

The Antiquarian, the Bibliopole, and the Legal Black Hole

WILLIAM BUTTS

LARKIN, Jack and SLOAT, Caroline. *A Place in My Chronicle: A New Edition of the Diary of Christopher Columbus Baldwin, 1829-1835.* Worcester: American Antiquarian Society, 2010. 4to. Hardbound, dust jacket. xliii, 322p. Numerous illustrations. **\$55.00.**

TOMASKO, Mark D. *Ray Safford, Rare Bookman.* New York: The Grolier Club, 2010. 8vo. Softbound. 84pp. Illustrations. **\$15.00.**

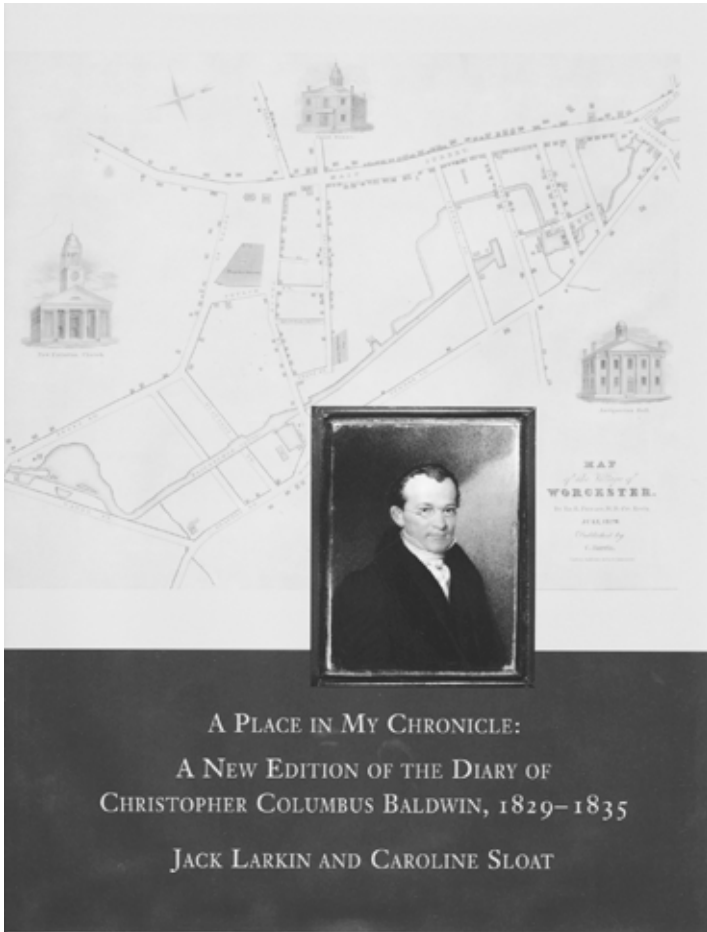
DOW, Elizabeth H. *Archivists, Collectors, Dealers, and Replevin: Case Studies on Private Ownership of Public Documents.* Lanham: The Scarecrow Press. 2012. Small 4to. Hardbound. xvi, 128pp. **\$65.00.**

If reading the diary of an early 19th century New England librarian sounds as appealing as curling up with the *Congressional Record*, think again: Christopher Columbus Baldwin, first full-time librarian of research library extraordinaire American Antiquarian Society of Worcester, Massachusetts, was no retiring wallflower type, no geeky librarian cliché. Baldwin was a tireless, gregarious entertainer, socializing and dancing, dining and drinking—and occasionally being an antiquarian. By the

time you finish *A Place in My Chronicle*, you'll look upon the frontispiece portrait of this lively Bob Cratchit lookalike fondly, like a dear friend sorely missed. Consider this book a prequel or companion volume to Philip F. Gura's *The American Antiquarian Society, 1812-2012: A Bicentennial History*, a volume I reviewed and highly recommended in the Summer issue of *Manuscripts*.

Jack Larkin's lengthy introduction places Baldwin into context and gives the reader the background to appreciate the diary that follows. Born in 1800 into an upper middle class family, Baldwin began practicing law in 1826. By temperament he was spectacularly unsuited to the attorney's life. Larkin shows "he was neither aggressive nor ambitious... he disliked competition and conflict... he was increasingly bored with the commercial work that came his way" and his career languished. Fortunately, the diary charts "his transition from increasingly discontented lawyer to happy antiquarian." So besotted with all things antiquarian was Baldwin that he "consciously changed his handwriting as well, giving it a strong marked angularity so that it would echo the 'black letter type' characteristic of the earliest years of printing"—that's hardcore.

Most fascinating in this introduction is Larkin's compelling theory of a fatal disease that he concludes the librarian suffered from, a diagnosis based on Baldwin's description of chronic ailments: "a tuberculosis of the bones, tuberculosis arthritis." This "insidious advances of disease" (as one of his eulogists described it) often took Baldwin out of commission in the months before his untimely death. "Retrospective medical diagnosis is an uncertain enterprise," Larkin concedes, "but evidence from his diary strongly suggests that he suffered from a slow-burning but progressive infection of the bone." He persuasively spells out the forensic evidence that "most likely... by 1835 the infection was not only ravaging Baldwin's knees but becoming systemic, sending him on a consumptive decline. In a world without antibiotics, there would be no cure." Fate intervened, and instead Baldwin became Ohio's first traffic fatality on August 20, 1835, when the stagecoach in which he rode while on a journey researching Indian mounds flipped, killing him instantly. (How poignant that on December 29, 1831, Baldwin writes: "I take the Mail Stage... and go to Worcester.... The stage turns over at Newtown and we are all tipt into the snow:—nobody hurt. There were 10 inside.



