



Type: Magazine Article

The Witnesses to the Book of Mormon

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Source: *The Latter-Day Saints' Millennial Star*, Vol. 96, No. 7
(15 February 1934)

Published by: The Church of Jesus Christ of Latter-day Saints

Page(s): 97–103

Abstract: The legal status of the testimony of the witnesses to the Book of Mormon is important. “Their witness stands unimpeached before the world.” Despite apostasy, none ever denied his testimony; all were honorable, upstanding men.

THE LATTER-DAY SAINTS'
MILLENNIAL STAR

ESTABLISHED IN 1840

“The revealed word of God is the truth, and can be proved by each individual for himself. To obtain such truth, one must live in harmony with the principles of truth as contained in the teachings of our Lord and Saviour, Jesus Christ.”—DAVID A. SMITH.

No. 7, Vol. 96

Thursday, February 15, 1934

Price One Penny

THE WITNESSES TO THE BOOK OF MORMON

ELDER OSCAR W. McCONKIE

THE Master's words to Pilate, as recorded in the eighteenth chapter of St. John were: To this end was I born, and for this cause came I into the world, that I should bear witness unto the truth. Everyone that is of the truth heareth my voice."

Thus it is apparent that by divine election the Son of God, in whose mouth is the law of truth, and in whom is the Way, became truth's chief witness and advocate. His divine plan contemplates the revelation of all of God's purposes that relate to the peoples of the earth. And no part of that plan is without witness. God's witnesses plainly acquaint earthly mortals, so far as it concerns them, with unmistakable evidences of the truth of all that God proposes. These evidences are made plain, free from technical entanglements, and unconcealed by hedges of rigid or unyielding formality. The Lord searches the inward soul, the heart's meditations; adding unmistakable assurances where man, the object of His grace, permits. His divine methods have completely disarmed apologists of legal technicalities—those who would voice objections to the testimonies of witnesses to divine truths on technical legal grounds—and have left the race without excuse for non-acceptance.

Blackstone, an outstanding authority on English law, defined evidence as signifying "that which makes clear or ascertains the truth of the very fact or point in issue, either on one side or the other." It is all the means or species of probative matter affording proof for the purpose of inducing belief. But "that which makes clear or ascertains the truth" must be knowable—that which can be known. Two axioms underlie the whole structure of evidence; first: no facts are admissible, except those having rational probative value; and second, unless a positive rule forbids, all facts that have rational probative value are admissible. Persuasion may be induced either by human declaration that a

thing exists, or by any other fact. With this scant statement of the principles of legal evidence in mind, let us refer to evidential facts concerning the Book of Mormon to determine their probative value.

Three witnesses, divinely called, have given this testimony to the world of what they saw, heard and experienced concerning the Book of Mormon :

IN this able treatise on an interesting and important phase of the evidence supporting the truth of "Mormonism," Elder Oscar W. McConkie speaks with authority. Elder McConkie is well known in Utah legal circles, and for many years has been a Judge in the Third Judicial District of Utah. *Star* readers will find interesting and faith-promoting his discussion of the Three Witnesses to the Book of Mormon; the legal status of their testimony, and its probative value; and his rendered opinion that their witness stands unimpeached before the world.—THE EDITORS.

Be it known unto all nations, kindreds, tongues, and people, unto whom this record shall come: That we, through the grace of God, the Father, and our Lord Jesus Christ, have seen the plates which contain this record, which is a record of the people of Nephi, and also of the Lamanites, their brethren, also of the people of Jared, who came from the tower of which hath been spoken. And we also know that they have been translated by the gift and power of God, for his voice hath declared it unto us; wherefore we know of a surety that the work is true. And we also testify that we have seen the engravings which are upon the plates; and they have been

shown unto us by the power of God, and not of man. And we declare with words of soberness, that an angel of God came down from heaven, and he brought and laid before our eyes, that we beheld and saw the plates, and the engravings thereon; and we know that it is by the grace of God, the Father, and our Lord Jesus Christ, that we beheld and bear record that these things are true. And it is marvellous in our eyes. Nevertheless, the voice of the Lord commanded us that we should bear record of it; wherefore, to be obedient unto the commandments of God, we bear testimony of these things. And we know that if we are faithful in Christ, we shall rid our garments of the blood of all men, and be found spotless before the judgment-seat of Christ, and shall dwell with him eternally in the heavens. And the honor be to the Father, and to the Son, and to the Holy Ghost, which is one God. Amen.

OLIVER COWDERY
DAVID WHITMER
MARTIN HARRIS

Important in determining the value of a testimony is the character of the witness, and the relationship he bears to the event of which he testifies and to all the circumstances surrounding it.

