

Rare Books and Manuscripts Thievery, Then and Now

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McDADE, Travis. *The Book Thief: The True Crimes of Daniel Spiegelman*. Westport, CT: Praeger, 2006. Small 4to. Hardcover. xiv, 181pp. \$49.95.

McDADE, Travis. *Thieves of Book Row: New York's Most Notorious Rare Book Ring and the Man Who Stopped It*. New York: Oxford University Press, 2013. 8vo. Hardcover, dust jacket. xi, 216pp. Illustrations. \$27.95.

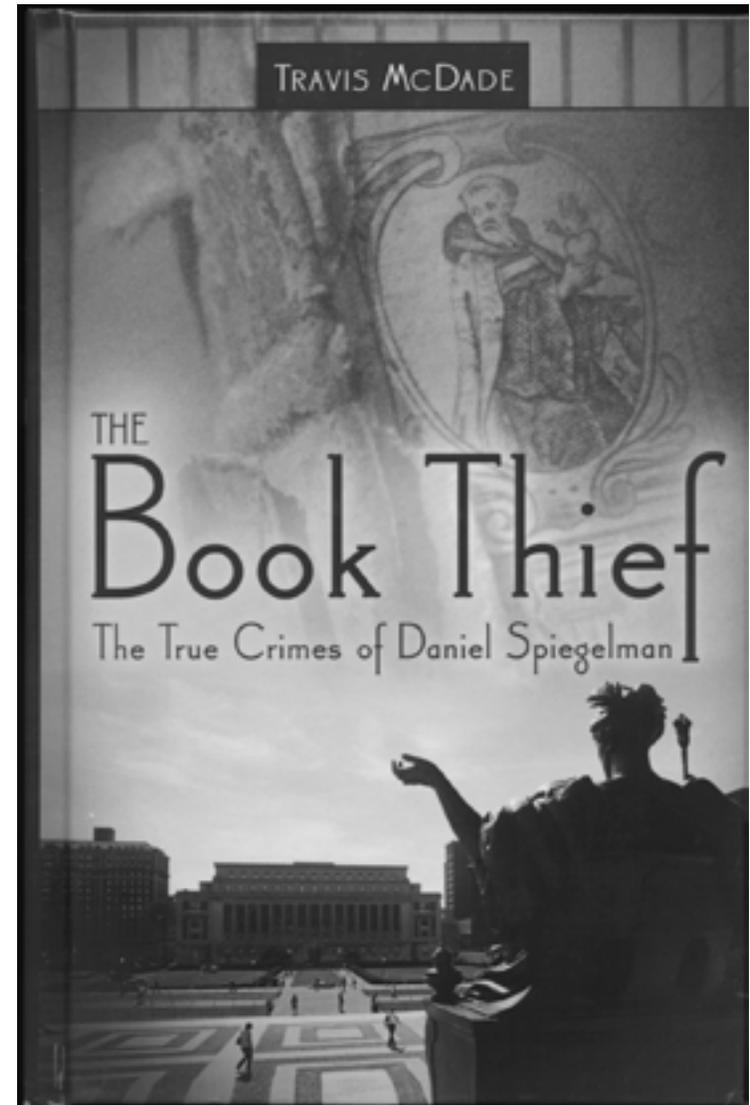
I was settling in to review Travis McDade's new *Thieves of Book Row*, reading every square inch of the dust jacket copy (yes, you read that right), when I learned that McDade had penned a previous title of interest and relevance to autograph collectors that had somehow evaded my widely-cast net. I was also intrigued to learn that the author has the unusual background of being a librarian with a law degree and teaches a course on rare book theft at University of Illinois College of Law, which must bring a very different perspective to the topic. While McDade's new title concerns a true crime drama that took place about three-quarters of a century ago, let me first belatedly address his half-dozen year old true crime drama that took place only about fifteen years ago.

