

# Document Dealing: A Dealer's Response

*Curt Bench*

*Editors' Note: Because no dealer was included on the preceding MHA panel, DIALOGUE invited a response from Curt Bench, manager of Deseret Book's Fine and Rare Books, a division specializing in historic books and documents.*

I BELIEVE THAT A RESPONSE to the point of view represented on the panel by Jeffery O. Johnson is appropriate. I also believe that what I say here would fairly represent most rare book and manuscript dealers as well as some archivists and librarians who acquire and manage rare books and manuscripts for large institutions. However, this is a personal statement and I alone am responsible for its content.

Johnson's paper as he delivered it excoriated all those involved in the "sleazy business" of documents dealing, leaving the impression that all documents dealers were avaricious, double-dealing, and not above cheating the inexperienced out of precious family heirlooms. He made no distinction between reputable, honest dealers and the few individuals who use questionable methods. The edited version of his paper acknowledges that he has "no reason to believe that most of the document dealers in Utah are not honorable and honest." I believe that in fact neither Johnson nor the general public understand what most dealers do and don't do in the local and national rare book trade. Perhaps I can bridge that gap as I discuss Johnson's arguments.

He begins with the example of Arlene Cummings who, in 1974, gave the LDS Church Archives an autograph book which belonged to her pioneer foremother so that it would be preserved and made available to her family and to historians. I would encourage anyone to donate treasures to institutions of their choice if they wish. Johnson theorizes that the chances of such a donation are greatly reduced today because dealers have so "commercialized" historical documents that people want to sell rather than donate their family papers. He adds that other archivists with Mormon collections report that people also come in to sell rather than donate family documents.

He does not offer explanations of their possible motives. Did these individuals need money and see such a sale as the only way to raise cash? Were they attempting to secure valuations as the basis for insuring the items against damage or loss? If they were simply trying to "make merchandise" of family history with a profit motive alone, then I would agree with Johnson that such a motive is less than pure. However, many persons sell collectibles because they need the money. They are not necessarily greedy or unfeeling toward history. If institutions expected everyone to donate and refused to pay for documents, a great deal of material would never see the inside of an archive. I know of many cases where piles of books and documents were thrown away or burned because someone was ignorant of their value. I think, though I acknowledge the potential for abuse, the incentive to sell is a good thing because it brings out, and then puts into the hands of those who can preserve them, many important papers which might otherwise have been at risk.

I have talked to many persons who were curious about the monetary value of a particular item they owned but had no intention of selling it because it belonged to the family or because they wanted to donate it. Their motives, if pure before, do not change just because something they own might be worth money. They believe, as I do, that there are things that have no price tag nor should they.

Even if it were true that document owners are more aware that their possessions may be valuable, are dealers to blame for this "regrettable change in attitude"? Johnson cites prices in autograph catalogs ten years ago contrasted with today's prices as evidence that dealers are indeed the culprits. He feels that Mormon documents, in the past six years, have become commercialized, making them "pieces of investment property." I would argue that this development is not recent.

Archie Hanna, retired curator of Yale University's Western Americana Collection, spent thirty years building the Beinecke Rare Book and Manuscript Library in New Haven, Connecticut. It is one of the finest Western Americana collections in the world, as well as one of the largest and best holdings of Mormon books and manuscripts. When I interviewed him on 28 August 1986 he said, "As long as anything has value there will be buying and selling; as long as there are autograph collectors there will be dealers." He indicated that this has always been so: "Many people do sell rather than give and there is nothing you can do about that." He pointed out that customers, not dealers, create and maintain the autograph and documents market. They also ultimately set the prices. True, a dealer may set a price on an item; but if no one takes it at his price, he must eventually meet the price customers will pay. Hanna said that when he started at Yale the administrators of the rare book and manuscript collections strongly felt that antiquarian book and document dealers were private and institutional collectors' indispensable allies and told him that his success in building the collection would depend on how well he worked with dealers. He emphatically stated that without those dealers, Yale could never have built the collections it has, and that in three decades of professional life

he remembers no more than a half-dozen times when dealers were unscrupulous and dishonest.

A. Dean Larsen, Associate University Librarian at Brigham Young University, is in charge of all collection development for Harold B. Lee Library. Chad Flake is the library's curator of special collections. When I interviewed them, they reported no appreciable change in the Mormon manuscript market in the past twenty-five years. They are offered proportionately the same amount of material now as earlier. They buy more and also spend more, not because of skyrocketing prices but because they have bigger budgets, reflecting the university's greater interest in collection development. Larsen commented that generally the same proportion of persons want to sell or donate documents now as in the past.

These two men, who have helped build BYU's Mormon and other collections into some of the best and largest anywhere, do not feel the Mormon market is over-commercialized. In fact, I have been hard pressed to find any archivists or librarians who share Johnson's attitude that dealers are enemies rather than friends of the archives. I'm sure there are some; clearly they are in the minority.

