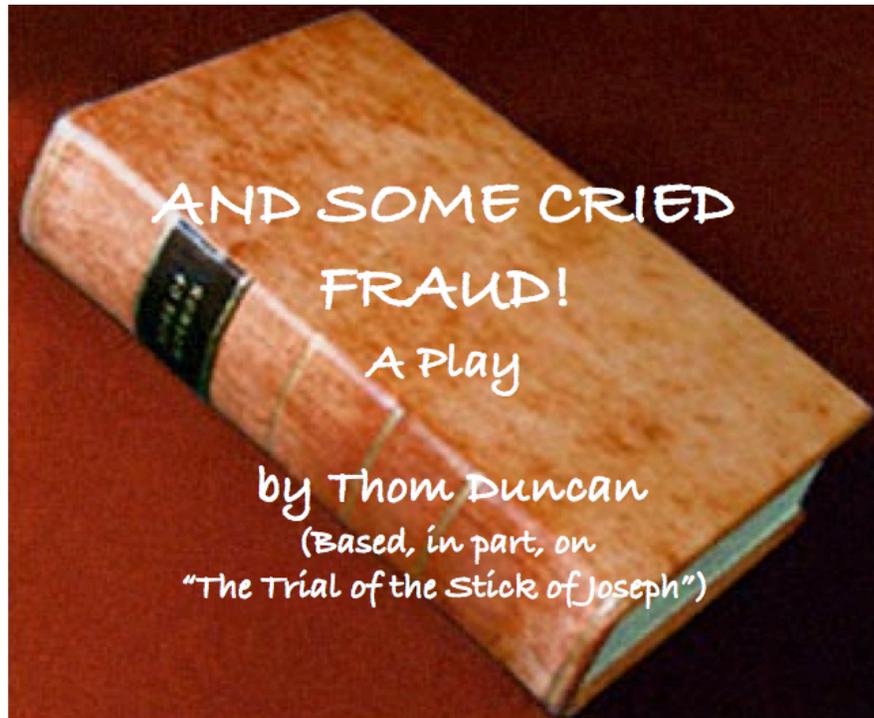


# PERUSAL SCRIPT



*The Book of Mormon on Trial*



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Newport, Maine

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## **AND SOME CRIED FRAUD!**

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## **And Some Cried, "Fraud!"**

### THE CHARACTERS

**HAL CARTWRIGHT**, Counsel for the Defense (could be female)

**JAMES HARPER**, Counsel for the Prosecution (could be female)

**JUDGE ARTHUR H. FULLERTON** (could be female)

**MARTIN HARRIS**

**DAVID WHITMER** ) Three Witnesses to the Book of Mormon

**OLIVER COWDERY**

**DR. JESSICA LEWIS**, a witness

**CHARLES ANTHON**, a witness

**BAILIFF**

**COURT REPORTER** (could be female)

## **AND SOME CRIED FRAUD**

by Thom Duncan.

9M 1W (Four of the male roles can be played by females)

1 Interior

Based, in part, on "The Trial Of The Stick Of Joseph". We enter a courtroom to determine if the Book Of Mormon is true. David Whitmer, Martin Harris, Oliver Cowdery and Charles Anthon are cross-examined and the Book is upheld as truth. A powerful testimony builder. 2hrs. Order # 2013

# And Some Cried "Fraud!"

## PART ONE

**BAILIFF:** *(As JUDGE enters.)* All rise. The Honorable Arthur H. Fullerton presiding.  
*(JUDGE sits.)*

This court is now in session. The World vs. The Book of Mormon, alias the Gold Bible. Please be seated.

**JUDGE:** We finished with Mr. Harper's evidence. Is counsel for the Defense prepared to call his first witness?

**CARTWRIGHT:** The Defense is ready and calls, as its first witness, Dr. Jessica Lewis.

*(LEWIS, a woman in her middle thirties comes forward and takes the stand. The BAILIFF swears her in.)*

**BAILIFF:** Do you solemnly swear that the testimony you are about to give in the case pending before this court is the truth, the whole truth and nothing but the truth, so help you God?

**LEWIS:** I do.

**BAILIFF:** State your name.

**LEWIS:** Dr. Jessica Lewis.

**BAILIFF:** You may be seated.

**CARTWRIGHT:** Dr. Lewis, state your occupation, please.

**LEWIS:** I am Dean of the College of Religious Instruction at Midwestern University.

**CARTWRIGHT:** And you are considered one of the leading lay authorities on the Bible, is that correct?

**LEWIS:** Yes.

**CARTWRIGHT:** What is the teaching of the Mormon Church about the Book of Mormon, in regards to the Bible?

**LEWIS:** It's considered a second witness for Christ, the Bible being the first.

**CARTWRIGHT:** Then it in no way supplants the Bible?

**LEWIS:** Definitely not.

**CARTWRIGHT:** But it is considered Scripture, the word of God?

**LEWIS:** Yes.

**CARTWRIGHT:** Could you refresh our minds as to what exactly the Book of Mormon is?

**HARPER:** Objection, Your Honor. Counsel for the Defense has established the witness's qualifications in relation to the Bible, but not the Book of Mormon. Therefore, her testimony is merely hearsay and not expert testimony.

**JUDGE:** Objection sustained. Mr. Cartwright, you must show the witness's qualifications for testimony about the Book of Mormon's teachings.

**CARTWRIGHT:** Very well, Your Honor. Dr. Lewis, you are a member of the Church of Jesus Christ of Latter-Day Saints, commonly called the Mormon Church, are you not?

**LEWIS:** I am.

**CARTWRIGHT:** Did you not at one time serve a mission for that Church in England, where you were an official representative for two years?

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**LEWIS:** I did; that is correct.

**CARTWRIGHT:** Did the Church give you any sort of affidavit, indicating you were its special spokesman, an authority on its doctrine?

**LEWIS:** Yes, it did.

**CARTWRIGHT:** So, as an authority then on the doctrine of the Mormon Church, can you tell us its teachings as to what the Book of Mormon--

**HARPER:** I object, Your Honor.

**CARTWRIGHT:** (*Turning angrily.*) On what grounds?

**HARPER:** On the grounds that this witness is hopelessly prejudiced in the favor of the Defense and therefore unable to give reliable testimony.

**CARTWRIGHT:** Is she any more prejudiced than your witnesses were?

**JUDGE:** Gentlemen.

*(They quiet.)*

I'll overrule that objection. If we confined Mr. Cartwright to the use of non-Mormon witnesses, he would not have a case. You may continue, Mr. Cartwright.