The Book Thief: The True Crimes of Daniel Spiegelman chronicles

the mid-1990s bookish crime spree of this Eastern European immigrant who by all accounts was so monumentally unpleasant and disagreeable that only near the end of his account does McDade note: "I have neither attempted to ascertain his whereabouts nor sought to interview Daniel Spiegelman.... There was nothing to be gained from hearing 'his side of it'.... I don't need to be lied to or told that Spiegelman is really a good man with the best of intentions. The record speaks for itself." A surprising admission, this, and one with which I have philosophical differences. Personally, I would *LOVE* to hear Spiegelman's version of these events, which I'm sure would carry as much spin as my son Julian's wicked ping pong returns. Frankly, given Spiegelman's incredibly taciturn nature, it's a moot point. I doubt he would ever have consented to be interviewed in the first place.

The Book Thief tells of Spiegelman's repeated nightly visits to the Rare Book and Manuscript Library, part of the Butler Library at Columbia University in New York City. For such a secure facility, Spiegelman devised simple but effective means to enter the locked-down vaults in such a way that left almost no trace. Their security was rudimentary but not high-tech, so don't picture a *Mission Impossible*-type mastermind foiling motion detectors and security cameras with even higher-tech gadgetry. His visits were frequent and fruitful, allowing him to extract a wide array of treasures culled at random and to cram several storage units around Manhattan with rare books and manuscripts. Spiegelman wasn't one of those who stole books and documents to satisfy a twisted collecting mania. He stole for one reason only—monetary gain—but knew nothing about the merchandise or its value. In a treasure house like the RBML vault, though, it was hard to go wrong. "He had no real experience with rare books," writes McDade, "nor did he have any way to fence the items—an oversight that would eventually be his downfall—but he saw a target that was rich and not protected near enough in proportion to its value."

By the time a RBML curator discovered an empty preservation case that should have contained a medieval Spanish manuscript, it was too late. Spiegelman cleverly left the preservation cases that protected each book and manuscript in their place, so at a glance nothing appeared to be missing. A hasty initial tally



by this curator and her colleagues turned up fourteen missing medieval items, a number that quickly grew to twenty.

McDade is adept at placing Spiegelman's crime into historical context. He chronicles book thefts galore, miscreants from coast

to coast who've stolen books and autograph items, largely from university libraries—and invariably received light, slap-on-the-wrist sentences or probation and restitution of the stolen material or its value. “Punishment for book crimes,” he sums up, “is a sad joke. Even when a thief is caught red-handed, he is treated as less a major criminal than a person who simply has overdue library books... further fomented by lame newspaper accounts whose titles often work in the overdue book angle.” Here lies the crux of McDade's interest in this case—the criminal justice aspect—and elsewhere he comments:

What the pattern of punishment for rare book criminals seems to be is one where first offenses, no matter how egregious or large in scope, are treated with remarkable lenience. This is particularly true where the “first offense” in question is a prolonged and systematic theft of books over the course of many years. No youthful, spur-of-the-moment crimes these, most of these thefts have been well thought out and richly considered plans that not only involve large sums of money but also actually do damage to the community as a whole, the one entity criminal law is supposed to protect.... The theft of books from libraries has an impact on the commonweal. It is, quite literally, a theft from everyone in the community.

Another interesting angle that McDade brings out is how effective the rare book community has become at tripping up book thieves. It's rarely in the act of stealing that thieves get caught (almost never, actually), but rather in the process of selling the stolen goods that most are exposed—and authorities usually aren't involved at this point. Notes McDade, “the police are only incidental to the resolution of the crime. It is the community of librarians, book collectors, and dealers that does most of the work.” Most antiquarian booksellers, myself included, have tales of participating in sting operations to capture book thieves offering stolen merchandise.

Eventually, many months later, after Columbia's librarians had undergone scrutiny to rule out an inside job and the inventory of stolen items continued to grow, a Dutch dealer was offered “presidential letters by Washington and Jefferson” and a rare medieval “Roman de la Rose” manuscript by a strange man with corny stories about why he needed to sell them for

cash only. Finally, after an even more strange Keystone Cops capture in which the Utrecht police reluctantly took part, Daniel Spiegelman was captured and became a guest of the state in the Netherlands.