I came top of them all and was no way injured. I must be thankful for such mercies.” And on September 25, 1833: “I get into a vehicle... one of the fore-edge wheels ran off, and as my side was the one that went down all the passengers came upon me. Beyond playing the devil with my hat and spectacles, I was not much injured.” Sadly, the third time was *not* the charm for Baldwin.)

Baldwin took pen in hand on New Year’s day 1829. Just as Samuel Johnson had his James Boswell, Worcester and the American Antiquarian Society have Christopher Columbus Baldwin—a comparison Baldwin would have disliked, as he found some of

Boswell's diary-keeping advice absurd and impractical. *A Place in My Chronicle* is a window into early 19th century New England written by a vibrant, intelligent bachelor, a hail-fellow-well-met man about town. It's great slice-of-life material that frequently calls to mind Currier & Ives lithographs we've all seen. Sleigh riding for pleasure crops up amazingly often during the winter months—harsh winters that remind this reviewer of the silent winter beauty captured in Whittier's *Snowbound*, which is set in the same era and the same area.

A Place in My Chronicle may be read and enjoyed simply as a social chronicle, for Baldwin never gets carried away with page after page of arcane bibliographical and other bookish matters—he's far too social a creature for that. No, Baldwin's life at times reads like an endless stream of social calls, casual gossip about people he's met, weather observations, playing games and going hunting, the comings and goings of an up-and-coming city. His style is refreshingly brief and concise near the beginning, strictly just-the-facts-ma'am style, occasionally lapsing into blunt ("7/28/30 Cloudy with some rain. 7/29/30 Pleasant. Read Law & Christian Examiner."). Later he realizes the value of more in-depth commentary and his daily entries become more conversational, though never verbose.

In our age of multi-tasking, which the internet has only splintered and made more frenetic, it's striking how calm, how purposeful, how *focused* Baldwin's life seems. I hesitate to write "simple pleasures" and evoke sentimental stereotypes and simplistic notions about how life was simpler and better back when—though Baldwin did indeed seem to have the "Gift to Be Simple." Baldwin's day to day life feels basic and primal compared to today's hectic, information-overladen society: Baldwin works, he plays, he eats, he thinks.

Baldwin finds plenty of time, for instance, to satisfy his pre-occupation with genealogy. Whenever he visits other towns, he spends hours at the local cemetery, transcribing vast numbers of tombstone inscriptions for posterity and future genealogical research. In one town he was shadowed as he went about this hobby—they "could not explain my being in the grave-yard except upon the ground that I was there in pursuit of a dead body!" (Fortunately the editors include one to two pages of these headstone inscriptions, which are admittedly interesting.) Related to

this is Baldwin's habit of citing genealogical background on just about every person he encounters—not everyone's cup of tea. He's unable to mention even the briefest meeting without noting that so-and-so was second cousin of his former law partner's aunt and married into the such-and-such family well known for.... But that's what you get with personal journals, so be prepared to slog through it.

Baldwin had many interests other than books and documents, too. The then-fashionable and since-discredited pseudoscience of phrenology—interpreting a person's character through the shape of their skull—captured his fancy. He reads books about it, attends the occasional lecture, meets authorities in the field. Baldwin was a freethinker when it came to religion, and didn't hesitate to question doctrine and deplore false piety. There's fascinating commentary on a days' long religious revival that occurred in another town where Baldwin lived briefly. "I have not attended any of them," he notes. "I do not believe in the doctrine they preach, and they call me such hard names when I do venture to hear their preaching, that I think it improper to go near them." (And Larkin elaborates in a footnote, "CCB was appalled by the hyperemotionalism and what he saw as the coercive tactics of the revival meetings held by orthodox Congregationalists....")

It's nearly halfway through *A Place in My Chronicle*—April 1, 1832—before Baldwin writes, "This day my salary begins as Librarian of the American Antiquarian Society" and entries of a book and autograph nature appear more frequently. On October 27 of the previous year he'd remarked nervously, "I am a candidate for Librarian of the Antiquarian Society and am anxious lest I be outwitted and another get the place." Up to this point it's astonishing how little time this lawyer spent lawyering. On August 20, 1831, for instance, he noted: "I have done nothing for eight days but read Butler's *Reminiscences* and Hoyt's 'Researches.'" But on April Fool's day 1832 he cast off the profession he held in little regard and dove into answering AAS correspondence and arranging books. He never looked back.

