

PROGRAM: Mormon Miscellaneous

HOST: Van Hale

DATE: Sunday, December 4

TIME: 5:00 - 7:00 pm MST

SUBJECT: "Who Really Wrote the Book of Mormon?"

RADIO STATION: KTKK 630 AM, Salt Lake City (with LIVE INTERNET FEED)

===== Notes for December 4th program =====

1. Mr. Hale said he was skeptical of reminiscences provided by persons as late as 50 years after the publication of *The Book of Mormon*. He implied that he wished to see pre-1831 sources which described Solomon Spalding's literary production and/or Sidney Rigdon's opportunities to have contacted members of the Joseph Smith, Sr. family living in western New York.

Reply: We all have our wish-lists. Wouldn't it be nice to have non self-serving, pre-1831 accounts of the Smith family's activities instead of having to base nearly the entire early history of a church upon one's faith in the integrity of a young man whose several accounts of his alleged first meeting with divine beings are self-contradictory and, even in the earliest instance, were not recorded until a dozen years after the fact? Meanwhile the best we can do as responsible historians is to carefully analyze the evidence we DO have in-hand and base our arguments and conclusions upon it rather than waste valuable time and resources lamenting about that which we not only do not have but which seems unlikely to exist in any case.

2. Mr. Hale said that testimony of early neighbors of the Smith family should have included specific points later brought up by Lorenzo Saunders, if those points were common knowledge. The fact that Howe did not include statements about Rigdon impregnating Catherine Smith seems to show that Saunders was not being truthful about that particular allegation. Mr. Hale said he did not believe that such a story was in circulation at an early date. Mr. Hale wished to know WHEN Lorenzo Saunders moved from the Palmyra area -- was he still there in late 1833?

Reply: Lorenzo Saunders moved to Michigan in 1854 at the age of 43 [Gilbert to Cobb, Oct. 14, 1879; L. Saunders, July 21, 1887]. The story about Rigdon's having impregnated Catherine Smith first appears in L. Saunders to Wm.H. Kelley, Sep. 17, 1884 [see Spalding Enigma, 318], wherein Saunders was asked "What kind of a woman was old Mother Smith?" and replied, "She was a poor simple thing, about 1/2 witted-- could not tell a straight story. In 1828 or 30 the story was around the neighborhood that Catherine Smith was pregnant by Rigdon and there was a young Savior to be born, but at the birth it was a female child. This story was only hearsay." This last sentence alone should be sufficient to dismiss this issue [J.H. Gilbert, affidavit, July 12, 1881; Gilbert to T. Gregg, June 19, 1881].

As a matter of record, Saunders was not the only one to comment upon Catherine Smith's morals. Christopher M. Stafford (born in Manchester, NY in 1808) stated to Deming on March 23, 1885 that "Catherine's reputation for virtue was not good;" and Elisha W. Vanderhoof (who was born in Palmyra in 1832 and had apparently heard the story from neighborhood sources) adds that the child only lived a few hours and that those who attributed its paternity to Rigdon were "scoffers and the unregenerate" [1907, pp.166-7].

Fortunately there are more important points to be made about Saunders' testimony, such as his correctness concerning an 1826 Cowdery-family connection with a town named Kirtland in Ohio, and the fact that Oliver Cowdery had taught two terms at schools near the Smith's farm instead of only one as previously thought. No one had recognized either of these significant details prior to the publication of *The Spalding Enigma*.

As to why Howe [1834] makes no reference to Lorenzo Saunders in his book, perhaps Saunders was not interviewed by Hurlbut for some reason, or perhaps he was and his statement was among the many omitted by Howe from his book for lack of space, and later lost in the fire which destroyed the Telegraph office about 1841 [Howe to Deming, April 8, 1885, "I published only a small part of the statements Hurlbut let me have..."; and, in re the fire, Howe to T.W. Smith, July 26, 1881]. Let us remember that lack of evidence does not, in and of itself, constitute proof that no such evidence ever existed.

3. Mr. Hale said that he did not believe that the "Henry Ringdon" mentioned

by Bennett in 1831 had anything to do with the ex-Baptist preacher, Sidney Rigdon of Ohio, Mr. Hale said that he felt that the Ringdon reference was a mistaken reference to the Palmyra area money-diggers having solicited the help of Walters the Magician.