These men had desired to be eye-witnesses of the plates that the Angel Moroni had entrusted to the care of Joseph Smith. To that end they importuned divine Providence. At first their faith failed them. Believing himself the cause, Martin Harris separated himself from the other for further prayer. The angel showed the plates to the others and thereafter to Martin Harris also. Martin Harris was a respected, proud man. It is highly improbable that he would have lent his name to a false narration that reflected upon his worthiness. It is more likely that the precise contrary would be his course, although his honesty precludes such suggestion. Had this been a creation of their own it would hardly have included such a feature as the effect of

Martin's evident weakness. Also, these manifestations were in day-light, in open-air, when the parties were in an attitude of thoughtful humility and prayer.

They saw the angel, the plates, and the engravings, and they heard the voice of God declare that the translation was by His gift and power, and that they were to become witnesses thereof. It was a divine record, made for divine purpose, at the direction of the Divine Being, who pursuant to His divine plan, became witness of it and of all that it contained.

NOW, that same Deity, the everlasting God, appointed Oliver Cowdery, David Whitmer, and Martin Harris to witness also ; to go forth unto the world, and to send their testimony unto all nations, kindreds, tongues, and peoples. They went not as ordinary witnesses but clothed with superlative majesty, directly called by the great God to be co-witnesses with Him in such proclamation.

Oliver Cowdery was less than a year younger than the Prophet. He was a school teacher and thereafter a lawyer. He was a man of wide learning, exalted morals, and high intellectual attainments. He became the second elder of the Church ; a scribe to the Prophet, of whose mission he received divine evidence. He received also the Priesthood ; a view of the plates of Nephi ; ordained Joseph an elder. He became the Church historian ; was appointed to carry the manuscript of the Book of Covenants to Zion, to Kirtland ; was editor of the *Saints Messenger and Advocate*. He received ministrations of angels ; beheld the Saviour in open vision, in the Kirtland temple ; was the first to make public proclamation of the restored Gospel ; was the recipient of divine revelations, and in many capacities bore both human and divine trust. He was even given conditional promise of power to translate, but because he "took no thought save it was to ask," he failed.

Notwithstanding past intimacy with the Prophet and the Lord's glory that had been upon him, Oliver Cowdery fell into transgression. The Prophet rebuked him for the error of his ways, and it became necessary to again and again call him to repentance. This the Prophet did publicly and in plainness, and with warning that unless repentance followed, the Church would raise its hand against him. But repentance became less constant until on April 11, 1838, charges were preferred against him, alleging, among other things, that he sought to destroy the character of President Joseph Smith, Jun., by insinuating guilt of crime, and he was excommunicated.

Under such circumstances can it be supposed that Oliver Cowdery would not have declared the truth, had his manifestations been other than genuine. Yet he never denied his testimony.

In October, 1848, eleven years after his excommunication, he returned to the Church. He died on March 3rd, 1850. On October 21st, 1848, at Kaneshville, now Council Bluffs, at a conference session, he said :

I beheld with my eyes and handled with my hands the gold plates from which it was translated. I also saw with my eyes and handled with my hands the holy interpreters. The book is true. Sidney Rigdon did not write it. Mr. Spaulding did not write it. I wrote it myself, as it fell from the lips of the Prophet,

David Whitmer, respected and prominent, was almost a year older than the Prophet. He was subject to the temptations of the day and fell into darkness at times, which called for sharp rebuke by the Prophet, with threat of loss of standing. Like Oliver Cowdery, he had gained view of the plates through earnest prayer. On April 13, 1838, at Far West, he was charged with unchristianlike conduct in neglecting to attend meetings, in not observing the Word of Wisdom, in neglecting his duties, etc., and was excommunicated.

Martin Harris was twenty-one years the Prophet's senior. He amassed large land holdings and was known as a farmer of good reputation. He was proud, self-willed, and independent. He became an aid to the Prophet; acted as his scribe; was sharply reprimanded by revelation for allowing the loss of a portion of the translated record; was reprovved again and again for his folly, and finally, in 1834, charges were preferred against him. But he confessed his error, repented, and retained his fellowship. He remained behind when the saints left Kirtland, and thereafter supported James J. Strang's ecclesiastical claim, for whom, in 1846, he went to England. But his activity was not great and he soon returned to Kirtland. Like the other witnesses he steadfastly held to his testimony regarding the plates and the Book of Mormon. Finally, he became again affiliated with the Church, later moving to Smithfield, Cache County, then to Clarkston. There, on July 10th, 1875, he died, whispering a last earthly testimony of the divinity of the Book of Mormon.

