hat . . . The next morning he came to me, and wished to obtain the stone, alledging that he could see in it; but I told him I did not wish to part with it on account of its being a curiosity, but would lend it. After obtaining the stone, he began to publish abroad what wonders he could discover by looking in it, and made so much disturbance among the credulous part of community, that I ordered the stone to be returned to me again. . . . some time in 1825, Hiram Smith . . . came to me, and wished to borrow the same stone . . . I told him it was of no particular worth to me, but merely wished to keep it as a curiosity, and if he would pledge me his word and honor, that I should have it when called for, he might take it . . .

In the fall of 1826, a friend called upon me and wished to see that stone . . . But to my surprize, on going to Smith's, and asking him for the stone, he said, “you cannot have it;” I told him it belonged to me, repeated to him the promise he made me, at the time of obtaining the stone: upon which he faced me with a malignant look and said, “I don't care who in the Devil it belongs to, you shall not have it.”

In the month of June, 1827, Joseph Smith, Sen., related to me the following story: “That some years ago, a spirit had appeared to Joseph his son, in a vision, and informed him that in a certain place there was a record on plates of gold; and that he was the person that must obtain them . . .

He [Joseph Smith] then observed that if it had not been for that stone, (which he acknowledged belonged to me,) he would not have obtained the book . . .

In April, 1830, I again asked Hiram for the stone which he had borrowed of me; he told me I should not have it, for Joseph made use of it in translating his Bible. (Ibid., pp. 240, 241, 242, 246 and 247)

Henry Harris made these statements:

I, Henry Harris, do state that I became acquainted with the family of Joseph Smith, Sen. about the year 1820 . . . Joseph Smith, Jr. the pretended Prophet, used to pretend to tell fortunes; he had a stone which he used to put in his hat, by means of which he professed to tell people's fortunes . . . After he pretended to have found the gold plates, I had a conversation with him, and asked him where he found them and how he come to know where they were. He said he had a revelation from God that told him they were hid in a certain hill and he looked in his stone and saw them in the place of deposit . . . (Ibid., pp. 251–252)

Joshua Stafford gave this information in his statement:

I, Joshua Stafford, became acquainted with the family of Joseph Smith, Sen. about the year 1819 or 20. They then were laboring people, in low circumstances.

A short time after this, they commenced digging for hidden treasures, and soon after they became indolent, and told marvellous stories about ghosts, hobgoblins, caverns, and various other mysterious matters. Joseph once showed me a piece of wood which he said he took from a box of money, and the reason he gave for not obtaining the box, was, that it moved. At another time, he, (Joseph Jr.) at a husking, called on me to become security for a horse, and said he would reward me handsomely, for he had found a box of watches, and they were as large as his fist, and he put one of them to his ear, and he could hear it “tick forty rods.” (Ibid., p. 258)

Joseph Capron made these statements:

I, Joseph Capron, became acquainted with Joseph Smith, Sen. in the year of our Lord, 1827 . . . The family of Smiths held Joseph Jr. in high estimation on account of some supernatural power which he was supposed to possess. This power he pretended to have received through the medium of a stone of peculiar quality. The stone was placed in a hat, in such a manner as to exclude all light, except that which emanated from the stone itself. This light of the stone, he pretended, enabled him to see any thing he wished. Accordingly he discovered ghosts, infernal spirits, mountains of gold and silver, and many other invaluable treasures deposited in the earth. He would often tell his neighbors of his wonderful discoveries, and urge them to embark in the money digging business. Luxury and wealth were to be given to all who would adhere to his counsel . . . The sapient Joseph discovered, north west of my house, a chest of gold watches; but, as they were in the possession of the evil spirit, it required skill and stratagem to obtain them.

Accordingly, orders were given to stick a parcel of large stakes in the ground, several rods around, in a circular form. This was to be done directly over the spot where the treasures were deposited. A messenger was then sent to Palmyra to procure a polished sword: after which, Samuel F. Lawrence, with a drawn sword in his hand, marched around to guard any assault which his Satanic majesty might be disposed to make. Meantime, the rest of the company were busily employed in digging for the watches. They worked as usual till quite exhausted. But, in spite of their brave defender, Lawrence, and their bulwark of stakes, the devil came off victorious, and carried away the watches . . . At length, Joseph pretended to find the Gold plates. This scheme, he believed, would relieve the family from all pecuniary embarrassment. His father told me, that when the book was published, they would be enabled, from the profits of the work, to carry into successful operation the money digging business. (Ibid., pp. 258–260)

We do not have room here to include all of the affidavits published in Howe’s book, but they are found in their entirety in our book *Joseph Smith and Money Digging*, Part 3.

Other Affidavits

Now that Wesley P. Walters has established the authenticity of the 1826 trial, which proves beyond all doubt that Joseph Smith was involved in money-digging, the affidavits and statements which accuse him of this practice cannot be easily dismissed. While many of the statements were published by E. D. Howe in

1834, there are some other statements that are not very well known. These are the statements published by Arthur B. Deming in 1888. We had never seen Deming's publication until recently when Wesley P. Walters sent us a copy.