Finally the FBI could get involved and learn about Spiegelman's safe deposit boxes in Manhattan. At one they found “several George Washington letters, several John Adams letters, and one signed image of James Monroe. They also found the ‘psalter’ (a book containing Psalms), a Koran, two Illuminated texts and what they described as other ‘miscellaneous documents.’.... quite a haul for one location.” At another “they found three more items: another psalter and two Latin manuscripts,” and at a third “they found plenty more: twenty manuscripts on vellum, seven presidential letters, numerous maps that had been cut from the Blaeu atlas, an Arabic document, another psalter and several Thomas Edison documents.”

The core of *The Book Thief*—the part that makes this more of a criminal justice text than a true crime thriller—is McDade's lengthy, in-depth analysis of the issue of judicial sentencing guidelines. He guides the reader nimbly through the labyrinthine twists and turns the judicial system has taken over the past few decades in trying to attain reasonable sentencing policies that everyone could agree to and could be applied fairly by judges regardless of geography or party affiliation. The obtuse world of “upward departures” and “downward departures” and other arcane judicial concepts is a fascinating topic and well presented, though outside the purview of this review—for the most part.

Spiegelman's pre-trial and trial fill far more of *The Book Thief* than I anticipated. Just the process of getting him extradited from the Netherlands became a painfully drawn-out process. Spiegelman figured any time he spent in a relatively cushy Dutch prison would be better than time in a tougher American prison—and that the Dutch time would be subtracted from his American prison sentence. He won delays at every turn. He was then incorrectly connected with the Kansas City bombing and the Netherlands refused to extradite him, as they do not have the death penalty and will not extradite to countries that do.

Once finally extradited, Spiegelman's attorney proved equally adept at drawing out the process. When it became clear

that the judge assigned the case – Lewis Kaplan, a free-thinker unafraid to set precedent—was going to “depart upward” and pronounce a sentence higher than that agreed to in a plea bargain, both sides dug in their heels and the debate began: How much beyond mere monetary value (and even that amount was in debate) do cultural artifacts have and how should that effect sentencing? Among other events, the RBML director Jean Ashton penned a letter to Spiegelman’s probation officer to become part of the official case report submitted to the judge before sentencing—a damning letter that “set the ball rolling on what would be an extraordinary turn in Guidelines history.” In a nutshell, the library director “forwarded the most radical idea that rare materials are worth far more than their sum at auction.”

Spiegelman and his defense made several tactical blunders too that contributed to the ground-breaking decision. Mistake #1:

If he had simply pleaded guilty and quietly served his time in prison, he could have been out of incarceration in a couple of years and again selling the stash of rare books and letters that he had stolen from Columbia and squirreled away. Instead, on April 24, 1998, having already spent almost three years in jail and countless dollars on attorney’s fees, he was sitting in a New York courtroom ruminating on the knowledge that the judge in front of him was disposed to increase his punishment well beyond the statutory maximum.

Mistake #2 was a request for a special type of hearing to hear further evidence:

Had there been no hearing, the judge would not have had the opportunity to cite to this demonstration as further evidence of the lack of accuracy of the monetary valuation.... Had Spiegelman simply been sentenced in the summer of 1997 it is likely he would not have gotten anywhere near the level of departure that Judge Kaplan finally settled on.

I won’t reveal what Spiegelman’s sentence was, but it was far enough above the guideline maximum that librarians, dealers and collectors have high hopes that rare book and document

thefts in the future will carry prison sentences appropriate to the seriousness of the crime. Spiegelman did make mistake #3, by the way: Shortly after sentencing, he escaped from the halfway house where he was temporarily living and attempted to sell more Columbia documents to a Connecticut dealer. Longer prison term, longer supervision period afterward.