Dean Larsen represented what I believe is the most common attitude toward dealers and the relationships they have with institutions when he called dealers the "life blood of manuscript collecting and the building of manuscript collections." If it weren't for dealers institutions would seldom get historical papers from individuals. Furthermore, he says, archivists are "absolutely dependent" on dealers to build certain types of collections.

From nearly ten years' personal experience and observation, I can state positively that we and most other dealers have worked to help build the collections of institutions like the LDS Church, BYU, the University of Utah, Utah State University, and others by providing rare books and documents. Institutional acquisitions personnel cannot possibly afford the time and money that would be needed to duplicate the efforts of book dealers in the field or store looking for those items the institutions need. Most dealers offer their institutional customers needed items at reasonable prices, often at a discount. It would be not only unethical but financially foolish to try to cheat, deceive, or take advantage of them.

Dealers also provide another valuable service to libraries by appraising (often at no charge) individual items or entire collections so that the library may purchase them or the seller can receive a tax credit if he or she chooses to donate them. Archie Hanna observed that many people donate books and manuscripts not only out of generosity but also because of liberal income tax credits given by the government.

Johnson identifies five "highly negative" effects of the commercialization of Mormon documents.

1. "Manuscript dealers tend to destroy . . . provenance." True, a few individuals, Mark Hofmann among them, have not been forthright in providing provenance on some important documents they sold. I condemn this obfuscation also but to charge all document dealers with the same practice is unfair.

Provenance not only helps authenticate an item, it can also increase its value or salability. A dealer would be foolish not to provide the provenance if he knew it and was permitted to reveal it by the seller — and if the buyer felt it was important.

Occasionally a dealer is not anxious to reveal the immediate source of certain items because he or she may lose that source and subsequent sales if the buyer went directly to the source for future purchases. Most buyers understand and allow for this point. Often a dealer will reveal his or her source and provenance with an understanding that the buyer will not go to the seller directly or reveal the seller to anyone else.

The higher demand for provenance is a relatively recent development brought on mainly because of the Hofmann case and subsequent publicity. Long-time professionals like Archie Hanna, Dean Larsen, and Chad Flake confirmed that they did not always demand provenance, particularly if they acquired the item from a trusted and reputable dealer. Unless an item seemed suspicious, Hanna observed, he did not ask about provenance if the dealer had the reputation of being honest. Flake said that when he asked for provenance, he usually got it unless a dealer was protecting a source of future material. He added that only once has he been “stung” by a dealer.

The Hofmann case has damaged this trust. It is most regrettable that the unethical practices of a very few have poisoned the atmosphere of trust that once prevailed in the market. In the case of Hofmann, when he provided a document, he was also often its authenticator; when he did not give its background, one did not worry too much because he was trusted.

The situation has obviously changed; the market will no longer tolerate secrecy. I believe that there is now and will be more openness with historical documents. Provenance will be more important in acquisitions. Dealers support that idea and will do their part in promoting it. Thus, despite the pain, there has been a healthy cleansing in the field.

Johnson points out that “documents dealers stay in business on the difference between the price for which they buy a document and the price for which they sell a document” and provides a hypothetical “400 percent jump in price after it left family hands.”

A markup like that is not even close to reality in our case or in the case of most dealers I know, particularly on rare and high-priced items. Since the market is very competitive, a dealer usually must pay top dollar for an expensive or desirable item and is usually satisfied to sell it for 10 to 25 percent above his cost. More than once, we have sold an item at or near cost to a good customer (such as an institution) to maintain a solid business relationship. I know other dealers do, too. One respected local dealer often makes only 10 percent or so on many of his sales. On normal, lower-priced items, a dealer must double his money to stay in business. Four hundred percent on rarities only occurs in the case of unethical dealers or occasional lucky finds or in the fantasies of the rest of us who try to balance the checkbook at the end of the month.

2. Johnson next expresses anger over the cases of dealers dividing collections to make more money. He correctly points out that such dividing reduces

its historical value. Of course, it also usually reduces its monetary value. Generally a whole collection is worth more than the sum of its parts, just as entire sets of books are worth more than partial sets and as complete books are worth more than ones with missing pages. Dealers would much rather sell an entire collection at once, not only because it is more valuable but because it takes much less time and trouble to do one transaction than many. Many dealers care about the historical value of collections and their intrinsic worth as a whole and are happy to sell them to institutions whenever possible. Most libraries have acquired from dealers entire collections, some of them very extensive and valuable.

Johnson cites the case of the Francis Kirkham collection, purchased by BYU several years ago. The Kirkham collection was represented as a whole to BYU when in fact the seller (a dealer who has been an anomaly in the local trade and is no longer in the business) had sold some items to others who did not know of the agreement with BYU. These items made their way through the local market. Since finding out about BYU's dilemma, we and other concerned dealers have searched for Kirkham material and have made it available to BYU. The university has expressed its gratitude for the efforts of all those trying to recover lost pieces of the collection. Recently in cooperation with another dealer we sold the collected papers of a prominent Mormon to BYU but had previously and have since received more papers from the same source who earlier had indicated there was little or no more. Again we have worked to gather up all outstanding pieces of the collection and have offered them exclusively to BYU. In this case, the problem lies with the original owner who continues to sell additional items.