**CARTWRIGHT:** Thank you, your Honor. I will ask my question a third time. What are the teachings of the Mormon Church in regards to the defendant book, the Book of Mormon?

**LEWIS:** It's a record of the ancient inhabitants of this, the American continent, comprising two thousand years of history, both secular and religious.

**CARTWRIGHT:** How did this history come to be written?

**LEWIS:** In much the same fashion as was the Bible. That is to say, God spoke through the prophets and they wrote what he taught them on metal plates. Their writings were compiled and edited by a prophet named Mormon, from whom the entire book gets its name.

**CARTWRIGHT:** And will you tell us again?

**HARPER:** Objection. Must we waste the court's time with this rehash of facts already in evidence? We've already gone over this several times. I see no reason to....

**CARTWRIGHT:** With the Court's permission, I feel it necessary to make crystal clear in all our minds what the Book of Mormon claims to be, since, as I understand it, that is the reason we have convened.

**JUDGE:** The fact that this book claims to be ancient scripture written on gold plates and buried in the ground and that Joseph Smith discovered them and translated them has been well established during the Prosecution's case.

**CARTWRIGHT:** Very well, your Honor. Let's go back to my original question, Dr. Lewis. Isn't the Book of Mormon considered to be Scripture by members of the LDS Church?

**LEWIS:** Yes. Very much so.

**CARTWRIGHT:** Isn't it also a teaching of the LDS Church that the ancient prophets, Isaiah and Ezekiel, for example, knew of the existence of this companion Scripture?

**LEWIS:** Yes.

**CARTWRIGHT:** If that is so, wouldn't the Bible make reference to the Book of Mormon someplace?

**LEWIS:** It's logical that it would.

**CARTWRIGHT:** But how would one know, assuming such a reference exists, that it was speaking about the Book of Mormon?

**LEWIS:** There would be a description of it--a very detailed description of it. Where it came from, what it was about. Things like that. All you'd have to do then would be to find a book that fits that description.

**CARTWRIGHT:** Is there such a description of the Book of Mormon in the Bible?

**LEWIS:** Yes

**CARTWRIGHT:** Where?

**LEWIS:** It's in Ezekiel, Chapter 37, verses 15 through 17.

**CARTWRIGHT:** Would you quote them, please?

**LEWIS:** “The word of the Lord came again unto me, saying, Moreover, thou 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 thine hand.”

**CARTWRIGHT:** What is meant by the term “stick”?

**LEWIS:** As you know, the ancients wrote on scrolls, a roll of paper between two sticks.

**CARTWRIGHT:** So a stick is a book, in other words?

**LEWIS:** Exactly

**CARTWRIGHT:** Then what is the “stick”, or “Book of Judah”?

**LEWIS:** That is obviously the Bible.

**CARTWRIGHT:** You say obviously?

**LEWIS:** I think any Bible scholar would agree that the Bible concerns itself almost exclusively with the tribe of Judah.

**CARTWRIGHT:** So then, this “book of Joseph” would be about God's dealings with the tribe of Joseph, as the Bible is the record of His dealings with the tribe of Judah.

**LEWIS:** That's right.

**CARTWRIGHT:** You said that was a description of the Book of Mormon.

**LEWIS:** That's exactly what it is. The Book of Mormon is the only book I've ever heard of that recounts the history of the tribe of Joseph.

**CARTWRIGHT:** Is this scripture in Ezekiel the only place the Book of Mormon is alluded to?

**LEWIS:** No. There are many more. Would you like me to tell you where?

**CARTWRIGHT:** I don't think that will be necessary. So, would you agree that, instead of the Bible differing with the Book of Mormon, as Mr. Harper endeavored to prove yesterday,

*(This directed at HARPER, who smiles condescendingly.)*

the Bible actually predicts the latter's coming forth?

**LEWIS:** Yes. I would agree to that.

**HARPER:** I object. This is all very interesting but we are here to determine whether the Book of Mormon was penned by Joseph Smith or not. This game of scriptural hop-scotch is nothing more than an attempt to remove our minds from that fact, and is, for that reason, utterly irrelevant.

**CARTWRIGHT:** As is your objection an attempt to remove our minds from the fact that you can't think of anything to ask Dr. Lewis.

**JUDGE:** *(Pounding gavel.)* Gentlemen, please! I'll overrule the objection.

**CARTWRIGHT:** Thank you, your Honor. Now Mr. Harper will have time to think of something to say.

**JUDGE:** Please go on with your questioning, Mr. Cartwright.

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**CARTWRIGHT:** Dr. Lewis, do you remember Reverend Davis's testimony concerning the completeness of the Bible ?

**LEWIS:** I'm, sorry. I'm afraid I wasn't here yesterday.

**CARTWRIGHT:** Reverend Davis testified that the Bible is complete, that no other Scripture is needed.

**LEWIS:** He is quite mistaken.

**CARTWRIGHT:** Why is that?

**LEWIS:** Because the Bible itself admits the existence of other books not contained in it.

**CARTWRIGHT:** Other books--scripture? Outside the Bible?

**LEWIS:** There's quite a lot of them.

**CARTWRIGHT:** We have the time.

**LEWIS:** There's the Book of the Covenant mentioned in Exodus 24: 7; the Book of the Acts of Solomon, referred to in I Kings 11: 41; the Book of John that we find talked about in II Chronicles 20: 34, and so on. None of these books, though mentioned, is found anywhere in the Bible.

**CARTWRIGHT:** What if I told you that was because they weren't important enough to be put in?

**LEWIS:** If that were the case, then why did God refer to them in the first place?

**CARTWRIGHT:** Are you saying that you disagree with the good Reverend?

**LEWIS:** Emphatically. The Bible is far from being a complete, total history of God's dealings with his people.

**CARTWRIGHT:** So, whether or not the Book of Mormon is true, its existence probable?

**LEWIS:** It's just one of the extra-biblical writings such as the Dead Sea scrolls and others being found today.

**CARTWRIGHT:** Are you familiar with another claim the Mormons make concerning the Bible which justifies their belief in another volume of Scripture?

**LEWIS:** Are you referring to one of their Articles of Faith stating "We believe the Bible to be the word of God as far as it is translated correctly."?

**CARTWRIGHT:** That's the one. What are your observations concerning the correctness of the record known as the Holy Bible?

**LEWIS:** That there are indeed errors in translation; but this is only understandable considering the many hands it has passed through over the centuries. There is no original text of the Bible in existence.