The Book Thief does come up short to this reviewer in several ways. The complete lack of illustrations is baffling. Why not a mug shot of Spiegelman, Judge Kaplan and some of the other major players, of Columbia library, of some of the more remarkable stolen items? Typographical errors, to beat a familiar drum (and mix metaphors), do rear their ugly head far more often than one would expect in a semi-scholarly production. There are missing articles, missing prepositions, missing or misplaced apostrophes, run-on sentences, misused words (“bottomline,” “anymore,” “in to” for “into,” “apart” for “a part,” etc.). The publishers dropped the ball here, not McDade, in failing to provide strong line editing.

Book Row Thieves

Thieves of Book Row: New York’s Most Notorious Rare Book Ring and the Man Who Stopped It took this reviewer by (very pleasant) surprise. I consider myself fairly well versed in American bookselling history, but the subject of this slim little expose was completely unknown to me. A network of thieves systematically pillaging public and university libraries, historical societies, other book repositories and even other bookstores up and down the east coast in the late 1920s and early 1930s and selling massive amounts of stolen books to a trio of New York booksellers? There are well-known incidents of thefts in this time period, to be sure—but the existence of an organized force behind countless thefts, a kind of bibliophilic *cosa nostra*, adds a whole new disgraceful chapter to 20th century bookselling history.

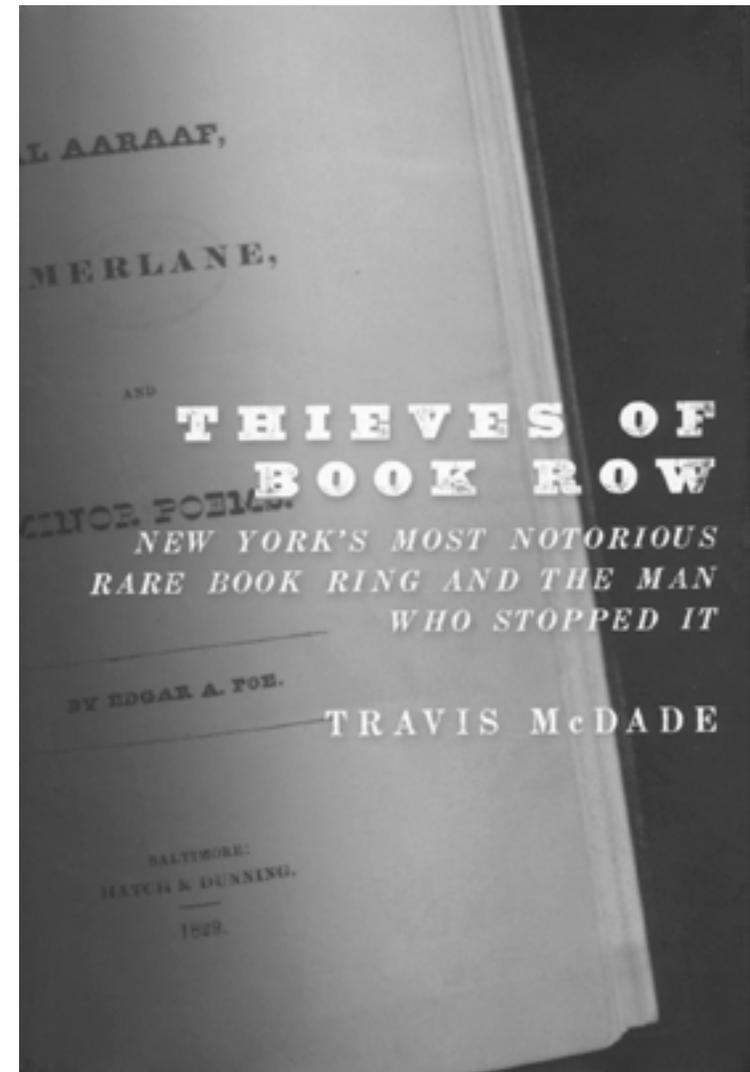
Thieves of Book Row should be considered a prequel to *The Book Thief*. I’ve jokingly called our internet era the Wild West free-for-all of American antiquarian bookselling, yet McDade paints a colorful picture of New York’s Fourth Avenue—a dense concentration of booksellers known as “Book Row” – that’s far more authentic. The boom years of the ‘20s had fizzled into the bust years of the ‘30s, and desperation breeds crime. Writes

McDade, “a great many dealers were absolutely impure, particularly during the Depression, when a difficult industry was nearly impossible. Booksellers did what they could to survive, ranging from the mildly unethical to the outright criminal. And most dealers, in one way or another, benefitted from it.”