The Society first appears in Baldwin's diary the month after he began writing it, when he "Write[s] Benj. Trumbull... to have him give his father's manuscripts to the Library of the American Antiquarian Society: he is son of the Historian of Con." He was

often beating the bushes on their behalf before becoming a salaried employee. A few months later, as unpaid part-time librarian there, he “Assist[s] Isaiah Thomas, LL.D. President of the A.A.S. in making an account of books given... within the year,” followed by “Very pleasant: Assist Mr: Thomas” for three consecutive days. On February 16, 1830, he “Write[s] to Noah Webster... requesting him to give a copy of his dictionary to A.A.S.” And on October 25, 1831, he visits the home where the illustrious Mather family had lived in Boston, “to see if there might not be found some of his papers in the Garret.” The day before the occupants had discovered “the ceiling was completely filled with old papers which nobody could read,” but Baldwin could not pry them away. “How much,” he bemoaned, “how very much is it to be regretted that our Boston Antiquaries will not rescue such invaluable gems from destruction! Many old houses in the city are full of such treasures. They are perishing daily.” On December 28, 1831: “I visited the Boston Athenaeum and had a sort of interview with the Librarian Dr. Bass. He offers me a Catalogue of the Library for the Library of the A.A.S. and I propose to him to use his influence for the purpose of giving our Library their duplicate pamphlets....” Baldwin was truly a librarian in waiting.

As librarian, Baldwin was a pit bull in pursuing book, manuscript and newspaper acquisitions. Autograph material ranked high among his interests. Call him opportunistic, but wherever he traveled, opportunities presented themselves—or walked through the door to him, as on February 21, 1834: “I was visited today by R.C. Royce Esq. of Rutland, Vermont.... I talked with Mr. Royce much about Ethan Allen, and he promised to find for me some of his manuscripts.” Or on May 28, 1834: “I met with Mr. [Andrew] Belknap, son of Jeremy, the Historian, who obligingly gave me two ms sermons of his father.” Of course he had the occasional wild goose chase, too. He visited a local man who was involved in settling the estate of a lieutenant governor—which *may* have contained some manuscripts of a historian named Thomas Prince—amongst which *may* in turn have been Baldwin’s Holy Grail: “What I was in pursuit of more particularly was the Ms. History of Plymouth Colony by Gov. Bradford. Mr. Prince had this in his possession, and it has been said that it perished in the gutting [of] Gov. Hutchinson’s house. Yet, as it has never been found, I entertained a sort of hope that I might find

it....” (A helpful editor’s note tells us that this manuscript “was discovered in the library of the Bishop of London, and in 1897 was returned to the Commonwealth of Massachusetts and is now in the State Library.”)

Baldwin was also something of a clearinghouse for autographic news and gossip, as when a visitor “told me that, when in London, he saw in the possession of Obadiah Rich, the American Bookseller, the correspondence of Gov. Bernard of Massachusetts, which had been rescued from a person who was going to make use of it as waste paper. Rich asked a thousand Dollars for the whole collection”—very serious money for 1834. From Lemuel Shaw, Massachusetts Chief Justice, Baldwin learned the questionable tale of the Regicides of King Charles II and how “all the manuscripts of the Regicides, came into the possession of the Rev. Jonathan of Barnstable, and were preserved in a chest... A hole was dug in the ground somewhere in the neighborhood... and the box or chest, papers and all, were interred together and have never been taken up. And the spot where they were buried is not now known.” And on May 8, 1834, he offers up this disparaging opinion of the famed autograph collector William B. Sprague:

Rev. William B. Sprague... has picked them over [“several bundles of manuscripts which belonged to Gov. Huntington”] and carried away many of them. I fear he has taken the meat and left me the shell; for he has so much fury about him in collecting autographs that he would carry off everything that had a name attached to it. I am heartily glad that he has gone out of New England, for he is so much esteemed wherever he goes that people let him into their garrets without any difficulty, and ...never think to look under his cloak to see how many precious old papers he bears off with him.

And as thoroughly honest as Baldwin seems, he admits to himself in one entry, after examining in a tavern a curious American New Testament translated into “the popular language of the day” which was not for sale, “I never had so strong a disposition to steal a book as I had this.”

Many times Baldwin *caused* the creation of manuscripts. He was forever asking old-timers to pen recollections for him—not

necessarily well-known persons, but simply those he felt had a worthwhile story or distinguished family history. And he was audacious enough to ask repeatedly. On February 20, 1834 “I was visited at the Antiquarian Hall this morning by the venerable William Woodbridge.... He is in his eightieth year... He was a Class mate at Yale College with Noah Webster, and has been a schoolmaster for fifty years! ...Before he left, I sat down and wrote him a letter, requesting him to give an account of his labors as an instructor when he should return to Utica, and with any facts connected with his life which he might think of any interest.” This same scenario occurs repeatedly throughout *A Place in My Chronicle*.

In pursuing printed material—books, pamphlets, newspapers—Baldwin was prodigiously successful. Some coups were minor, as when on September 18, 1833 Baldwin “purchased in a Greenfield book store the *Life of the Rev. David Brainard*... and received a few volumes as presents to the Antiquarian Society.” Some fell into his lap, as on February 14, 1834, when he records: “Governor Lincoln gave me today about four hundred pamphlets!! They are mostly political.” Others were sizeable, such as in January 1834 when “the duplicate pamphlets which the Boston Athenaeum has offered to the Antiquarian Society, were in a favorable situation to be selected.... I went and examined the pamphlets and found them to be at least ten thousand in number, lying in a disorderly heap.” (A couple of weeks later, he gripes, “Yesterday I began making a Catalogue of the Pamphlets I obtained from Boston. My zeal for pamphlets came nigh being quenched by the labor there is in making a Catalogue of them. I was very busily occupied through fourteen days in making an alphabetical list only of about five hundred. But patience and perseverance will accomplish anything.”) Baldwin’s best-known coup I discuss in my review of Gura’s bicentennial history of the A.A.S. in the previous issue: The enormous book, pamphlet and newspaper collection of the elderly Thomas Walcott of Boston, which took Baldwin days of filthy, grueling work to pack up in a sweltering warehouse—all 4,476 pounds of it. On top of that Walcott’s nephew, a minister who acted as his agent, then offered Baldwin his pick of the 1500 volumes his uncle had given him! “Among them were many rare and scarce books,” but Baldwin gathered only “enough to fill a hand cart.... I cannot