**CARTWRIGHT:** Could you give us an example concerning these errors?

**LEWIS:** Well, one of the most obvious occurs in the New Testament in the Book of Acts, Chapter 9, verse 7 and Chapter 22, verse 9. The first reference states, in describing Paul's conversion on the road to Damascus, that the men accompanying him....and I quote..."...heard the voice of the Lord." End quote. But they didn't see anything. The reference in Chapter 22 says the same men saw the light, but didn't hear anything. Also the accounts concerning Judas! death differ

**HARPER:** Your Honor, the difference in minor details has nothing to do with the salvation of mankind and hardly warrants another book of Scripture to clear them up.

**CARTWRIGHT:** Defense does not wish to indicate that it makes any real difference how Judas died. But when, even within the pages of the same book of the Bible, the facts don't agree on certain minor points, it casts a shadow on the validity of the rest of the book.

**HARPER:** Well, does the Book of Mormon clear it up? Does it tell us which account of Paul's vision is correct?

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**CARTWRIGHT:** Those were merely illustrations--

**HARPER:** Then I object to your using illustrations! If you're trying to show the Book of Mormon elucidates certain points of the Bible, what are those points? Name them! Chapter and verse! Otherwise--

**JUDGE:** (*Pounds his gavel.*) Gentlemen! We are not convened to hear you two debate. Please refrain from gouging out one another's eyes for the remainder of this trial. I overrule the objection because Mr. Cartwright is establishing a possible groundwork on which I assume he intends to build his proof of the Book of Mormon. Am I correct, Mr. Cartwright?

**CARTWRIGHT:** Yes, your Honor.

**JUDGE:** Then proceed. The bench finds your evidence most interesting.

**CARTWRIGHT:** Well, Dr. Lewis, is it your considered opinion then, that, one--since the Bible makes numerous mention of other books and, two--since it is of itself not totally correct and obviously needs another book to clarify it--the Book of Mormon should not only be welcome, but necessary? Is that your belief?

**LEWIS:** It is.

**CARTWRIGHT:** Thank you.

*(To HARPER)*

Your witness.

*(HARPER stands. A pause. The two men look at each other.)*

**HARPER:** Dr. Lewis....

**LEWIS:** (*A bit nervously.*) Yes?

**HARPER:** I found that scripture reference in Ezekiel quite interesting.

**LEWIS:** Most people do. When they understand what it means.

**HARPER:** It's quite obvious that someday, there will be two books of equal scriptural value. If I might, I'd like to refer to that scripture again.

*(Takes Bible)*

Ezekiel 37, 15 through 17, wasn't it? Ah, here we are. Here's the part I'm interested in. "The Work of the Lord came unto me, saying etc., etc."

**LEWIS:** Yes. God talking to Ezekiel.

**HARPER:** Exactly. And God, several lines later, still speaking to Ezekiel, tells him to write the Book of Joseph. "Take another stick and write upon it, for Joseph, etc." Dr. Lewis, did Ezekiel write the Book of Mormon?

**LEWIS:** No...

**HARPER:** Then the Book of Mormon cannot be the book to which Ezekiel is referring, because he was commanded to write it.

**LEWIS:** But you'll remember he was commanded to write the Book of Judah, also. He didn't write all of it. I believe this scripture is not as specific as you maintain. When God said, "Thou son of man, " he wasn't speaking to just Ezekiel, but to other prophets as well.

**HARPER:** That may be so. But it doesn't say that, does it?

**LEWIS:** Not in those--actual words, no.

**HARPER:** In "actual" words, what does it say? Who is God "actually" commanding to write the Stick of Joseph?

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**LEWIS:** Ezekiel, but....

**HARPER:** Let's suppose, just to let you know I'm not close-minded, let's assume you are correct. Why couldn't Joseph Smith have one day been reading the Book of Ezekiel and--lo and behold!--look what he finds! Another book of Scripture is needed! he says to himself. He writes it, and when people ask him why isn't it mentioned in the Bible? he says, "Oh, but it is! Right here in Ezekiel! "Now couldn't that have been the way the Book of Mormon fulfills this prophecy?

**LEWIS:** No.

**HARPER:** You say no. Why?

**LEWIS:** Because it didn't happen that way.

**HARPER:** How do you know?

**LEWIS:** Well, I don't--really....

**HARPER:** Then it could have happened that way, couldn't it have?

**LEWIS:** I don't believe that it did.

**HARPER:** I'm not asking you what you believe. I'm asking if you can offer any evidence to prove what I have just said did not take place.

**LEWIS:** No. I can't.

**HARPER:** Thank you.

*(a pause)*

You said the Bible makes mention of other books?

*(No answer.)*

Dr. Lewis?

**LEWIS:** *(Somewhat intimidated by HARPER now.)* Y--yes?

**HARPER:** I asked you a question.

**LEWIS:** I'm sorry.

**HARPER:** That's all right. I'll ask it again. You said the Bible makes mention of other books?

**LEWIS:** Yes.

**HARPER:** In fact, you name some of them: Book of the Covenant, etc.

**LEWIS:** There are also the Lost Epistles of Paul.

**HARPER:** I'm sure there are. Now, if what the Mormons believe is true, that the Book of Mormon is the second most important book ever written, why is it merely alluded to, while all these other books get front page treatment?

**LEWIS:** I couldn't say.

**HARPER:** Doesn't that seem strange to you? That God so misplaced his priorities? Going to all that trouble to name these secondary works while giving only an honorable mention to the Book of Mormon?

**LEWIS:** I would hesitate to second-guess God.

**HARPER:** What if God, while He was rattling off these other works, had slipped in the title, the Book of Mormon? Wouldn't that have made it a lot easier? Then we wouldn't even need this trial.

**LEWIS:** Yes, we would. Because someone would have just claimed that Joseph Smith stole the title.

**HARPER:** You're right, Dr. Lewis. That wouldn't prove anything, would it? And your interpretation of that passage in Ezekiel doesn't prove anything either, does it?

*(She doesn't answer. After a pause, looking at CARTWRIGHT.)*

Thank you, Dr. Lewis. No more questions.

**JUDGE:** Dr. Lewis, you may step down.

*(To CARTWRIGHT.)*

Mr. Cartwright, you may call your next witness.

**CARTWRIGHT:** Your Honor, I feel I've established a sufficient basis for the possibility of a book such as the one on trial. I would now like to prove the book's actual, physical existence by calling forth several witnesses who saw and handled the gold plates.

**HARPER:** *(Standing up. CARTWRIGHT shoots a glance to him.)* I have no objection, your Honor, except I'm a bit surprised that Counsel actually thinks the testimonies of Joseph Smith's co-conspirators will carry any weight in this courtroom. Again, I maintain that until he can get some unbiased witnesses, his case will continue to be ineffective.