Reply: Mr. Hale unfortunately fails to note that James Gordon Bennett specifically identifies “Ringdon” or “Rangdon” as an ex-preacher from “near Painesville,” Ohio, on no less than six different occasions in his New York Morning Courier and Enquirer articles of Aug.31-Sept.1, 1831; as well as in his diary (where the name is given as “Henry Rigdon”). There can be NO mistake about the intended reference here since Luman Walters, the Magician, was neither an ex-preacher, nor did he ever live anywhere near Painesville, Ohio. Moreover it seems unlikely that Palmyra residents would confuse Rigdon, a complete outsider, with Walters, the notorious local (if one dares credit his press).

If Mr. Hale’s objection is based upon his difficulty with seeing Rigdon as a money-digger, we would remind him of Rigdon’s documented participation in the ill-fated treasure-seeking mission to Salem, Massachusetts in 1836, and his fascinating 1853 letter to Lyman Wight about wanting to seek gold in Texas. Both of these speak to Rigdon’s interest in treasure hunting-- a subject he would hardly talk about in his public sermons-- whereas Mr. Hale offers nothing to the contrary except to cite Rigdon’s “public” reputation. The rest of the business about his having been all along the Eastern shore, etc., is typical hype—whichever was recounting the tale was simply telling the other money-diggers what they wanted to hear so they would help raise the money needed to fetch Rigdon.

In the final analysis, Mr. Hale’s totally unsupported and shamelessly self-serving conjecture, however interesting it may be, is simply not strong enough to overcome the reportage of a credible, veteran newsman like James Gordon Bennett. Let us not forget that Bennett troubled to record the results of his investigation, not 50 years after the fact, but in the summer of 1831, when events were still fresh in people’s minds, and fully a year before Joseph Smith, Jr. first undertook to record an account of his alleged encounter with divine beings which, he said, had taken place some 12 years earlier.

4. Mr. Hale asked why E. D. Howe had left out material connecting Sidney

Rigdon with the origin of the Book of Mormon, if he had such statements available to him for publication. Mr. Hale mentioned that Howe's attempt to make such a connection did not come until the last pages of his book.

Reply: Hurlbut's apparent failure to ask ANY of his witnesses about Rigdon is easily explained if one accepts the argument that Hurlbut remained unaware of any Spalding-Rigdon-Pittsburgh connection until just before he dropped out of the game and turned everything he had collected over to Howe, and that Howe, for his part, was a businessman more interested in seeing his book into print than he was an intrepid investigator bent upon trying to put more pieces of the puzzle together. Remember that Howe sold the Telegraph and left Painesville to run a woolen mill less than six weeks after his book Mormonism Unveiled was published [Howe, Autobiography (1878),46; and Howe to Deming, April 8, 1885], after which he had nothing more to do with the Spalding Enigma for nearly another half-century. The tragedy for history here is that BOTH Hurlbut and Howe failed to take their investigation to Amity, PA, where they would undoubtedly have found many more answers at that early date. Had they done so, Mr. Hale might well be a Lutheran today instead of a Mormon.

5. Mr. Hale said that he believed that Solomon Spalding only wrote one fictional story, and that when this story was shown to them late in 1833, that they only then began to provide reminiscences which included the insertion of BoM-specific names and narrative information into their public statements.

Reply: Mr. Hale's argument that Spalding wrote only one manuscript is supported only by his own conjecture. Here are seven reasons why Spalding must have written more than one.

-(A) Aron Wright to Hurlbut, August, 1833: "Spalding had many other manuscripts" [Howe,284]; and (A¹), Aron Wright, December 31, 1833: "Hurlbut is now at my store. I have examined the writings which he has obtained from [said] Spalding's widowe[.] I recognize them to be the writings handwriting of [said] Spalding but not the Manuscript I had reference to in my statement before alluded to as he informed me he wrote in the first place he wrote for his own amusement and then altered his plan and commenced writing a history of the first Settlement of America the particulars you will find in my testimony dated Sept-18 August 1833..."

[Aron Wright's unsigned letter of December 31, 1833]. See our reply to point #8 below for additional comment on Aron Wright.

-(B) John N. Miller to Hurlbut, September 1833: "I was soon introduced to the manuscripts of Spalding and perused them as often as I had leisure. He had written two or three books or pamphlets on different subjects; but that which more particularly drew my attention was one which he called the Manuscript Found..." [Howe, 282-3].

-(C) Mrs. Matilda Spalding-Davison, November, 1833: According to Howe's account, the widow Spalding informed Hurlbut that her husband "had a great variety of manuscripts," and recalled "that one was entitled the Manuscript Found..." [Howe, 287-8].