admire and applaud such a generous spirit.” Larkin points out Baldwin’s “struggle between a collector’s acquisitiveness and his sense of fair dealing with such a generous man.” Later, Baldwin is crushed when the Society’s governing board, “instead of thanks for my pains in the acquisition... did not so much as utter a single note of gratitude.... Some person from hostility to me had represented to the Council that the donation was of small value.”

The Society benefited from Baldwin’s “begging propensities” as well. He persuaded the British government to donate their last, partial set of the “Record Commission,” a 74-volume set they had donated to twenty American libraries—but not to the A.A.S. “The whole set cost the British government £800 the set: which is near four thousand Dollars! How very liberal this!” So pleased was Baldwin with his success in snagging fifty of these volumes that he gloats: “And being in a begging humor, I also wrote to the British & Foreign Bible Society, asking them for all the Bibles printed in the Asiatic and Indian languages!”

When he could, Baldwin also purchased material for the Society, as in March 1834:

I must account this one of the happiest days of my life. I received early this morning a copy of the “Bibliotheca Britannica” by Robert Watt... for which I paid thirty-eight Dollars.... It is an exceedingly good book, and I do not comprehend how I have done without it.... It has often occurred to me how much we want such a work in this country.... I shall begin shortly to make a sort of Bibliotheca Americana... by making such a book, I may get some fame, and of all fame in this world the fame of a Librarian is the most to my taste....

Thus was fired a great ambition, but one that Baldwin’s death at age 35 cut short. It’s typical of his boundless energy and determination, though—“zeal,” he remarks elsewhere, “is necessary to attain excellence in anything.” Baldwin began gargantuan projects as casually as if noting the day’s weather. Take July 30, 1832: “I devote my whole time to the business of making a Catalogue. It is slow work, but not without pleasure and some profit.” The completion of this catalogue of the Society’s holdings would take years and massive effort, finally published long after Baldwin’s

death. How appropriate that Larkin illustrates the first page of Baldwin's handwritten catalogue draft.

And speaking of illustrations, Larkin and Sloat deserve kudos for including large numbers of illustrations that really bring *A Place in My Chronicle* to life—placing them alongside the reference instead of all together in one section. Thus on November 25, 1833, in New York City, Baldwin writes, “In the afternoon I saw the venerable James Swords, formerly well known as a printer in this city.... He has sent many presents to the Library of the Antiquarian Society....” Sure enough, the editors picture one of those “presents,” the title page of a pamphlet bearing Isaiah Thomas's penned note that it was a gift from Swords to the Society. When Baldwin mentions friends or important visitors, specific locations he's visited, specific books he's read, a photograph or other likeness of that person, place or thing is likely pictured nearby. What an outstanding (not to mention laborious!) way to enrich a 175-year-old diary.

Editorially, *A Place in My Chronicle* could serve as a model for how to publish a historical diary and make it accessible and enjoyable. I'm thrilled with the decision to place footnotes in the margins of the page they refer to (where they actually get read) instead of at the close of each chapter (which almost guarantees they be ignored). The text block runs narrow, leaving a full 3" margin on each page on which to run footnotes and smaller illustrations.

Larkin has done an admirable job of piecing together seven books into a seamless chronological text. Four of these diaries were penned in printed almanacs with handwritten leaves inserted, but there's the complication of undated insertions, fair copies penned later and separated from their original entries and other editorial nightmares. Larkin edits out an abundance of genealogical data that crowd the diary, explaining that “these masses of names and dates in themselves have little interest for most histories... they are a tedious distraction.” A heartfelt *thank you*, Mr. Larkin. A detailed “Notes on the New Edition” elaborates the many editorial decisions. (The *old* edition, by the way, was a 1901 edition severely and prudishly edited by Nathaniel Paine and published by the A.A.S.)

Another outstanding editorial feature of *A Place in My Chronicle* are thumbnail biographies of hundreds of persons named

in Baldwin's text, gathered in a handy "Biographical Notes on Individuals Named in the Baldwin Diary" at the book's close. (Incidentally, although we're told at the start this section appears on pages 253 to 287, but it actually runs from page 257 to 290.)