**JUDGE:** That's something the jury will have to decide, Mr. Harper. Proceed, Mr. Cartwright.

**CARTWRIGHT:** The Defense calls Martin Harris to the stand.

*(HARRIS makes his way to the stand. After he is sworn in.)*

**CARTWRIGHT:** Mr. Harris, I open the Book of Mormon to its beginning pages and find a document to which is affixed your name. The document states that you, in the company of three others, were shown the gold plates from which the Book of Mormon was translated. I ask you, is this an authentic copy of the document and is it true?

**HARRIS:** Yes, it is authentic and it's as true now as when it was written.

**CARTWRIGHT:** If it please the Court, I would like to enter this document as evidence.

*(Shows it to HARPER, who eyes it halfheartedly.)*

**HARPER:** No objections.

*(BAILIFF takes it and marks it.)*

**CARTWRIGHT:** Mr. Harris, this was many years ago. Do you still believe the Book of Mormon to be true?

**HARRIS:** Young man, do I believe it? Just as surely as the sun shines on us, so surely do I know that the Book of Mormon was divinely translated. I saw the plates; I saw the angel; I heard the voice of God. I know that the Book of Mormon is true.

**CARTWRIGHT:** You say in your testimony that you actually saw the plates, and held them in your hands. Did you ever see them at any other time than the one mentioned in your testimony?

**HARRIS:** I at one time held the plates on my knee an hour an a half, whilst in conversation with Joseph Smith, when we went to bury them in the woods.

**CARTWRIGHT:** Then you could, with reasonable certainty, describe them to the court?

**HARRIS:** *(Pointing with one finger on the back of his right hand.)* I should think they were about so long, or about eight inches, and about so thick, or about four inches; and each of the plates was thinner than the thinnest tin.

**CARTWRIGHT:** Mr. Harris, are you aware that Professor Charles Anthon has given testimony in this court contrary to that which you have given elsewhere concerning your visit to him in February of 1828.

**HARRIS:** I have heard that he did so.

**CARTWRIGHT:** Would you please tell the court what really happened at that time?

**HARRIS:** I first obtained a copy of some of the characters inscribed on the Book of Mormon, along with a translation, from Joseph Smith. I then went to the city of New York, and presented the characters which had been translated, and the translation to Professor Anthon. He stated that the translation was correct,

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more so than any he had before seen translated from the Egyptian. I then showed him those which had not been translated, and he said that they were Egyptian, Chaldaic, Assyric, and Arabic; and he said they were true characters. He gave me a certificate, certifying to the people of Palmyra that they were true characters.

**ANTHON:** (*Who's been mumbling during above speech, but now speaks up.*) I did no such thing. I could see from the start that they were false documents.

**JUDGE:** Mr. Anthon, you will be quiet and please be seated.

**ANTHON:** While this maniac ruins my reputation?

**JUDGE:** You had your opportunity yesterday. Be seated and be quiet or I'll have you removed from the courtroom.

*(To CARTWRIGHT.)*

Go on, Mr. Cartwright.

**CARTWRIGHT:** Do you have that certificate?

**HARRIS:** No. As I was just leaving, Mr. Anthon called me back, and asked me how the young man found that there were gold plates in the place where he found them. I answered that an angel of God had revealed it unto him. He then said to me, "Let me see that certificate." I took it out of my pocket and gave it to him, and he took it and tore it in pieces, saying that there were no such things now as ministering of angels.

**ANTHON:** Your Honor, this man is publicly defaming me! I shall not stand for it!

**JUDGE:** Professor Anthon, I've ordered you to be silent

**ANTHON:** I demand that my name be cleared once and for all of any association with these wretched fanatics! I'm tired of them using me and my name to support their cause! I'm the laughing stock of New York!

**JUDGE:** Bailiff, would you escort the Professor out?

*(BAILIFF moves toward him. ANTHON starts to go.)*

**CARTWRIGHT:** Your Honor, if Mr. Anthon has something more to say, I'd gladly interrupt my questioning of Mr. Harris. I planned on calling him a little later anyway, with the Court's permission.

**JUDGE:** Mr. Harper?

**HARPER:** I have no objections.

**JUDGE:** Mr. Harris, you may step down.

*(HARRIS does. ANTHON comes up.)*

Mr. Anthon, I remind you, you are still under oath and I warn you, I will not tolerate any further contempt of this court.

**CARTWRIGHT:** Hello, Mr. Anthon. How are you? You seemed quite anxious to say something. But before we get into that, let's review a few things. You said, I believe, in yesterday's testimony, that you were an Egyptologist.

**ANTHON:** Yes.

**CARTWRIGHT:** At the time the incident Mr. Harris told us about allegedly took place, you were the state of New York's foremost authority on ancient Egypt, its language, its culture.

**ANTHON:** I'll let my reputation speak for me on that matter.

**CARTWRIGHT:** And a most prodigious reputation it is, too, I might add. Now, just to set the record straight, would you like to tell us your version of what happened when Mr. Harris came to visit you?

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**ANTHON:** I told you this yesterday.

**CARTWRIGHT:** Have you forgotten? You don't want to tell it again?

**HARPER:** Your Honor, the witness does not have to retell testimony which is already on record.

**CARTWRIGHT:** Then may I request that Mr. Anthon's testimony of yesterday be read back to the court?

**HARPER:** I have no objection.

**JUDGE:** The court reporter is so ordered.

*(COURT REPORTER looks back through records, finds the testimony in question.)*

**COURT REPORTER:** Mr. Harper was doing the questioning. "Question: Would you explain to the court a certain time in which, specifically, your knowledge of the Egyptian language was required of you?

Answer: I'd be more than happy to. Anything I can to clear my name. You don't realize how much my reputation has suffered because of this whole sordid Mormon business. Question: Just answer the question please. Answer: Some years ago, a plain, apparently simple-hearted farmer called on me with a note from Mr. Mitchell, now dead, requesting me to decipher, if possible, the paper please? Answer: It was in fact, a singular scroll. It consisted of all kinds of singular characters disposed in columns and had evidently--"

**CARTWRIGHT:** Would it be possible to skip Professor Anthon's description and start again where the Professor answered what the farmer asked him?

**COURT REPORTER:** "Question: Did the farmer say anything else?" Is that what you want?

**CARTWRIGHT:** That's good. Right there.

**COURT REPORTER:** "Question: Did the farmer say anything else? Answer: He requested an opinion from me in writing, which, of course, I declined to give and then he took his leave, taking his paper with him."