These witnesses were directed by revelation to perform services that resulted in great personal sacrifice. By revelation they were rebuked, chastened, and called to repentance, with threatened penalty of divine wrath and the withdrawal of the hand of fellowship, if they failed to harken. By revelation they were called to preach; were told what to preach; what to do. They were chastened in public and in private, and their follies published to the world. But always, despite anything that was done against them, or anything that they did or felt, they were true to their testimony.

FALSEHOOD could scarcely have remained concealed under such circumstances. Apostasy and broken friendships would have uncovered it. These witnesses would hardly have been so lashed in silence. Surely, in such experiences, there is rational probative value, inducing belief. To disbelieve is to reject the record; to set at naught that which the law of evidence approves; to resort to hearsay or assumption that no law would permit court or jury to hear.

In addition to these three witnesses mentioned above, eight other men bear testimony of having seen the golden plates under the most natural conditions and circumstances. This is their affirmation:

Be it known unto all nations, kindreds, tongues, and people, unto whom this work shall come: That Joseph Smith, Jun., the translator of this work, has shown unto us the plates of which hath been spoken, which have the appearance of gold; and as many of the leaves as the said Smith has translated we did handle with our hands; and we also saw the engravings thereon, all of which has the appearance of ancient work, and of curious workmanship. And this we bear record with words

of soberness, that the said Smith has shown unto us, for we have seen and hefted, and know of a surety that the said Smith has got the plates of which we have spoken. And we give our names unto the world, to witness unto the world that which we have seen. And we lie not, God bearing witness of it.

CURISTIAN WHITMER
JACOB WHITMER
PETER WHITMER, JUN.
JOHN WHITMER

HIRAM PAGE
JOSEPH SMITH, SEN.
HYRUM SMITH
SAMUEL H. SMITH

Three of these witnesses became very bitter against the Prophet and left the Church. But they all bore lasting testimony to the truthfulness of their statement.

THE chief human witness of the subject of our discussion is Joseph Smith, Jun. Paraphrased extracts from his own writings give this testimony:

. . . that a personage appeared to him, and said that he was a messenger sent from the presence of God, and that his name was Moroni; that there was a book deposited, written upon gold plates, giving an account of the former inhabitants of this continent, and the source from whence they sprang; . . . that the fulness of the everlasting Gospel was contained in it, as delivered by the Saviour to the ancient inhabitants; . . . that there were two stones in silver bows—these stones, fastened to a breastplate, constituted what is called the Urim and Thummim—deposited with the plates; and the possession and use of these were what constituted “seers” in ancient or former times; and that God had prepared them for the purpose of translating the book; that he was to get the plates and translate them; that they should not be shown to any person, except as he was commanded, and that if he were disobedient in this he “should be destroyed;” that he was prepared, through a course of four years before he was permitted to take them; that on the twenty-second day of September, one thousand eight hundred and twenty-seven, having gone as usual at the end of another year to the place where they were deposited, the same heavenly messenger delivered them up to him with the charge that he should be responsible for them; that if he should let them go carelessly, or through any neglect, he should be cut off; but that if he would use all his endeavours to preserve them, until he, the messenger, should call for them, they should be protected; that they remained safe in his hands until the translation was complete, when, according to arrangement, the messenger returned, to whom he delivered them up.

There is a legal presumption that witnesses speak the truth. Fraud, perjury and deceit, are not presumed against one who bears witness. On the other hand, it is presumed that honesty and truth prevail, and that all things have been fairly done, until the contrary appears. Documents themselves, found in their proper repositories, unmarked by forgery, are presumed genuine. And, so, until the contrary appears, honourable credit is due the testimony of witnesses.

The extent of that credit depends upon the honesty and sincerity of the witnesses; upon their ability to speak with accuracy and truth, which in turn depends upon their powers to observe, and upon their strength of memory to retain the matters regarding which the testimony is offered; upon their opportunity for observing; upon their number; upon whether they are corroborative elements, and whether their testimony is in harmony with human experience. Miracles, so called, like other facts, may be proved by human testimony. There is no requirement

that witnesses comprehend causes or explain phenomena in order to qualify as such. The witness testifies without explanation.

The charge of conspiracy has been made against the witnesses and translator of the Book of Mormon. But conspiracy presupposes wickedness. Conspiracy is promoted by carnal instincts. Complete accord must exist among conspirators to avoid discovery. It would be stupidity of a hazardous nature to include a large number in such a venture. To do so would open the door to detection. The searching of details involved in an act that is in fact a conspiracy will generally reveal contradictions and lead to exposure. Jealousy, ambition and mistrust make co-conspirators a constant menace to secrecy of their pact. It would be contrary to all human experience to fabricate so strange and startling a narration as that told by the Book of Mormon witnesses, without quick revelation of the errors. But wonder is further challenged by the thought of perjury and deception which bore fruit in the nature of a volume of scripture, admittedly exalted in every detail. A volume of sacred scripture could hardly be fabricated.