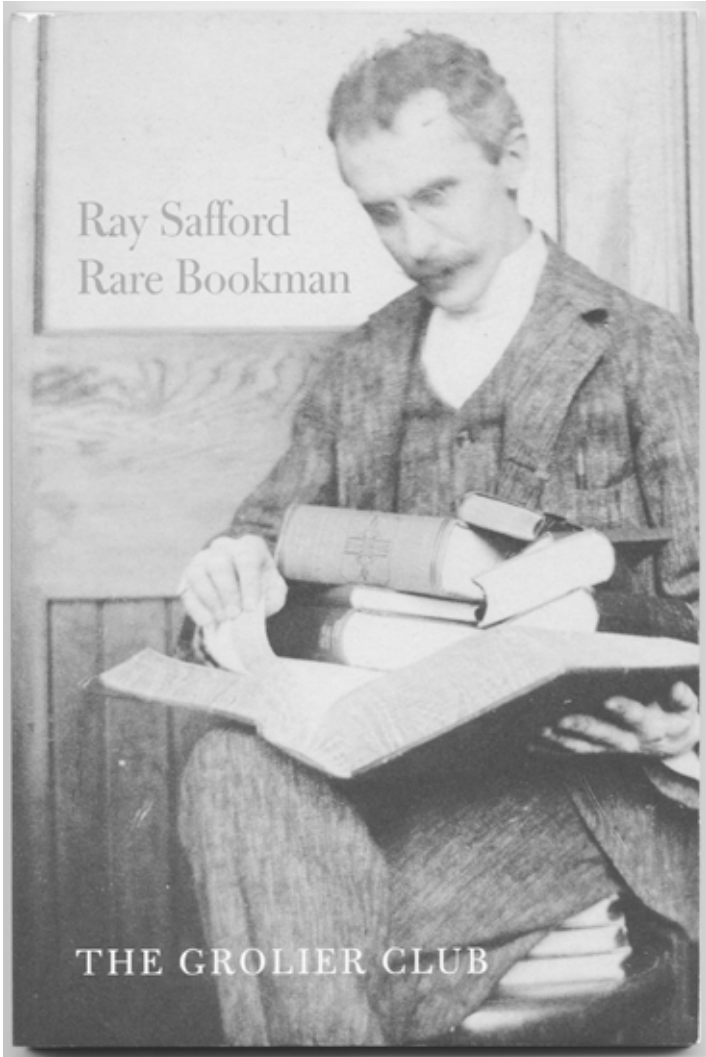
If ever a person was fated to be an antiquarian, it was Christopher Columbus Baldwin. *A Place in My Chronicle* will interest not only book and autograph collectors and those interested in the history of the collecting of these, but anyone interested in everyday life in 19th century New England. When that last entry of Baldwin ends almost mid-sentence on that fateful Thursday near Norwich, Ohio, and you see the photograph of his tombstone just above, you'd have to be cold-hearted not to sigh and get teary-eyed.

Ray Safford

Much as I as a dealer devour book lore and delight in reading about the wheelings and dealings of A.S.W. Rosenbach, George D. Smith and other legendary antiquarian dealers of yore, I find it a shame that the same few names tend to crop up. The higher-than-high-end dealers and collectors rule our anecdotal memory, for they could afford the fabulous rarities most of us only dream about.

So it's especially refreshing to learn about others who may not have been as flamboyant and colorful as "Dr. R."—who was?—but were very much a part of the New York rare book world in the early part of the 20th century. Mark D. Tomasko's *Ray Safford, Rare Bookman*, an illustrated exhibition catalogue, makes a welcome (not to mention inexpensive!) addition to any collector or dealer's library.

It's odd to think that some of the big box stores used to feature book, autograph and map departments. Department stores such as B. Altman in New York and (until not too many years ago, surprisingly) Marshall Field's in Chicago, among others—and yes, the New York publisher Charles Scribner's Sons, who operated the well-known Scribner Bookstore, dealing in new and antiquarian books and autograph material. Hoosier-born (1866) Ray Safford began work there as a young man, became the rare book cataloger in 1902, head of the retail business in 1912, retired in 1928, died in a car accident in 1930. A simple, secure, single-employer career, free from the financial ups and



downs that drive and sometimes destroy the self-employed dealer—but also perhaps lacking the drama. Safford's long association with a single shop made him a fixture in the New York rare book scene, though, a reliable "go-to" guy for almost a half century—"a good person to know if rare books were your interest or business." The high point of his career was no doubt selling a superb First Folio of Shakespeare to the young New York

socialite Emilie Grigsby for the discounted price of \$12,500.

Mark D. Tomasko, who purchased most of Ray Safford's remaining books and manuscripts from his daughter, curated this exhibition and wrote the introduction about this little known bibliophile about whom nothing has been written. It's always toughest to be first, and this is a fine effort.

"Ray Safford's personal collecting interests," writes Tomasko, "included nineteenth-century English and American literature, English color-plate books, fine printing, and Edwin Davis French and other bookplates...." Routine collecting fare for his day, although in Safford's case his position at Scribner's gave him special access to Scribner authors. It would be strange if he didn't have choice presentation copies from some of his employer's mainstay authors.

They say that books furnish a room, and so too they tell us a lot about their owner. The 146 items described in this catalogue (not just books, but also letters and photographs) leave you feeling as if you've met Safford, have some sense of him—though it also leaves you wanting more. Safford became friends with a number of noted authors and book people of the day—Edward W. Bok, Frank Nelson Doubleday and A.B. Frost among them—and this exhibit shows nice relics of those and other friendships. A few random favorites:

- Autograph Letter Signed from Frank Nelson Doubleday describing famed collector A. Edward Newton to Safford as "different from what you imagine... a fat, hustling business person... instead of the bookish philosopher I had imagined...."
- A snarky Autograph Letter Signed from noted bookplate artist Edwin Davis French griping about altering a bookplate "to please the whims of people who know nothing about the matter."
- A bizarre Typed Letter Signed from art critic Royal Cortissoz (one of the few pictured) begging a certain Robert Louis Stevenson edition, mock-threatening to "haunt you in the shape of a rattlesnake with the voice of a tiger, and I will steadily, for the next eighteen years, put spiders in your tea!! So there!!!"
- Typed Letter Signed from fabulously wealthy financier Henry Clay Frick demanding a ten percent discount.