-(D) Matilda Spalding McKinstry, April 3, 1880: "My father was in business there [at Conneaut], and I remember his iron foundry and the men he had at work, but that he remained at home most of the time and was reading and writing a great deal. He frequently wrote little stories, which he read to me.... In 1816 my father died at Amity, Pennsylvania, and directly after his death my mother and myself went to visit at the residence of my mother's brother William H. Sabine, at Onondaga Valley, Onondaga County, New York. Mr. Sabine was a lawyer of distinction and wealth, and greatly respected. We carried all our personal effects with us, and one of these was an old trunk, in which my mother had placed all my father's writings which had been preserved [Statement given at Washington, DC, April 3, 1880]. Also, (D¹) Matilda Spalding McKinstry, November 2, 1886: "I have read much of the Manuscript Story Conneaut Creek which you sent me. I know that it is not the Manuscript Found which contained the words 'Nephi, Mormon, Maroni, and Laminites.' Do the Mormons expect to deceive the public by leaving off the title page—Conneaut Creek and calling it Manuscript Found and Manuscript Story[?]" [McKinstry to Deming, Nov. 2, 1886]

-(E) Rachel Derby, daughter of John N. Miller, December 9, 1884: "Father told him [Hurlbut] that the Manuscript Found was not near all of Spalding's writings...." [Deming, Truths 1,1, col.7]

-(F) L. L. Rice, May 30, 1885: "there is no outcome of the quarrel, as the story is evidently unfinished, and stops abruptly" [Rice to James Fairchild, May 30, 1885]. This in itself indicates Manuscript Story cannot have been a copy of the manuscript that Spalding had prepared for the Pattersons, because that manuscript was said to have been complete except for a preface and title page.

-(G) E. D. Howe to Elder T. W. Smith, July 26, 1881: "The manuscript you refer to was not marked on the outside or inside Manuscript Found . . . it was not the original Manuscript Found" [Shook, 75-76].

FIVE ADDITIONAL POINTS:

(1) Benjamin Winchester's premise that Hurlbut, motivated by a desire "to obtain revenge" [Winchester (1840),6], concocted a notorious fabrication around Spalding and then sought to deceive the world with it, is both illogical and untenable in light of Hurlbut's subsequent behavior. If he knew from the very beginning that the entire story of a Spalding-Book of Mormon connection was nothing more than the product of his own vengeful imagination, a creation deliberately designed to deceive, then it makes no sense whatsoever that Hurlbut would devote all of his energies over the next several months to seeking out the very manuscript which, once found and compared to The Book of Mormon, would not only destroy the theory he had striven so hard to promote, but would likely wreck whatever was left of his own reputation in the process. In other words, the presumption that Hurlbut would actively promote a lie and then set out on a quest to uncover the one piece of evidence capable of exposing him as a liar is patently absurd.

(2) As already noted above, in December of 1833 Hurlbut returned to Conneaut with Spalding's "Manuscript Story" in hand and proceeded to show it to Spalding's former neighbors, who verified that it was NOT the manuscript to which they had referred in their various statements [Howe, 288; Aron Wright's unsigned letter of Dec. 31, 1833]. In order to refute this, one must claim that Hurlbut initially manipulated his witnesses, and that the deception stuck even after they were shown the original manuscript containing the very same story about which their memories had allegedly been manipulated in the first place. Isn't it odd that, upon being confronted with Spalding's original, not one of them ever said, "Why yes, this is the story you were trying to get me to recall, and it's nothing like you coached me into saying it was"?

(3) Concerning the existence of more than one Spalding manuscript, the words of Rev. Robert Patterson, Jr. are worth repeating [Patterson Jr. to J.H. Fairchild, Sept. 22, 1885]: "When so many hearers of the story in different places concur in their recollections of names constantly recurring in the story, and when some of them heard it read again and again, it seems impossible that, after twenty years, they should confound it with a

story [i.e. Manuscript Story]... in which not one of these familiar and unique names of persons and places did once occur. The memory of people who, at that period, read or heard very few romances, would be all the more tenacious of the few (it might be the only one) they did hear.... Moreover, it is unitedly testified by these witnesses that before Spalding became a bankrupt, and when he wrote only to while away the hours of his illness, without any thought of making money by publishing his book, his purpose in the story they heard him read was to show (seemingly) that our Indians were descended from the ten lost tribes. He therefore started the colonists from Jerusalem. This was the raison d'être-- the very foundation-- of the whole fiction. How is it possible that such a story in 20 years became confused in the memory of those who heard it with a story which left the Jews out altogether?"