**CARTWRIGHT:** That's enough. Thank you very much. Professor Anthon, does that sound like the testimony you gave yesterday?

**ANTHON:** Yes.

**CARTWRIGHT:** Do you swear that, other than the obvious differences in inflections in its current rendering, the testimony you gave yesterday was true?

**ANTHON:** Yes, I do.

**CARTWRIGHT:** You did not give Mr. Harris the affidavit he requested?

**ANTHON:** No, I did not. Despite what he says.

**CARTWRIGHT:** Now I'm really confused. Because--well, let me show you something.

*(Goes to table, picks up piece of paper, shows it to ANTHON.)*

Do you recognize this?

**ANTHON:** Yes. It is a letter I wrote. Where did you get it?

**CARTWRIGHT:** Trade secret. Would you care to tell the court the circumstances concerning this letter?

**ANTHON:** It was written in answer to a request from a Reverend T. W. Coit, Rector of Trinity Church of Rochelle, New York, concerning my connection with the Book of Mormon.

**CARTWRIGHT:** That's right. Well, as I read through the letter, I found some things that really confuse me. For instance, right here in the first sentence, I quote: "I have often heard that the Mormons claimed me for an auxiliary but no one until the present time ever requested from me a statement in writing. I have not deemed it worthwhile to say any thing publicly on the subject." In other words, you are saying that no one, until T. W. Coit, had ever asked for your version?

**ANTHON:** That's correct.

**CARTWRIGHT:** No, that's odd.

*(Shows another letter.)*

Look at this.

**ANTHON:** Have you been going through my personal files?

**CARTWRIGHT:** Then this is another letter of yours?

**ANTHON:** Yes.

**CARTWRIGHT:** Look closely at the date of these two letters.

**ANTHON:** So?

**CARTWRIGHT:** Which has the earlier date?

**ANTHON:** This one.

**CARTWRIGHT:** You're indicating, the one I read, the one where you stated that you had never previously told anyone about this Harris incident?

**ANTHON:** *(A pause.)* No. I'm indicating the other one.

**CARTWRIGHT:** Well, you can see what confuses me then, can't you? In this one, the one with the earlier date, you give a Mr. E. D. Howe a statement for publication in which you essentially tell the same story you just told us. Yet in this letter, the one with the later date, the one that was written after I you say, and I quote again: "No one until the present time has even requested from me a statement in writing." Had you forgotten the statement to Mr. Howe which was then published under the title Mormonism Unveiled?

**ANTHON:** Apparently, I had. There was a considerable time between the letters.

**CARTWRIGHT:** That's possible. I'll concede to that. But the thing that really puts me in a quandary is something else you say in this letter to Reverend Coit. This part right here. If I may, I'd like to read this. I quote: "On my telling the bearer of the paper that an attempt had been made to impose on him and defraud him of his property, he requested me to give him my opinion in writing about the paper which he had shown me. I did so without hesitation." Do you see my dilemma? In this other letter, and in your sworn testimony, you say you did not give any such paper when he requested it of you, but here you tell a different story.

*(A pause.)*

What have you to say about that?

**ANTHON:** Would you.....would you repeat the question?

**CARTWRIGHT:** How do you account for the two differing testimonies? Which one are we to believe? Or should we believe neither of them?

**ANTHON:** *(Removes handkerchief, wipes brow.)* I...I'm not quite sure I understand what you want.

**JUDGE:** He wants what I want, Professor Anthon. He wants you to answer the question.

**ANTHON:** *(Very weak)* Water, please some water.

**CARTWRIGHT:** I beg your pardon?

**JUDGE:** Would you speak up, Professor Anthon?

**ANTHON:** Water. Could I have some water, please.

**JUDGE:** Bailiff, would you give the witness some water?

**HARPER:** Your Honor, it's obvious the witness is in no condition to answer the question.

*(JUDGE looks at CARTWRIGHT)*

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**CARTWRIGHT:** I won't insist that Professor Anthon humiliate himself further, your honor.

**JUDGE:** Bailiff, please help the witness from the courtroom. Continue, Mr. Cartwright.

**CARTWRIGHT:** What? Oh, thank you, your Honor. I'll recall Martin Harris.

**BAILIFF:** Martin Harris, please take the stand.

**CARTWRIGHT:** Mr. Harris, you had just given your version of what happened at Professor Anthon's before you were asked to step down, is that correct?

**HARRIS:** Yes.

**CARTWRIGHT:** It was quite contradictory with what you had to say.

**HARRIS:** Yes, it was.

**CARTWRIGHT:** As there are no witnesses to what happened other than you two gentlemen, the truth of this incident lies in what you said, or what he said.

**HARRIS:** I'm afraid that is so.

**CARTWRIGHT:** Whose idea was it that you visit Professor Anthon? Yours or Joseph Smith's?

**HARRIS:** Mine.

**CARTWRIGHT:** And would you mind telling us the object you had in mind in going to this learned gentleman?

**HARRIS:** I had been approached earlier by Joseph Smith in the hopes that I might donate \$3,000.00 for the publication of the Book of Mormon. As this would necessitate the mortgaging of my farm, I wanted to make certain that my money would be going for a legitimate work--I'm rather ashamed to say now that I didn't have the faith then that I should have.

**CARTWRIGHT:** Did you put up the \$3,000.00?

**HARRIS:** Yes, I did.

**CARTWRIGHT:** If you had been reluctant to give up your money before--

**HARRIS:** Not reluctant. Cautious.

**CARTWRIGHT:** Cautious. If you had been cautious before as to what you would be giving your money to, and you eventually did so, something must have happened at Professor Anthon's to convince you that Joseph Smith indeed had the plates.

**HARRIS:** Something did happen. Exactly as I have explained.

**CARTWRIGHT:** Mr. Harris, earlier in this trial, Professor Anthon said that he quite forcefully informed you that you were the victim of the charlatan and you would be wise to get out of the mess as fast as you could.

**HARRIS:** He most assuredly said nothing of the sort. Had he done so, I would never have given Joseph Smith the money, as that had been my object in going to see the professor in the first place.

**CARTWRIGHT:** Thank you, Mr. Harris. Your witness, Mr. Harper.

**HARPER:** Mr. Harris, I heard you say you donated \$3,000.00 to the publication of the Book of Mormon?

**HARRIS:** Yes, I did so. Quite happily, I might add.

**HARPER:** And of course you would obviously be interested in getting back your investment?

**HARRIS:** It didn't matter to me. What I did was an act of faith before God.

**HARPER:** But you did get your money back?

**HARRIS:** Oh yes. Joseph always paid his debts.

**HARPER:** And you got a little more besides, didn't you?

**HARRIS:** Not too much. I had not entered into it as a profit-making venture.

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**HARPER:** But the fact remains that you did get your \$3,000.00 back, plus a little more?