- Typescript (just a carbon copy, alas) of a Rudyard Kipling poem, “The Dedication,” with Safford’s note that Kipling wished it never to be published. (Not a favorite, but an item not illustrated that I’d most like to see!)
- Autograph Letter Signed from illustrator A.B. Frost describing Lewis Carroll as “the fussiest little man I ever met, finicky and fussy.” Why, of why, wouldn’t the publishers illustrate this gem?
- Revised edition of Joel Chandler Harris’s *Uncle Remus* with A.B. Frost illustrations. Pictured is a pencil sketch on the frontispiece verso, which Tomasko describes as “better than its published counterpart on page 9 in the book itself.” Quite a few of Safford’s illustrated books—not only Frost, but Oliver Herford—bear original sketches made for Safford.

There’s also a killer Mark Twain letter describing a eulogy by an obscure attorney as “the finest thing that American lips have uttered, except Mr. Lincoln’s Gettysburg speech....”—but I could go on and on. Just buy the book.

Like every Grolier Club publication reviewed in this column, *Ray Safford, Rare Bookman* is handsomely produced, elegantly designed, attractively priced. Other Grolier exhibition catalogues have featured more illustrations than found here, but as always they’re done in a classy sepia tone, with a few lovely bindings in full color. Ray Safford comes across as a bookman you’d like to get to know better, not because of the drool-worthy rarities he handled or the splashy headlines his auction purchases occasioned—that was Dr. R’s domain!—but because he seems to have been a kindly soul who dealt in nice material and earned the respect of those he worked with and the authors he befriended. Now *those* are rare commodities.

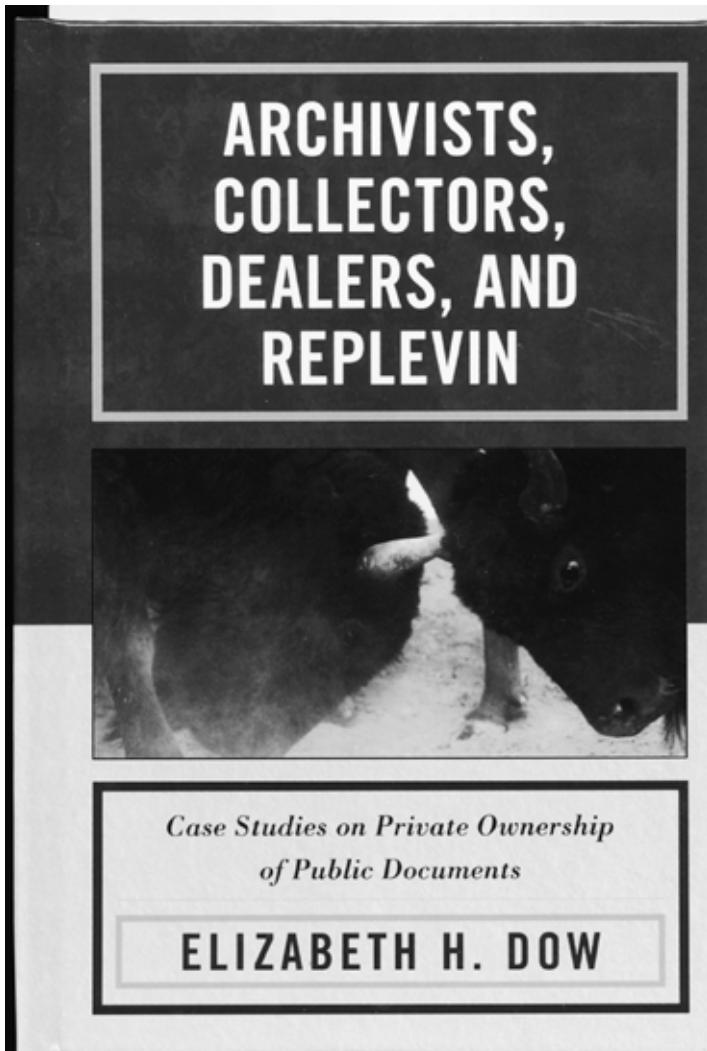
Replevin

About fifteen years ago the county courthouse about one block from my shop in Galena—county seat for Jo Daviess County, northwest Illinois—undertook some renovations. Near the end of this long project, construction workers were seen heaving armfuls of old papers and ledger books from the top (third) story windows into a dumpster down below—this despite the fact that the local public library and local historical society

just down the street had made standing offers to take any old papers the courthouse no longer wanted in order to care for them and make them available for researchers. Luckily, word got out and some local scavenger-types went dumpster diving. They recovered thousands of mid-19th century through early 20th century documents recording real estate transactions and miscellaneous legal proceedings. No documents signed by U.S. Grant were found (Galena was his adoptive hometown), but documents signed by some of Galena's other Civil War generals and other important locals and early settlers were among the hoard. If some of these documents found their way onto the collector market, would collectors fret that some day some archivist might demand their return?