These men who bore witness were honourable and more than ordinarily intelligent. They well knew that ridicule and persecution would follow their testimony; that they, by their stand, faced loss of property and position; that such vouching carried with it a testimony of the contents of the Book of Mormon, even to the minutest detail of the social, economic, and religious ramifications of nations; that both internal and external search would follow by an enlightened world; that its harmony with the Bible, or the lack of it, must thereafter be determined, and that if their testimony were false they were, inevitably, leaving to their posterity a legacy of falsehood and reproach. What normal human being would hazard so great a risk, except that God were with him?

THE ancient scriptures amply corroborate the witnesses of the Book of Mormon. The Lord said unto Enoch, "As I live, even so I will come in the last days. . . . And righteousness will I send down out of heaven; and truth will I send forth out of the earth, to bear testimony of mine Only Begotten." David, as did Isaiah, looked forward to the day when Truth would "spring out of the earth." The Lord said unto Ezekiel, "son of man, take thee one stick, and write upon it, For Judah, and for the children of Israel his companions; then take another stick, and write upon it, For Joseph, the stick of Ephraim, and for all the house of Israel his companions; and join them one to another into one stick; and they shall become one in his hand." And Ezekiel beheld "the stick of Joseph" come forth through the power of God. Many other biblical references give similar support.

Technical statutes of fraud written to prevent fraud have required three and four witnesses in case of any transactions dealing with lands. Ancient common law, to prevent fraud, required that a nuncupative or oral will should be witnessed by three, one of whom was especially designated to bear special witness. In the case of the Book of Mormon, not three or four witnesses were called, but twelve. And not only one was especially designated to bear special witness: the Lord called three, thus disarming technical legal objection on that point. Also, at early common law twelve

jurors, men who knew most about the facts (they were really witnesses) were called, who went aside and without the aid of court or attorneys, decided. Their finding was a judgment in the case. They were called because they knew most about the parties and the cause. So it was with the plates. The twelve who knew the facts gave to the world their witness and judgment. That witness and judgment stand against the world, and everyone that is of the truth may know whether it is of God or of man.

WHETHER these facts are "knowable" has caused stumbling ; but, compared with Biblical miracles these facts are most certainly not difficult to believe. Human experience, since the first man, has been fraught with such happenings, as sacred writers affirm. Indeed, records of the creation, the flood, the bondage and delivery of Israel, the Christ child, the resurrection, the experiences of prophets and patriarchs, the revelations of the Jewish scriptures, old and new, are pregnant with miracles quite as strange and wonderful.

The application of legal tests requires belief in the testimony of these witnesses, because there are no rules of evidence that exclude the facts regarding which they testify, and all of which have rational probative value ; the witnesses were honest and sincere, of high honour and of more than average intelligence ; they were eye witnesses, and saw and heard these glorious things in the day time ; their testimony has never been impeached ; their testimonies fully corroborated each other ; the ancient scriptures amply corroborate their testimony ; the facts are knowable ; they conform to human experience, and are in full harmony with God's dealings with other nations ; there was no carnal motive ; the legal presumption of truthfulness is without just suspicion ; they suffered ridicule and social and financial losses, because of their testimony, yet were steadfast ; the corroborating record, the Book of Mormon, surpasses the ability of man to produce ; their evidence conformed to the most exacting rules ; broken friendships, jealousy and ambition would have uncovered any existing defect ; unbiased reflection excludes collusion or any evil purpose.

Righteousness is not wrought for evil design. These men bore witness unto the truth, as the evidence makes clear. The voice of God declared the translation to be true, of which they testify. Years of sorrow and reflection induced no change in that testimony. They agreed in all details, upon which they could not have previously conferred. Reflection makes it apparent that adverse critics of their testimony are given more to levity than to sound legal reasoning.

To these testimonies, which are but a small part of the evidential facts related to the Book of Mormon, add also more than a million other solemn testimonies of sober minded persons living and dead, and the hold of the Book of Mormon upon the hearts of men may be dimly visualized. As a humble member of that great throng, one who possesses, in small measure, a living assurance of the divine purposes of God in establishing this work through the instrumentality of Joseph Smith, my testimony—a delight, and the bread of life to me, I bear also unto you, in the name of Jesus Christ. Amen.—(Adapted from an address delivered Sunday, January 10th, in the Tabernacle at Salt Lake City, Utah, U.S.A.)