

# Joseph Smith was known as truthful

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In January 1819, Joseph Smith Sr. and his eldest son, Alvin, initiated a lawsuit against Jeremiah Hurlbut, the eldest male member of a prominent founding family in Palmyra, N.Y.

As a byproduct of his work on the legal papers of Joseph Smith, lawyer and legal historian Jeffrey Walker analyzes the documents surviving from the suit in his article "Joseph Smith's Introduction to the Law: The 1819 Hurlbut Case," which appeared in the spring 2010 issue of "Mormon Historical Studies," a semiannual publication of the Mormon Historic Sites Foundation. The specific issues of the case — the sale of a pair of horses, wages for some farmhands, and some offsetting claims for grain and seeds — aren't especially gripping, but some of its implications are very important indeed.

The trial was held on Feb. 6, 1819. Twelve jurors were impaneled — all of them, as the practices of the day required, property-owning men. "In the rural community of Palmyra," Walker observes, "this effectively meant that those qualified to be on the jury would be the more affluent and prominent men of the area. Ironically, none of the Smiths would have qualified to be a juror."

The Smiths called five witnesses, while Hurlbut called seven. Both Joseph Smith Jr. and his older brother Hyrum were called to testify.

Born on Dec. 23, 1805, Joseph had just turned 13 and, because of his young age, the court was obliged to determine his competency. Since he did, in fact, eventually testify, we can be sure that the court certified him to be, as the laws of the period stipulated, of "sound mind and memory," without "vicious intention," "maturity in crime" or "weak intellect."

Moreover, as the documents demonstrate, the Smiths prevailed in court. They won their case. And they did so, at least in part, on the basis of the testimony given by young Joseph Smith little more than a year before his First Vision.

As Jeffrey Walker summarizes the matter:

"The jurors, composed of the more affluent members of the community, found in favor of Joseph Smith Sr.'s claims against a much more prominent family. Even more important, this same jury, in conjunction with the local justice of the peace, found the young boy Joseph Smith Jr. to be both a credible and competent witness — something that some choose to dispute today. Yet there it is."

The verdict of the court is consistent with the testimony given in 1875 by Joseph's younger brother, William:

"Joseph Smith, at the age of seventeen years, with the moral training he had received from strictly pious and religious parents, could not have conceived the idea in his mind of palming off a fabulous story, such as seeing angels, etc. ...

"There was not a single member of the family of sufficient age to know right from wrong but what had implicit confidence in the statements made by my brother Joseph concerning his vision and the knowledge he thereby obtained concerning the plates.

"Father and mother believed him; why should not the children? I suppose if he had told crooked stories about other things, we might have doubted his word about the plates, but Joseph was a truthful boy. That father and mother believed his report and suffered persecution for that belief shows that he was truthful."

Or, as William put the same point in 1884:

"All believed it was true, father, mother, brothers and sisters. You can tell what a child is. Parents know whether their children are truthful or not. ... Father knew his child was telling the truth."

The proceedings of the 1819 trial are particularly important because they permit us a reliable glimpse into the Palmyra community's estimation of Joseph and his family before his prophetic claims made him a focus of controversy. When, in the ensuing years, he had become notorious, some in Palmyra were able to convince themselves that the Smiths had always been of dubious character and reputation.

But, as I've observed previously in this column, strong, objective evidence undermines the credibility of those claims. (See "Were Smiths workers or slackers?")

"We never knew we were bad folks," William Smith reminisced late in his life, "until Joseph told his vision. We were considered respectable till then, but at once people began to circulate falsehoods and stories in a wonderful way."

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