The Mormon writer Richard L. Anderson is willing to admit that the statements come from the people mentioned by Deming, although he claims they are "one-sided reports from biased people":

A. B. Deming published his gathered testimony in a newspaper entitled, *Naked Truths About Mormonism* . . .

The historian must treat Deming's results as carefully as Hurlbut's. Checking out the names and residences designated in his statements shows that Deming apparently did make contact with several who had known the Smiths in Palmyra-Manchester. This is not to say that these parties were carefully interviewed, or that Deming was above Hurlbut-like prompting or editing. The point is that in his one-sided reports from biased people, Deming does not totally damn the Smiths as Hurlbut-Howe. (*Brigham Young University Studies*, Spring 1970, pp. 299-300)

Although we do not have room to include all the statements in this publication, we will give some of the more interesting portions.

In her statement Mrs. S. F. Anderick stated:

In 1812 my parents moved to a farm two miles from the village, and in the township of Palmyra, New York . . . Jo was pompous, pretentious and active at parties. He claimed, when a young man, he could tell where lost or hidden things and treasures were buried or located with a forked witch hazel. He deceived many farmers, and induced them to dig nights for chests of gold, when the pick struck the chest, someone usually spoke, and Jo would say the enchantment was broken, and the chest would leave.

Willard Chase, a Methodist who lived about two miles from uncle's, while digging a well, found a gray smooth stone about the size and shape of an egg. Sallie, Willard's sister, also a Methodist, told me several times that young Jo Smith, who became the Mormon prophet, often came to inquire of her where to dig for treasures. She told me she would place the stone in a hat and hold it to her face, and claimed things would be brought to her view. Sallie let me have it several times, but I never could see anything in or through it. I heard that Jo obtained it and called it a peep-stone, which he used in the place of the witch hazel. Uncle refused to let Jo dig on his farm. I have seen many holes where he dug on other farms. (*Naked Truths About Mormonism*, Oakland, California, January, 1888, p. 2)

Isaac Butts made these statements in his testimony:

I was born in Palmyra, N.Y. . . . I attended school with Prophet Jo. His father taught me to mow. I worked with old and young Jo at farming. I have frequently seen old Jo drunk. Young Jo had a forked witch-hazel rod with which he claimed he could locate buried money or hidden things. Later he had a peep-stone which he put into his hat and looked into it. I have seen both. Joshua Stafford, a good citizen, told me that young Jo Smith and himself dug for money in his orchard and elsewhere nights . . . Jo and others dug much about Palmyra and Manchester. (*Ibid.*, p. 2)

The statement of W. R. Hines is very interesting because it confirms some statements found in Josiah Stowel's testimony in the 1826 trial—i.e., both accounts mention Joseph Smith digging for salt and “Monument Hill.” Mr. Hines gave this information in his statement:

I was born February 11, 1803, at Colesville, Windsor Township, Broome County, N.Y. Jo Smith, who became the Mormon prophet, and his father . . . dug for salt two summers, near and in sight of my house . . . Jo Smith claimed to be a seer. He had a very clear stone about the size and shape of a duck's egg, and claimed that he could see lost or hidden things through it. He said he saw Captain Kidd sailing on the Susquehanna River during a freshet, and that he buried two pots of gold and silver. He claimed he saw writing cut on the rocks in an unknown language telling where Kidd buried it, and he translated it through his peep-stone. I have had it many times and could see in it whatever I imagined. Jo claimed it was found in digging a well in Palmyra, N.Y. He said he borrowed it. He claimed to receive revelations from the Lord through prayer, and would pray with his men, mornings and at other times . . . He had men who did the digging and they and others would take interests . . . They dug one well thirty feet deep and another seventy-five . . . but found no salt.

My nephew now owns the land he dug on. Asa Stowel furnished the means for Jo to dig for silver ore, on Monument Hill. He dug over one year without success. Jo dug next for Kidd's money, on the west bank of the Susquehanna, half a mile from the river, and three miles from his salt wells. He dug for a cannon the Indians had buried, until driven away by the owner of the land. He dug for many things and many parties, I never knew him to find anything of value. He and his workmen lived in a shanty while digging for salt . . .