Johnson prefers that all documents be in institutional archives though he acknowledges the legal right of individuals to buy, sell, and own documents. I disagree. Institutions cannot possibly obtain all Mormon documents. While I think that most, if not all, major historical documents belong in institutional hands, I also believe history belongs to people, not to institutions. Institutions, when performing their true function to preserve and make historical materials available, provide an indispensable service. Sadly, historical documents in some depositories are not always made available to historians, researchers, and people with a genuine interest in their history because of restrictions by donors or archive policy.

If an item, an autograph, for instance, contains no significant historical information, an institution often will not buy it. If they already have such an item they might even trade it for something they need. Institutions are not autograph collectors per se, but there are many persons in and out of the Church who are and they, not the dealers, have created a market for those autographs. Much of the manuscript material sold by dealers is insignificant in content and is not necessarily sought after by libraries, but has value because of the signature. Autograph collecting goes back hundreds of years and cannot be blamed on Mormon manuscript dealers. If an institution cannot or will not buy a document, for whatever reason, when it is offered, then I see no problem with offering it to a responsible collector who will appreciate and preserve it.

Furthermore, dealers and individuals are not the only ones who divide collections and holdings or get rid of historical material. I know of examples of the Church and state-owned archives "dumping" historical documents or getting rid of them in various, sometimes inappropriate ways. Hanna mentioned that New Mexico sold its state archives for waste paper in the 1880s.

3. Johnson says that the commercialization of Mormon documents has increased archival holdings but not necessarily to an advantage. Large sums of money (taxes and tithing) have been spent on increased security for collections.

Recently, the LDS Church returned to Hancock County, Illinois, a number of official documents received from Mark Hofmann and reportedly other dealers. Johnson says the documents were obtained illegally. There is no proof that the county court documents were stolen. The Church did not say they were stolen, according to Jerry Cahill, an official spokesperson for the Church. Nor am I aware that Hancock County officials declared them stolen. Hancock County documents have been circulating in the market for over twenty years. Other official documents from all over the country routinely appear in dealer catalogs. It is feasible that the documents were thrown out or given away years ago to make room for new papers as in the case of the New Mexico State Archives. However, if they were taken illegally then whoever did it should be prosecuted, rather than blaming the dealers who bought them, probably in good faith.

4. "Commercialization of Mormon history has encouraged faking." Johnson uses an example of a local dealer who transferred an autographed title page from an incomplete book to a complete one, thus greatly increasing value of the newly "doctored" book. I'm not aware of this instance but if a dealer "made up" a book and tried to pawn it off as the original to an unsuspecting buyer, that would be unethical. No reputable dealer would change a book like that in the first place, but if any significant repairs or alterations are done to a book they should be noted.

I think it is safe to say that whenever something is valuable, in demand, and capable of being faked, it probably will be at some time — money, fine art, watches, jewelry, and designer clothes as well as documents. Forgery and fakery are certainly not unique to manuscripts nor to Utah.

5. Johnson charges that the commercialization of Mormon documents has created an "investment market" among individuals who have no historical interest in them. I doubt the accuracy of such a sweeping generalization. Furthermore, I know that many customers to whom we have sold books and manuscripts feel very differently. A good customer of ours who is in a stake presidency in California, for instance, holds an almost reverential awe for written or printed pieces of Mormon history. I'm sure he cares just as deeply about our common past as Johnson.

Certainly some individuals treat documents strictly as pieces of merchandise bought as an investment. However, in my experience, they are a minority. When individuals ask us what they should collect and what would be a good investment, we consistently tell them to collect items they enjoy and love, that investment should be secondary to loving what they collect. It is true that rare

books and documents have appreciated in value over the years, but that is not enough reason alone to buy them.

There is a place for legitimate and ethical transactions in this field. My position is that it is right to buy and sell books and documents when the buyer and seller agree on its appropriateness and price and when a legitimate transaction occurs. If there were no sellers, there would be no buyers including institutional ones. It is naive to think that everyone would donate their valuable papers and books to libraries if all Mormon dealers closed their doors tomorrow.

In his conclusion, Johnson asks if he has been too harsh on manuscript dealers and says he bears them no personal animosity. I think he has been too harsh, that he has been guilty of stereotyping, and that he has impugned the motives and character of reputable dealers. However, I believe that he is sincere and genuinely loves Mormon history and its documents.

I, and most dealers and collectors I know, care about our history. We love it and want to see it preserved. We try to treat the books and manuscripts we acquire and sell with respect and appreciation. We feel we are involved in an honorable and vital business which benefits institutions and individuals alike. It is because of my love for history and books that I have been in the book business for twelve years and the used and rare book business for the past nine years. I feel as if I am helping preserve tangible parts of our history by seeing that they reach the hands of those who also care. I make no apology for the profession I have chosen.

I think perhaps though Jeffery Johnson and I disagree on some fundamental issues, we are not far apart in the belief that our history is vital and should be cherished and preserved for us and those who follow. We are both trying to make that happen in our own ways.