Elizabeth Dow's *Archivists, Collectors, Dealers & Replevin*—eagerly anticipated by this reviewer—seeks to answer this type of question. This first-ever book-length study tackles a controversial legal principle that the public is unaware of and that most attorneys are only vaguely familiar with: Replevin (accent on second syllable), “a legal action brought for the purpose of recovering specified items”—the legal process by which state and federal governments seek to regain ownership of a document felt to have been taken from them improperly. In the world of archivists, curators, autograph collectors and dealers, this is one hot topic. A replevin issue was the subject of David Howard's *Lost Rights: The Misadventures of a Stolen American Relic*, reviewed in this column in the Summer 2010 issue.

This is the first time in this column's twenty years that the Manuscript Society has been a major character in a book, if behind the scenes. (Though the Society or its members are often mentioned, and quite often Society members author books under review.) The Manuscript Society, which has a replevin committee, represents one side of the hairy debate presented in *Archivists, Collectors, Dealers, and Replevin*. When Elizabeth Dow, archivist and educator, married long-time *Manuscripts* editor David Chesnutt, she became for better or worse participant in both sides of this tug of war. The inspiration for *Archivists, Collectors, Dealers, and Replevin* came when Dow was attending an annual meeting of the Society of American Archivists in 2009 and a member of the Council of State Archivists (CoSA) quipped to her, “Sort of like marrying the Mafia, right?” Dow notes, “At that



moment it struck me how deep and raw the animosity toward the Manuscript Society runs in CoSA. I immediately felt that something had to happen to reduce the tensions between the two groups.”

Dow’s stature as a respected archivist *and* a Manuscript Society “in-law” puts her in a unique position to survey the replevin

issue. Some might think an outsider to both groups might be better positioned to analyze the issue objectively. I'd disagree, for such an outsider would not be well-equipped to truly appreciate the practical, day-to-day concerns and passions of either group. No, a typical journalistic approach to replevin would produce a lifeless, breezy skeleton of a study with no "bite" to it. Dow succeeds in straddling the fence—conveying archivists' passion for protecting their charges and preserving the historical record *and* conveying collectors' and dealers' passion for doing the very same thing.

Archivists, Collectors, Dealers, and Replevin is a slim volume that handles this often nasty, he said/she said, chicken-or-egg dilemma in a logical and orderly fashion that's fair to both parties. In eight concise chapters, Dow reviews the history of different types of archives in this and other countries, the history of theft and neglect, the history of the archival profession, the history of the collecting phenomenon, a review of state and federal replevin laws, questions and answers from differing (archivists vs. collectors/dealers) perspectives, a thought-provoking group of imaginary case studies, and observations on how these opposing interests can learn to play nice. As with most disputes, clearly understanding the opposing side's point of view goes a long way toward resolving issues, as Dow demonstrates.

"American Archival Practice" may stun those not versed in this country's brutal archival past. In the colonial period, "Public records faced chemicals, extreme cold, extreme heat and humidity, water, mold, insects, animals, and theft," writes Dow. "The inherently inadequate physical protection provided for the records exacerbated the impact of colonial officials who had little concern about preserving or providing access to historical records.... About a third of all records became victims of fire." In the 19th century, state and federal record-keeping practices were sketchy at best and usually not enforced. The whim of the record-maker often came into play, with office-holders simply keeping whatever suited their fancy. "Officials frequently failed to turn records over to successors when their terms expired, and many official records went from the office of origin into private hands.... Until the middle of the twentieth century, retiring officials, especially executive branch officials, assumed that they owned the papers that reflected acts of their own initiative and responsibility."

But think twice before assuming that few records survived the 19th century. Dow brings out the chaos and clutter caused by an 1853 Congressional act that made it illegal to destroy *any* federal records. “Between 1789 and 1861, the federal government produced a total of about 100,000 cubic feet of records. Between 1861 and 1916, that accumulation grew to about 1,031,000, with many of the older records kept in ‘alarming conditions.’ By 1872 more than 7,000 cubic feet of records accumulated every year in the Treasury Building. The records displaced the desks of clerks and overflowed into corridors. Offices of the Department of the Interior and the Post Office Department had similar accumulations of almost unmanageable files.”

Clearly the problem wasn’t too few papers being preserved, but rather too much preserved with no regard for what was important and what wasn’t—and no means for storing it in an orderly fashion that made it accessible. Dow also offers an enlightening survey of how historical societies founded in the early 19th century began collecting and preserving records and how state archives came into existence and attempted (with varying degrees of success) to maintain state records. She shows how often the federal government legislated preservation of federal records throughout the 19th century but failed to follow through—until the creation in 1934 of the National Archives and Records Administration (NARA).

Not that that solved the problem—but it “signaled a beginning. Over the next 30 years, it led in the development of a profession. Out of the profession came appraisal theory, processing guidelines, records retention schedules for managing large quantities of records, and the discipline of records management.” Still, Dow points out that “Photocopiers make it possible for public officials to pocket an original document while distributing photocopies for officials to work on. Those government workers know that the photocopies assure no harm will come to history if they keep the originals of particularly interesting documents, such as ‘juicy’ letters from well-known legislators and other celebrities, foreign and domestic. Such letters might never leave the possession of the public official who first handles them.” Much of the root of the replevin problem lies in inconsistent archival practices in this country throughout the 18th,

19th and 20th centuries. Anyone seeking to really understand the issue should welcome this enlightening summary.