**HARRIS:** Yes.

**HARPER:** And isn't it also true, Mr. Harris, that you were so concerned with making good your investment, as any shrewd businessman would be, that you were willing to do anything to get your money back, even lie?

**HARRIS:** No, that is not true.

**HARPER:** (*A pause.*) In your testimony, you described the plates as being about eight inches long.

**HARRIS:** Yes.

**HARPER:** Are you aware that David Whitmer also described the plates he saw in the Kansas City "Journal," June 5, 1881?

**HARRIS:** No. I--I've been out of touch for several years.

**HARPER:** Then you wouldn't know that he said the plates were six inches long, would you?

**HARRIS:** I hadn't heard that.

**HARPER:** How do you account for the difference of two inches if you both saw the same plates?

**HARRIS:** I don't account for it.

**HARPER:** You didn't see the plates at the same time as the others, did you?

**HARRIS:** No. I saw them a little later the same day.

**HARPER:** (*Tossing it off.*) Then maybe it's possible you saw some other plates. Maybe you saw the king size plates while the others only viewed the economy pack?

**HARRIS:** They were the same.

**HARPER:** Mr. Harris, is it not true that you were once very prominent in the Mormon Church?

**HARRIS:** That is very true. Things were all right then. I was honored then, but now that I am old and poor, it is all different....

**HARPER:** Yes, Mr. Harris, it is very different. Now, you are out of the Church. Now, you no longer follow the teachings you so willingly embraced. Now, we can see the true worth of your "testimony" to you. As long as it was in print, that was all right. But having to live everything else--that was another matter.

**HARRIS:** I have never denied my testimony of the Book of Mormon.

**HARPER:** Perhaps not. But you have denied something far more serious. Are you familiar with the quote, "The Book of Mormon is the keystone of our religion."?

**HARRIS:** Yes. Joseph Smith said that.

**HARPER:** Is there perhaps more to that statement than I have quoted?

**HARRIS:** Yes. The Prophet went on to say that a man could get closer to God by following its teachings than by any other book.

**HARPER:** Do you believe that?

**HARRIS:** The Book of Mormon is true.

**HARPER:** You keep repeating that. As if to convince yourself.

**CARTWRIGHT:** Your Honor!

**HARPER:** Withdrawn. Now, Mr. Harris, would you care to read a passage from this "keystone of your religion?" It's found here in Second Nephi 3: 7-8, and purports to be the words of Joseph who was sold into Egypt,

**HARRIS:** (*Reads.*) "Yes, Joseph truly said: Thus saith the Lord unto me, a choice seer will I raise up out of the fruit of thy loins, and he shall be esteemed highly among the fruit of thy loins. And unto him will I

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give commandments that he shall do a work for the fruit of thy loins, his brethren, which shall be of great worth unto them, even unto the bringing of them to the knowledge of the covenants which I have made with thy fathers."

**HARPER:** Now please read verse 15, which will tell us who this seer is.

**HARRIS:** "And his name shall be called after me; and it shall be after the name of his father. And he shall be like unto me--

**HARPER:** That's plenty. Thank you. Who's that talking about?

**HARRIS:** Joseph Smith.

**HARPER:** Mr. Harris, do you still expect us to believe your testimony that the Book of Mormon is true, when you don't even believe it yourself? What kind of man will, out of one side of his mouth declare the book true, then, out of the other side, willfully separate himself from the very prophet mentioned within its own pages? Either you believe the Book of Mormon and follow Joseph Smith or you do neither.

**HARRIS:** I was the right hand man of Joseph Smith, and I know that he was a prophet of God, I know the Book of Mormon is true. And you know that I know it is true.

**HARPER:** I'm through with this witness.

**JUDGE:** You may step down, Mr. Harris.

*(HARRIS steps down, slowly exits.)*

**CARTWRIGHT:** The Defense calls David Whitmer to the stand.

*(BAILIFF swears him in.)*

Mr. Whitmer, I'm showing you a copy of the testimony you gave at the beginning of the Book of Mormon. Is this the statement to which you willingly affixed your name in the year 1830?

**WHITMER:** It is.

**CARTWRIGHT:** Why did you do such a seemingly fantastic thing?

**WHITMER:** Because it literally happened and I wanted the world to know about it.

**CARTWRIGHT:** Are you sure? It wasn't a dream? Something you thought you saw.

**WHITMER:** It was not.

**CARTWRIGHT:** Had Joseph Smith previously exercised any undue influence on you--hypnotized you, let's say, to convince you the plates and the angel were real?

**WHITMER:** No. In fact, the vision took place in a very ordinary manner-- Joseph Smith, Oliver Cowdery and myself were sitting on a log when we were overshadowed by a light more glorious than that of the sun. In the midst of this light, but a few feet from us, appeared a table upon which many golden plates lay, also the sword of Laban and the directors or the Liahona. I saw them as plain as I see you now and distinctly heard the voice of the Lord declaring that the records of the plates of the Book of Mormon were translated by the gift and the power of God.

**CARTWRIGHT:** You don't seem like a person who would be easily fooled. I mean, the way you delivered that testimony--it was very sober, direct

**HARPER:** Objection. The jury should be allowed to make up its own mind as to the sincerity of the witness.

**CARTWRIGHT:** I'll withdraw my observation. Mr. Whitmer, do you remember a statement made by one John Murphy of Polo, Missouri concerning you?

**WHITMER:** I most certainly do.

**CARTWRIGHT:** What was the gist of his remarks?

**WHITMER:** He stated that I, in a conversation with him during the summer of 1880, denied my testimony as one of the Three Witnesses to the Book of Mormon.

**CARTWRIGHT:** You took some rather dramatic steps in regards to that remark, didn't you?

**WHITMER:** I immediately drew up a refutation of that rumor and had it printed in the Richmond, Missouri "Conservator" on March 25, 1881.

**CARTWRIGHT:** Did the article appear alone, or was there something else with it?

**WHITMER:** I also had printed a statement attesting to my integrity which was signed by twenty-one of the most well-respected citizens of that county.