It was perhaps the lowest point in American bookselling history. “...the period of the Book Row theft ring, starting in roughly 1926 and covering the entire Northeast for a half decade, was the worst time for library theft in American history.” Its leaders were three of the most unsavory bibliopoles you’ll ever meet: 48-year-old Russian immigrant Charles Romm (“the face and temperament of Al Capone... savvy, tough, and built like a bulldog”), Danish immigrant and erotica specialist Ben Harris (“just the right combination of recklessness and ambition”), and Lower East Side street urchin Harry Gold (“the primary recruiter and trainer of new talent”). Just as Fagin in Charles Dickens’ *Oliver Twist* turned homeless children into pickpockets and thieves, Gold nabbed shoplifters in his store and trained them until they “could identify fifty to one hundred books of value on a library’s shelves and... manage to steal from as many as three libraries in a day.”

It’s difficult to imagine how different was the book collecting scene of the 1930s from today. Libraries often kept valuable antiquarian books on open stacks that today would be kept in non-circulating locked special collections departments. They also often marked their books in ways that today strike us as quaint—and far more easily removable. Also importantly, the obsession with condition that has grown into a mania since World War Two hadn’t yet gripped the first edition market quite so firmly.

Devotees of the New York Public Library will particularly enjoy *Thieves of Book Row*. McDade delves heavily into the history of the security of this venerable institution. NYPL was “the one library [the theft ring] never hit.... The stacks were, of course, lined with items of terrific value rivaling any library in America. But they were nearly impossible for thieves (unless they worked for the library) to access. And the best items... were housed in something called the Reserve Book Room, an area that might as well have been on the moon as far as thieves were concerned.” McDade recounts some notable book thieves who plagued that library around the turn of the century and resulted in their



naming one of their own librarians as special investigator: Edwin White Gaillard. (Seinfeld fans may recall the “Mr. Bookman” character, a rabid deadpan NYPL library cop who hunts down holders of overdue books—a Gaillard-inspired character?) Gaillard spent two decades devoting himself to library security,

chasing down book thieves relentlessly and following through their prosecution.

The scrutiny that ultimately led to the demise of the Book Row theft ring came when Harry Gold had the audacity to commission three of his minions to steal first editions of Nathaniel Hawthorne's *The Scarlet Letter*, Herman Melville's *Moby Dick* and—holy of holies—Edgar Allen Poe's *Al Aaraaf, Tamerland and Minor Poems* from the NYPL itself. The first two are desirable and spendy, but this last is a breathtaking rarity of which only a few survive and any appearance is newsworthy. McDade surveys Poe's meteoric rise from drunken obscurity to posthumous literary superstardom. He also surveys the mostly apocryphal tales that circulated among booksellers of *Aaraaf* copies found amongst piles of worthless pamphlets, copies found by penniless widows and similar fantasies. He also places *Al Aaraaf* into the contemporary context of the fabled Jerome Kern book and autograph auction of 1929, which set new high water marks for values and surely set Gold's mouth to watering.

Gaillard died in 1928, replaced by the man who inspired this book's subtitle—the “plump, genial, white-haired” G. William Bergquist. Bergquist could not have operated more differently than his pit bull predecessor, yet he proved every bit as effective is his own mild, Mr. Rogers way. He pursues leads and shady characters and comes close to reclaiming *Al Aaraaf* a couple of times. A coordinated police operation in 1931 finds plentiful stolen books in Charles Romm and Ben Harris's bookshops, but “Harry Gold's luck held out”—somehow he had been tipped off, and his shop “was cleansed of stolen books.” Romm and Harris each got modest jail sentences—but in the country's most dreaded prison, Sing Sing. Bergquist and the police do manage to buy back *Al Aaraaf* later for \$425 and arrest Gold, but luck follows him for the rest of his life and his modest sentence is overturned due to “faulty statutory interpretation” and he's released after several months.