The brief “Theft and Neglect” chapter can’t go unmentioned. This “trail of tears” is a sad litany of autographic horrors—entire archives of documents dumped, pupled, burned, lost. Sorry tales of wholesale destruction, painful to read. Here’s one example from among many:

In the winter of 1861, Dr. Thomas Addis Emmet noticed a driver on Pennsylvania Avenue in Washington, DC, hauling barrels of documents. The driver told Dr. Emmet that he had orders to dump them into the Potomac River. Emmet took a handful, which he later discovered were letters by Washington, Jefferson, Hancock, and others of the Founding Era. He watched with dismay “as the long line of sleighs... moved toward the river.” He went to the Capitol and learned that the papers came from storage areas in the building needed to create kitchens to feed the thousands of soldiers arriving in Washington....

In “The Archival Profession” Dow outlines this surprisingly young profession, which evolved into what we know today within many of our lifetimes. Great strides in formal training, programs and publications often came about as recently as the 1960s and ‘70s. But “If the development of an archival profession required long and diligent work, that effort pales beside the challenges confronted by those attempting to establish and maintain an actual governmental archives.” As for those state agencies begun in the late 19th and early 20th centuries, until recent years many were plagued by lack of funding to staff and run them, few legal guidelines defining their role, and the sketchiest records of what they owned. Appraisal theory—deciding what to keep once a document is no longer active—“has huge implications... [it] bedevils archivists more than any other professional duty; if they make a wrong decision, they either leave a hole in the fabric of history or fill their shelves with materials of little historical value.” An ever-growing mountain of literature has arisen over the past few decades on this troublesome issue.

Before getting into the real meat and potatoes replevin discussion, Dow devotes only one chapter, “Collecting,” to the other side of this debate—compared to the several chapters

outlining the history of archives and development of archival practices. Her discussion of who collects and why I find to be standard stuff, a decent and basic intro to those who've never delved into it. (Though she's mistaken when she notes, "Private collectors join the Manuscript Society, the Professional Autograph Dealers Association, and the Universal Autograph Collectors Club." PADA is strictly for dealers, not collectors, and even then dealers can join only if invited and after being vetted and voted on by their peers.)

Only once Dow covers all this background does she dive into the nitty-gritty of replevin. She starts with a survey of the vast array of state replevin laws, which generally forbid the private ownership of public documents and charge state archivists with retrieving such documents that come to their attention. Collectors and dealers may be relieved to know that "Archivists understand that reclaiming documents causes a lot of pain to the holder, and they have devised a variety of ways to soften the blow"—methods that include paying a "caretaker's fee," covering some of the restoration costs the holder assumed or providing documents that allow the holder to make a tax deduction.

Scott Petersen, by the way—Manuscript Society mainstay, replevin authority and Manuscript Society replevin committee member, attorney, collector, dealer, all around good egg—injects a refreshing note of reason into *Archivists, Collectors, Dealers, and Replevin*. Scott "has developed a legal position that he refers to as simple justice. 'It would seem simple justice... that if any entity disposes of something, it could or should not be able to reclaim it without just compensation' to the current holder." Dow covers the six points of this principle. Persuasive they are—though most archivists, needless to say, will beg to differ.

The heart of *Archivists, Collectors, Dealers, and Replevin*, for me, is chapter seven: "Case Studies." In this tough-to-describe chapter, Dow performs a great service to both the archival community and the collector/dealer community. She introduces "The Stage and the Players"—three states with varying replevin laws, appropriately named Softline, Midline and Hardline; players consisting of Trusty Dealer, Indifferent Dealer and Ardent Collector in one camp and Sophisticated (Sophie) Archivist from Softline, Meritorious (Meri) Archivist from Midline and Hildegard (Hilda) Archivist from Hardline. Obviously these

names reflect their characters. She then mixes and matches these opponents in different “states” in hypothetical replevin cases involving a wide variety of documents. What a great way to demonstrate the various principles and complexities involved in replevin cases. After running through quite a few fictional cases, Dow then offers up her “Observations on the Cases.” For instance:

Trusty Dealer (Midline) has done business with R.W. Collector for years; R.W. collects anything relating to the Revolutionary War era. Now getting up in years, R.W. has begun to sell off his collection—usually at the rate of one or two items a month. One day R.W. appears in Trusty’s office with a briefcase full of eighteenth-century wills he wants to sell, all signed by prominent Revolutionary War era Virginians. Trusty prides himself on knowing what has bought and sold over the past few decades, and while he recognizes the names and signatures on the documents, he has no memory of any of these documents.... R.W. tells him that his great-grandfather got them out of a courthouse during his service in the Union Army during the Civil War....

Okay, so this is a really clear cut example—most aren’t nearly so straightforward. But to this scenario, Dow comments, “Trusty should notify the seller of the public nature of the wills and the common but illegal nature of his great-grandfather’s actions. Since these wills have never been on the market, he could also alert the Archivist of Virginia of the documents’ existence. He should not agree to buy or sell them.” I can imagine no better hands-on tutorial in handling replevin situations—or avoiding them in the first place!—than by really studying these case studies. (I can envision a really weird board game coming out of this.)

Archivists, Collectors, Dealers, and Replevin is a thoughtful and well-reasoned explanation of both sides of the replevin issue—and heavily footnoted, as one would expect it to be. I wouldn’t say that Dow champions either the archivists or the collectors/dealers, but rather shows an admirable nonpartisan restraint that should serve both sides well. “I see right on both sides of this dispute,” Dow concludes at one point. “I hope you do as well....”