**CARTWRIGHT:** I show you these two copies of those newspaper articles and ask you, are these the articles in question?

**WHITMER:** They are.

**CARTWRIGHT:** The Defense would like these entered as evidence.

**HARPER:** No objection.

**CARTWRIGHT:** But before having them marked, I would like to read them aloud, for the benefit of the fudge and jury. First, let me read David Whitmer's own signed statement. I quote, "I have never at any time denied that testimony or any part thereof, which has so long since been published with that book, as one of the three witnesses. Those who know me best well know that I have always adhered to that testimony. And that no man may be misled or doubt my present views in regard to the same, I do again affirm the truth of all my statements as then made and published. Signed David Whitmer Senior, Richmond, Missouri, March 19, 1881." End quote. And now I quote from the second statement: "We, the undersigned citizens of Richmond, Ray County, Missouri, where David Whitmer Senior has resided since the year A.D. 1838, certify that we have been long and intimately acquainted with him and know him to be a man of the highest integrity, and of undoubted truth and veracity. Given at Richmond, Missouri, this March 20, A.D. 1881." End quote. Then follow 21 signatures. Now Mr. Whitmer, a few questions about these signatures, if that's all right?

**WHITMER:** Quite.

**CARTWRIGHT:** How did you go about procuring these names?

**WHITMER:** I would go to the individual, read him my statement, and ask him to sign his name to my attestation of veracity.

**CARTWRIGHT:** You mean, after reiterating your story of the angel and the plates, they still put their names to it?

**WHITMER:** Yes. I wanted to make certain that there was no deception involved, that they signed the affidavit of their own free will.

**CARTWRIGHT:** Which they all did?

**WHITMER:** Yes.

**CARTWRIGHT:** (*Handing statements to BAILIFF.*) These may be marked now.

(*To HARPER.*)

Take it away.

**HARPER:** Mr. Whitmer, where are the plates now?

**WHITMER:** The angel Moroni took them after the Book of Mormon was translated.

**HARPER:** (*To CARTWRIGHT.*) Isn't that convenient?

**WHITMER:** I beg your pardon?

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**HARPER:** I mean, that the plates are no longer around. For instance, if they were, it would be very simple to have an expert look at them and tell us what they said, wouldn't it?

**WHITMER:** No, it wouldn't. Reformed Egyptian is an unknown language.

**HARPER:** Oh, so no one but Joseph Smith was able to tell what the book said?

**WHITMER:** That's correct.

**HARPER:** How did you know what he had translated was correct?

**WHITMER:** The voice of the Lord told us.

**HARPER:** Do you expect us to believe that?

**WHITMER:** I don't expect you to believe anything. I know what I saw.

**HARPER:** Is it not true that Joseph Smith said he would put you in a high position if you would say you saw an angel?

**WHITMER:** That is a lie.

**HARPER:** Did he say anything like, "You'll be damned if you don't see the plates."?

**WHITMER:** No, never.

**HARPER:** Mr. Whitmer, why did you leave the Church?

**WHITMER:** *(A pause.)* I--there arose certain--irreconcilable differences between myself and Joseph Smith.

**HARPER:** Would you please relate those differences?

**WHITMER:** I--I ceased to believe that Joseph Smith was a prophet any later than the year 1835.

**HARPER:** You mean, he was a prophet up to then, but then all of a sudden, in 1835, he wasn't?

**WHITMER:** Well, I couldn't be sure that after that time his teachings had not been influenced by Sidney Rigdon, so I willingly separated myself from the Church.

**HARPER:** Weren't you a little jealous that Sidney Rigdon was received into positions of leadership and you weren't?

**WHITMER:** *(Floundering.)* I did feel that, since I had been so instrumental in the forming of the Church, well--

**HARPER:** Didn't you even go so far as to form a splinter faction, with yourself as the head?

**WHITMER:** I merely continued in the right, while Joseph and the rest strayed from the original path.

**HARPER:** Isn't it true that you, a man who was a witness for the Book of Mormon, a man who shared visions with Joseph Smith, a man who would have us believe his testimony based on fact, were excommunicated on April 13, 1838 from the very church you helped start, for maintaining that you no longer believed the Prophet Joseph Smith?

**WHITMER:** *(A pause.)* Yes.

**HARPER:** Joseph Smith wasn't a very lucky man when it came to choosing cohorts, was he?

**CARTWRIGHT:** I object--

**HARPER:** Strike it. I've finished.

**JUDGE:** You may step down, Mr. Whitmer.

*(WHITMER does and exits.)*

Are you prepared to call your next witness, Mr. Cartwright?

**CARTWRIGHT:** Yes, your Honor. I call to the witness stand the third witness to the Book of Mormon, Oliver Cowdery.

**BAILIFF:** Oliver Cowdery, please come forward.

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*(COWDERY comes up out of the audience, stops before CARTWRIGHT, looks at HARPER, who smiles, and is sworn in.)*

**CARTWRIGHT:** Mr. Cowdery, you've known Joseph Smith a long time, haven't you?

**COWDERY:** That is a fact. I first met him at his home on April 5, 1829.

**CARTWRIGHT:** Had he been engaged in translating the gold plates previous to your arrival?

**COWDERY:** Yes. Martin Harris had been his scribe up to then, but had become unable to continue.

**CARTWRIGHT:** So you arrived at a rather propitious time?

**COWDERY:** Yes. In fact, I later learned that Joseph had received a revelation that I was coming.

**CARTWRIGHT:** And when did you commence acting as his scribe?

**COWDERY:** April 7, 1829.

**CARTWRIGHT:** April 7? Two days? So soon after you arrived?

**COWDERY:** I had previously become convinced that Joseph Smith was a prophet and on the fifth went to his home to see if there was any way I could get involved in this work.

**CARTWRIGHT:** And what did Joseph tell you?

**COWDERY:** That it was the will of the Lord that I should act as his scribe.

**CARTWRIGHT:** So you began the work of translating the Book of Mormon into English?

**COWDERY:** Yes.

**CARTWRIGHT:** Please tell the Court how that would take place.

**COWDERY:** Joseph would sit at a desk on one side of the room. I would sit at a desk on the other side. A curtain was drawn between us.

**CARTWRIGHT:** What then?

**COWDERY:** Joseph would use the Urim and Thummim to translate. They would enlighten his mind and enable him to decipher the lettering. As he would get the meaning of each sentence, he would dictate it to me very slowly and I would write it down.

**CARTWRIGHT:** Did Joseph ever take any books into the room with him?

**COWDERY:** None that I was ever able to detect.

**CARTWRIGHT:** How did he sound? What I mean by that is, what did he say to you each time before translating?

**COWDERY:** He would say, "Oliver, are you ready?" I would reply, "I am." Then he would begin to dictate.

**CARTWRIGHT:** Now, you didn't work on the translation every day, did you?

**COWDERY:** No. There were days when we were unable to work on it.

**CARTWRIGHT:** And when you finally were able to get back to work, Joseph would of course ask you to read back the section you had last translated the day before....