(4) The very physical appearance of the Oberlin manuscript itself virtually destroys the Mormon argument that this was the same work Spalding submitted to the Pattersons for their consideration. First of all, "Manuscript Story" was never finished. It progresses, howbeit fitfully, up to the point of a final war, devotes about forty pages to a description of that war, and then ends abruptly in the middle of a page just as the two opposing armies appear ready to begin the final battle. Secondly, this manuscript cannot possibly have been the one Spalding took to the Pattersons, for it is hardly fit for publication. For example, a number of changes in the spellings of proper names occur throughout the text; Siota becoming Sciota, Hadokam changing to Hadoram, Bombal to Banbo, Labarmock to Labamack, Lambon to Lambdon (note the similarity to Lambdin here), and Mammoons being later designated as Mammouths. In one especially confusing passage, two Kentucks who sneak into the Sciotan camp by night are identified as Thelford and Hamkien on one page, and as Kelsock and Hamkoo on the next. Later, even Hamkoo changes to Hamko" Aside from the fact that the manuscript itself is incomplete, can anyone imagine that Spalding actually submitted such a work to the Pattersons for their erudite consideration? Furthermore, Story begins as a first-person narrative told by its hero Fabius, and remains thus through chapter four. In chapters five through eight however, only a few passages are in the first person; and in all the remaining text (which comprises more than half the manuscript) everything is written in the third-person. These chapters contain lengthy and often intimate conversations, but provide the reader with no explanation as to how Fabius could have obtained such

information. "As Spalding neared the end of his story, he must have realized that he had no plausible way to return to his first-person account," and that radical changes to his manuscript would be necessary in order to reconcile this difficulty. Consider also the circular logic used by Mormon writers when they criticize supporters of the Spalding Enigma who hold that there must have been at least one other Spalding manuscript in existence. Mormons claim, of course, that Spalding wrote only one manuscript, the one which Hurlbut found in the trunk, "Manuscript Story--Conneaut Creek," which, as we have shown, is obviously unfinished and in no condition to be presented to a publisher. Yet they do not question that Spalding took a manuscript to the Patterson brothers for their consideration. If not this one, then which one?

(5) Another piece of evidence indicating that "Manuscript Story" and "A Manuscript Found" were not one and the same can be found in the recollections of Redick McKee and Joseph Miller, Sr., both of whom befriended the Spaldings during their residence at Amity between 1814 and 1816, and later recorded statements providing many details about Solomon, his family, and his manuscript. What is important here is the fact that both individuals recalled a certain specific detail about Spalding's "A Manuscript Found" which seems to have escaped prior notice.

According to Miller: "...When Mr. Spalding lived in Amity, Pa., I was well acquainted with him.... He had in his possession some papers which he said he had written. He used to read select portions of these papers to amuse us of evenings. These papers were detached sheets of foolscap. He said he wrote the papers as a novel. He called it the Manuscript Found, or The Lost Manuscript Found. He said he wrote it to pass away the time when he was unwell; and after it was written he thought he would publish it as a novel, as a means to support his family."[Washington (PA) Reporter, April 8, 1869; Creigh, (1870), 89-93] And, "...Mr. S. was poor but honest. I endorsed for him twice to borrow money. His house was a place of common resort especially in the evening. I was presenting my trade as a carpenter, in the village and frequented his house. Mr. S. seemed to take delight in reading from his manuscript written on foolscap for the entertainment of his frequent visitors, heard him read most if not all of it, and had frequent conversations with him about it."[Pittsburgh Telegraph, Feb. 6, 1879]

According to Redick McKee: "One day when I called he [Spalding] was writing upon foolscap paper, taken from some old account book. My

curiosity was excited, and I said to him, that if he was writing letters I could furnish him with more suitable paper. He replied that he was not writing letters, but... [a] story he called The Manuscript Found. It purported to give a history of the ten tribes, their disputes and dissensions... etc.” [McKee to Deming, Jan. 25, 1886]

These memories constitute an extremely important detail because foolscap was a very special kind of paper with particularly distinguishing and readily identifiable characteristics. An examination of the original manuscript of Spalding’s “Manuscript Story,” conducted at our request by Roland M. Baumann, Archivist of Oberlin College’s Mudd Library, revealed that no foolscap was employed in the creation of that work.