Other colorful characters populate *Thieves of Book Row* amidst these attempts to bring down Gold and his coevals. Most memorable of all is Harold Borden Clarke, “a piece of work,” whose antics read like something out of a third-rate crime noire novel. This young Nova Scotian felt that “with a combination of indignation, bluster, and strategically dropped names he could talk

his way out of just about anything.” And talk this two-bit criminal who pilfered the Boston book scene does, ad nauseam, an outrageous outpouring of lies and self-glorification that will make you want to scream and wrap your hands around his throat.

Then there's Clarke's mentor, William “Babyface” Mahoney. Bergquist detects in him the desire to go straight and a true bookish interest. In return for his testimony, Bergquist kindles Mahoney's feelings and helps him turn his life around. Eventually Mahoney becomes special investigator at the Newark Public Library—and aids Bergquist in capturing an old colleague-in-crime:

This most surprising character, for me, had little to do with the Book Row theft ring, though Bergquist had hunted him for years. The fact that the author of a now-obscure reference book that's rested on my own reference shelves for 25 years (*The General Guide to Rare Americana*, 1944) was perhaps “the greatest book thief of all time” was a shocker. Stanley Wemyss was “thought to be responsible for more disappeared books than the Boston Fire of 1872”—a loner who scoured the east coast and even inland more thoroughly than any other book thief, often selling to the famed high-end Americana specialist, William E. Smith of Cincinnati. He too got a slap-on-the-wrist sentence—six weeks—in return for testimony on other book thieves. I'll never look at my copy of his book (“created in part from the list of valuable and theft-worthy books Wemyss carried with him”) quite the same.

Thieves of Book Row does contain a modest number of illustrations, though not enough to quench this reviewer's thirst. At one point Stanley Wemyss complains, “I can't steal anymore because every library in the country has my picture now.” So why can't readers of this book see his picture?! Surely there exist mug shots of Harry Gold, Charles Romm, Ben Harris, Harold Borden Clarke, “Babyface” Mahoney and others profiled here archived somewhere in the penal system. Readers are curious to have a face to attach to these intriguing characters.

In *Thieves of Book Row* McDade illuminates a neglected, shameful period in American bookselling history. I did hope this theft ring would appear better defined, its organization clearly depicted. As it is, the theft ring is rather out of focus. There's no discussion of when and where the three primaries met—how they decided who got which stolen books—whether

they mapped out the thefts in an organized fashion or whether the thieves were free to plunder wherever they wished. Was there a hierarchy among the thieves, with experienced thieves training the new recruits, or did Gold train them all? Were the locations of any of these warehouses of stolen books ever known? This kind of detail is, I suppose, lost to time, never committed to paper by any of the participants. The book theft ring is never portrayed in as concrete detail as I had hoped.

The copy of *Al Aaraaf* rests again on the shelves of the New York Public Library—*Moby Dick* and *The Scarlet Letter* were never recovered—but McDade offers these poignant thoughts about “the fate of thousands of books carefully culled from the stacks of northeastern libraries”:

Forgotten, and often not thought valuable by the people who discovered them, they were sold off in boxed lots at yard sales and local bookstores. They were bought up again, usually one at a time, and placed on shelves in houses, or at other booksellers, to be bought and sold, bought and sold, bought and sold. These books traveled the way rare books often do in commerce—misidentified, undervalued, and marked, eventually found by a collector or trained book scout who cannot believe his luck. Very few ever made it back to their original owner.

Taken together with McDade’s earlier book *The Book Thief, Thieves of Book Row* confirms that old adage: The more things change, the more they stay the same. Library security has come a long way since the bad old days of the 1930s, but Daniel Spiegelman’s methods wouldn’t have seemed at all out of place in the 1930s. Where there’s easy money to be made, greed and ingenuity find a way.