**COWDERY:** Never. He would take up right where he'd left off, as if he'd only paused momentarily.

**CARTWRIGHT:** About how long were you and Joseph engaged in the work of translation?

**COWDERY:** We began translating April 7, 1829 and concluded in June of that same year.

**CARTWRIGHT:** A time not to exceed three full months.

**COWDERY:** Yes.

**CARTWRIGHT:** And there were days where you couldn't translate?

**COWDERY:** As I have so stated.

**CARTWRIGHT:** Did it ever strike you as a phenomenal undertaking to compose a book of some 500 pages in less than 90 days?

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**COWDERY:** I remember thinking at the time that I probably couldn't have copied it in that time, writing as fast as I could; and yet it was accomplished, in spite of the fact that Joseph would speak very slowly, as I have stated, asking me to repeat back each sentence.

**CARTWRIGHT:** And how long did it take to revise the book?

**COWDERY:** We didn't revise it.

**CARTWRIGHT:** You mean this copy of the Book of Mormon existing today is the same as when it was written down?

**COWDERY:** Essentially. The only time we touched it after that was to correct some spelling and grammatical errors.

**CARTWRIGHT:** But you never went over it, as writers do, changing something here, deleting something there, perhaps to alter some contradictory statements or something like that?

**COWDERY:** There were no contradictory statements. And any one can show that to himself, for copies of both the original and the corrected copy are still extant.

**CARTWRIGHT:** You may cross-examine, Mr. Harper.

*(There is a pause. The two men look at each other. HARPER is a stone. Pause.)*

**HARPER:** Oliver Cowdery, you mentioned in your testimony that there was a curtain between you and Joseph. Did you ever wonder why it was drawn?

**COWDERY:** I suppose so Joseph could concentrate.

**HARPER:** Not so you wouldn't see that Joseph really didn't have the plates?

**COWDERY:** That is not the reason.

**HARPER:** Weren't you ever the slightest bit curious as to what they looked like? Didn't you even feel the need to lift the curtain and just peek and see if he really had them?

**COWDERY:** No.

**HARPER:** You also mentioned it took less than 3 months to translate the Book of Mormon. How was it that you had enough time to devote to this sort of endeavor?

**COWDERY:** I was an unemployed school teacher at the time.

**HARPER:** Isn't it true that you'd hoped Joseph would pay you for helping him translate?

**COWDERY:** No. I never got a cent from him.

**HARPER:** But you were, for a time, the Second Elder in the Church?

**COWDERY:** Yes, I was.

**HARPER:** What distinction did that position hold?

**COWDERY:** Since Joseph was the First Elder, I was--well, how do you say?--

**HARPER:** --second-in-command?

**COWDERY:** I wouldn't say it in those words.

**HARPER:** But wasn't that essentially what you were?

**COWDERY:** At that early state in church organization, Joseph was the only one with more authority than I.

**HARPER:** So you enjoyed a certain amount of prestige?

**COWDERY:** I looked on it rather as a great privilege to serve God thus.

**HARPER:** Isn't it a fact that Joseph promised you he would make you second-in-command if you would agree to go through with this hoax about the gold plates?

**COWDERY:** That is not a fact.

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**HARPER:** Mr. Cowdery, is it true that you, like your two cohorts before you, were also excommunicated from the Church? Because you had a run-in with Joe Smith?

**COWDERY:** *(Weakly.)* Yes.

**HARPER:** Your Honor, the jury can't hear the reply.

**JUDGE:** Mr. Cowdery, please speak up.

**COWDERY:** *(Stronger.)* Yes.

**HARPER:** Mr. Cowdery, after you were excommunicated, do you remember one day meeting a fellow attorney friend of yours on the street who had a copy of the Book of Mormon opened to the page where your testimony is?

**COWDERY:** I seem to recall a meeting of that sort, yes.

**HARPER:** As I recollect, your lawyer friend asked you at that chance meeting something like the following:

*(HARPER aims this directly at CARTWRIGHT, speaking slowly, dramatizing to the 'nth! degree.)*

"Mr. Cowdery, I see your name attached to the Book of Mormon as one of its special witnesses. Do you believe that book?" And the answer you gave:

*(Long pause. Louder.)*

"No, sir." Did you say that?

**COWDERY:** Well--

**HARPER:** Answer the question, Mr. Cowdery.

**COWDERY:** But you're making it look--

**HARPER:** Yes or no, Mr. Cowdery!

**COWDERY:** I can't answer that--

**HARPER:** Can't? Or won't?

**COWDERY:** There's more to it--

**HARPER:** Mr. Cowdery, I have asked you a question. You are required by law to answer it!

**COWDERY:** But first I must--

**HARPER:** Yes or no!

**COWDERY:** *(Standing.)* I demand to be heard! I must explain!

**JUDGE:** The witness will be seated.

**HARPER:** You will be heard! All you have to say is one little word!

**COWDERY:** I refuse--!

**HARPER:** Your Honor, let the records show that Oliver Cowdery refused to answer the question!

**COWDERY:** I'm not refusing! I want to explain

**HARPER:** I didn't ask you to explain. I asked you yes or no.

**COWDERY:** But

**HARPER:** YES OR NO?!

**CARTWRIGHT:** Your Honor! Counsel is badgering the witness.

*(JUDGE pounds his gavel,)*

**HARPER:** *(Going right on.)* I'm waiting, Mr. Cowdery!

**COWDERY:** I will not submit to your harassments

**HARPER:** What's your answer?

**COWDERY:** I will not be made to look a fool--!

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**CARTWRIGHT:** Objection!

**JUDGE:** *(Pounding his gavel.)* Mr. Harper!

**HARPER:** Did you say "No, sir" when asked if you believed your testimony?

**CARTWRIGHT:** I object, your Honor!

*(Gavel pounding continues throughout scene.)*

**COWDERY:** I--

**HARPER:** Yes or no?

**COWDERY:** But--

**HARPER:** YES OR NO, MR. COWDERY, YES OR NO!

**COWDERY:** YES!

*(A sudden quiet falls over the court. JUDGE's gavel abruptly stops. A pause. HARPER steps away.)*

**HARPER:** No further questions.

**JUDGE:** *(Angrily.)* Mr. Harper, I will see you and Mr. Cartwright in my chambers immediately. This court stands recessed for fifteen minutes.

**BAILIFF:** This court will reconvene in fifteen minutes.

(BLACKOUT)

END OF PART ONE

12 pages in Part Two