6. Mr. Hale argued that Solomon Spalding could not have possibly begun work upon a second fictional story regarding the ancient inhabitants of the Americas, until some time after June, 1812, because of the beginning of a draft letter bearing that date in the Oberlin MS. -- Thus Oliver Smith could not testify that he read BoM-specific information in a Spalding MS as early as 1809, etc.

Reply: First, the date on the draft letter in question is January 1812, not June. The writing reads “Jan” and January is commonly abbreviated as such, whereas it is difficult to imagine anyone abbreviating June when it contains only four letters.

Secondly, is Mr. Hale trying to argue that it would have been impossible for Spalding to have been working on two or more different manuscripts at the same time; or that he could not have started one, perhaps during the time he was staying with Oliver Smith, then laid it aside for a while to work on another, and then went back to the first again after some time had passed? In fact, the only thing the “draft letter” really tells us by its place in the manuscript is that Spalding only added 37 more pages to this particular work between January of 1812 and his death at Amity almost five years later—which hardly suggests this was the manuscript he had so painstakingly prepared for the Pattersons.

7. Mr. Hale argued that since early witnesses for the Spalding authorship claims spoke of a story in which the Israelite "Ten Tribes" began a journey from Jerusalem to the New World, that the claims were untrue -- that Spalding would never have brought the ten tribes forth from Jerusalem.

Reply: And precisely HOW does Mr. Hale presume to know this? Spalding was writing fiction, remember; and fiction, by definition, is invention. Historically speaking however, it seems reasonable to presume that immediately after the fall of the Northern Kingdom (the House of Israel) to the Assyrians in 723BCE, a flood of refugees would have headed south into Judah, and that some of these could have stopped in Jerusalem for a time and then migrated elsewhere taking their traditions with them. In support of this, both Jeremiah and Ezekiel testify to the continuing presence of Israelites in Judah before the Babylonian invasion of that land in 586 BCE [Ezek. VIII:9, IX:9; Jer. XXXII:31].

8. Mr. Hale dismissed the Dec. 31, 1833 Aron Wright letter as useless for historical evidence, since Wright said in that letter that he had recognized Solomon Spalding's handwriting -- and that it was very unlikely that he could do that, since even modern investigators were on record as disagreeing over which old specimens of handwriting can actually be traced back to Spalding's pen.

Reply: What is the point of this argument? Is Mr. Hale trying to suggest that the manuscript Hurlbut showed to Aron Wright and others wasn't in Spalding's handwriting? If so, has he forgotten that Hurlbut obtained it from the widow Spalding's trunk at Hartwick? The fact that Wright recognized it as "the writings handwriting of [said] Spalding but not the Manuscript I had reference to in my statement before alluded to" clearly speaks for itself. Moreover, the only basis Mr. Hale provides for denying that Aron Wright could have recognized Solomon Spalding's handwriting, is Mr. Hale's own self-serving pronouncement that this was unlikely. For all we know, Spalding's handwriting could have been as familiar to Wright as his own.

Moreover, it is important to note that Judge Wright first said he recognized the manuscript he was shown as "the writings" of Solomon Spalding, and then corrected his wording to say "handwriting," thus suggesting that he recognized BOTH the manuscript AND the handwriting as belonging to Spalding. If one wished to make an issue of it, one might argue that Wright changed his words so as to make it clear to anyone reading his statement that the manuscript he had examined was Spalding's original and not a copy made by someone else—an important point of

distinction to someone with a legal mind.

We concede that in order to prevail with the argument that Spalding produced only one manuscript, one must first convincingly impeach Judge Aron Wright's testimony. Yet there is absolutely nothing on record which would give reason to question either his accuracy or his honesty, or to suggest that he was actively anti-Mormon. Wright's testimony is crucial. If one cannot impeach Wright, the argument that Spalding only had one manuscript fails de facto.

9. Mr. Hale said that the title "Manuscript Story" could not have been applied by Solomon Spalding to the Oberlin MS, because it was found wrapped in a sheet of paper which did not contain Spalding's handwriting. Mr. Hale deduced this fact (?) based upon his comparison of a very faint penciled "C" at the beginning of the first title written on the wrapper, with other capital "Cs" written by Spalding.