Jo and his father were all the time telling of hidden things, lead, silver and gold mines which he could see. I called him Peeker. About the spring of 1828, Jo came in front of my house where several men were pitching quoits. I said, ‘Peeker, what have you found?’ He said he had found some metal plates which would be of great use to the world . . . Soon I learned that Jo claimed to be translating the plates in Badger's Tavern, in Colesville, three miles from my house. I went there and saw Jo Smith sit by a table and put a handkerchief to his forehead and peek into his hat and call out a word to Cowdery, who sat at the same table and wrote it down. (Ibid., p. 2)

Mr. K. AE. Bell gave this information in his statement:

My brother . . . told me he knew Jo Smith when he was digging near the Susquehanna River for Captain Kidd's money. Jo had a peep-stone through which he claimed to see hidden or buried treasures. Jo sold shares to all who would buy, and kept the money. He said they would make a circle, and Jo Smith claimed if they threw any dirt over the circle the money chest would leave. (Ibid., p. 3)

Henry A. Sayer gave this information:

When a young man I spent much of the summers along the Susquehanna River. I became acquainted with Jo, Hyrum, and Bill Smith, whom I often saw hunting and digging for buried money, treasure, or lost and hidden things. Jo claimed to receive revelations from the Lord where to dig. People would say, “Jo, what did

the Lord tell you last night, or what did you dream?" "Jo, what are you going to dig for next?" "Jo, I found a hollow tree or stump; go and see what you can find there." He had a peepstone which he claimed had an attraction, and he could see hidden things through it. He was generally called the Peeker. (Ibid., p. 3)

C. R. Stafford stated:

I was born in Manchester, New York, Feb. 4, 1813 . . . The Mormon Smith family lived near our house . . . There was much digging for money on our farm and about the neighborhood . . .

Jo Smith kept it up after our neighbors had abandoned it. A year or two after Jo claimed to find the plates of the "Book of Mormon." He had men dig a tunnel near fifty feet long in a hill about two miles north of the hill where he claimed to find the plates. I tried to look into a peep-stone in my hat in a dark room; I saw nothing, some claimed they could . . . Jo Smith, the prophet, told my uncle, William Stafford, he wanted a fat, black sheep. He said he wanted to cut its throat and make it walk in a circle three times around and it would prevent a pot of money from leaving. (Ibid., p. 3)

In his statement F. S. Whitney said:

Jo's peep-stone was called the Urim and Thummin. Mormon elders and women often searched the bed of the river for stones with holes caused by the sand washing out, to peep into. N. K. Whitney's wife had one. (Ibid., p. 3)

C. M. Stafford stated:

I well remember about 1820, when old Jo Smith and family settled on one hundred acres one mile north of our house . . . Old Jo claimed to be a cooper but worked very little at anything . . . I exchanged work with Jo but more with his brother Harrison, who was a good, industrious boy . . . Jo claimed he could tell where money was buried, with a witch hazel consisting of a forked stick of hazel. He held it one fork in each hand and claimed the upper end was attracted by the money . . . My mother-in-law, Mrs. Rockwell, said that Prophet Jo Smith told her there was money buried in the ground and she spent considerable time digging in various places for it . . . Jo Smith told me there was a peep-stone for me and many others if we could only find them. Jo claimed to have revelations and tell fortunes . . . Jo had men dig on a tunnel forty or fifty feet long in a hill about two miles north of where he claimed to find the plates. I have been in it. Some people surmised it was intended for counterfeiting. (Ibid., April 1888, p. 1)

In his affidavit, Joseph Rogers stated:

I was often in Palmyra, and was well acquainted with Jo Smith, who became the Mormon prophet. When a young man he claimed to receive revelations from the Lord where treasures were buried. He told Peter Rupert and Mr. Cunningham, a blacksmith (simple-minded old men), that there was a chest of gold buried on my brother-in-law, Henry Murphy's farm, under a beech tree. Henry's younger brother, Jack, said that must be stopped, and he obtained some filth in a sap bucket and got up in the beech tree before they arrived in the evening. They came and Mr. Rupert held the Bible open and a lighted candle as prophet Jo directed,

while Peter dug for the chest of gold. Jack called Peter three times and he looked up and said, "Here am I, Lord," and received the filth in his face. Peter told me and others that the Lord chastised him and he had to stop his digging. He said he paid Jo for the information . . . He said Jo had perfect command over men. He believed he was a prophet . . . Jo Smith and his adherents dug a cave in a hill in Manchester, N.Y., and used to go there, he said, to consult with the Lord. (Ibid., p. 1)

Mrs. M.C.R. Smith stated:

There was considerable digging for money in our neighborhood by men, women and children. I never knew of their finding any. I saw a large hole dug on Nathaniel Smith's farm, which was sandy. I saw Joshua Stafford's peep-stone which looked like white marble and had a hole through the center. Sallie Chase, a Methodist, had one and people would go for her to find lost and hidden or stolen things. (Ibid., p. 1)

Conclusion

In this booklet we have shown that while Joseph Smith was at Bainbridge, N.Y., he engaged in the practice of money-digging. He became known as a "glass looker" and was arrested, tried and found guilty by a justice of the peace in 1826. Affidavits which we have reproduced indicate that he indulged in the same magical practices in the Palmyra-Manchester area. These activities were taking place at the very time God was supposed to be preparing him to receive the gold plates for the Book of Mormon. These facts seem to undermine the whole foundation of Mormonism. For a complete study of Joseph Smith's money-digging activities see our book *Joseph Smith and Money Digging*.