Reply: To argue that the title "Manuscript Story" cannot have been Spalding's title simply because the handwriting on the wrapper does not appear to match Spalding's handwriting is both irrelevant and something of a stretch. Perhaps the writing was his wife's, placed there when she packed her husband's manuscripts for shipment to New York. Since no samples of her handwriting appear to be readily available for comparison, no one can say for sure. Clearly the writing is not Hurlbut's, since the script does not match his either; nor, for the same reason, can it be that of the mysterious writer of the January, 1812 draft letter which appears in the manuscript at page 132. The handwriting could be that of Eber Howe, based upon the limited sample of his writing that we have in-file. In the final analysis however, both the nature of the wrapper and the handwriting which appears upon it are largely irrelevant to the matter at hand, and therefore to avoid further dispute we are more than happy to concede that the writing in question is probably not that of Solomon Spalding, nor of Hurlbut, nor of the unknown writer of the draft letter dated January, 1812. All things considered, we venture to postulate that it is most likely the handwriting of Spalding's widow, and that she placed the wrapper around the manuscript and wrote the inscription while packing her late husband's effects for shipment to New York c.1817. An alternative possibility is that both the wrapper and the inscription originated with Howe, who, according to his statement of April 8, 1885, indicates that he was at least aware

Spalding had entitled this work "Conneaut Story," although, unfortunately, he provides no indication of how he came to know this.

10. Mr. Hale discounted Mrs. Eichbaum's reminiscence, because it was first written down at a late date (1879) and because Howe's book quotes a Mr. Patterson as saying he did not know about Spalding's MS. Mr. Hale did not acknowledge the 1840 Robert Patterson statement in Samuel Williams' pamphlet, nor the later reminiscence provided by Elder William Small.

Reply: It is not the date of Mrs. Eichbaum's statement which is at issue here, but rather the fact that what she said can now be reliably substantiated. She said in 1879 that Rigdon received his mail in Pittsburgh. We proved in 1999 that she was entirely correct in spite of a long history of Mormon denials.

A careful examination of the circumstances surrounding Howe's report that Robert Patterson failed to recall anything about Spalding's manuscript suggests that whoever conducted the interview approached the wrong Mr. Patterson with the wrong question. The existence of TWO Mr. Pattersons is carefully documented in The Spalding Enigma, as is the reasoning behind our conclusion that it was Joseph and not Robert who was Spalding's principal contact at the Pattersons' print shop.

Finally, the date of Robert Patterson's statement to Samuel Williams (mentioned above but not acknowledged by Mr. Hale) was April 2, 1842, not 1840 [Williams, Mormonism Exposed, 16].

11. Mr. Hale admitted that Sidney Rigdon probably visited Pittsburgh as a young man, but his only response to the appearance of Rigdon's name in published Pittsburgh letter lists, was that the printing of such a list showed that the recipient had NOT picked up any such letters waiting for him -- thus tending to demonstrate that he had NOT been to the Pittsburgh Post Office, and contradicting the Eichbaum testimony.

Reply: Whether Rigdon did or did not pick-up specific letters on-time is irrelevant. The fact remains that both he and Solomon Spalding received their mail through the same post office just as Mrs. Eichbaum said they did. Moreover, if one is to accept Mr. Hale's logic, one could equally argue that ALL of the unclaimed letters on those mail lists had been mistakenly sent to the Pittsburgh post office, and that NONE of the people named on those

lists ever lived in Pittsburgh or got their mail there. Finally, the multiple presence of people's names on early mail lists is widely accepted by modern historians as strong evidence connecting the individual with the location.

12. Mr. Hale appeared to eliminate all of Arthur B. Deming's published statements, as providing historical facts, because Deming offered to pay contributors to his newspaper for their submission of materials he might find useful for publication. Evidently Mr. Hale suspected that Deming paid money for the signed, dated and notarized statements which he obtained PRIOR to publishing his 1888 solicitation.

Reply: Whether Deming did or did not compensate his witnesses for their trouble is largely irrelevant unless it can be shown that specific witnesses deliberately invented, altered or embellished their testimony in order to receive payment. Even today, it is a common practice to pay expert witnesses to offer their testimony in court. In order for Mr. Hale's blanket dismissal of the Deming witnesses to prevail, it remains incumbent upon him to convincingly demonstrate that any or all of those witnesses effectively perjured themselves for filthy lucre or some other equally nefarious purpose. Failing such impeachment, the testimony of these various witnesses must stand as offered since there is absolutely no valid reason to disbelieve them.