

THIEVES TAKE A PAGE OUT OF RARE BOOKS AND MANUSCRIPTS

By Kimberly L. Alderman

On June 8, 2005, a librarian at Yale University's Beinecke Library noticed a razor blade on the floor of the rare documents room. She saw a man in the nearby stacks and looked on the register to get his name – Edward Forbes Smiley III. The industrious librarian googled him and saw that he was a rare maps dealer. The police caught Smiley with several stolen maps, including one 500-year-old Thorne map worth \$150,000.

Upon questioning by FBI agents, Smiley admitted that he had stolen and sold 97 maps from collections in the US and UK, worth an estimated \$3 million. The FBI began a painstaking process to recover the maps. They consulted with the dealers and collectors to whom Smiley sold, other law enforcement agencies, and the libraries that he admitted having frequented.

Recovering the maps was difficult because most of them had been modified to look like they did not come out of books. Librarians in the US and UK were asked to pour through their collections. Many had not even realized pages were missing. Ultimately, 92 of the 97 known stolen maps were recovered. Some antiquarians, however, have voiced suspicions that Smiley's activities were more extensive than admitted.

In September 2006, Smiley was sentenced to 42 months incarceration on the federal charges. He was later ordered to pay \$2.3 million in restitution.

The *Smiley* case was high profile because of the value of the stolen materials. But Smiley was hardly the first person to steal pages out of rare books. In 1996, former Ohio State University professor and antiquarian Anthony Melnikas was discovered attempting to sell pages he cut from a manuscript commissioned by Petrarch, the 14th-century scholar. Melnikas, a Lithuanian refugee, had been one of the Vatican Library's most

trusted scholars, with access to the collection for thirty years.

Melnikas attempted to consign the pages through Bruce Ferrini, a rare book dealer based in Akron, Ohio. The dealer found the items suspicious and consulted James Marrow, a professor of art history at Princeton Museum, who recognized them as pages from a Vatican text. A Vatican Library prefect confirmed their loss and recalled that Melnikas had access to the originating text nearly a decade prior.

It further turned out that two other illustrations Melnikas earlier consigned to Ferrini were stolen from the Spanish cathedral libraries in Tortosa and Toledo. Those pages were recovered and returned. *(cont'd on next page)*



In January 2009, an Australian tourist attempted to smuggle this page, torn from a Mughal manuscript, out of Egypt.

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Melnikas was charged in federal court with eight counts of receiving, possessing, and smuggling stolen cultural property. He was not charged with theft because the thefts occurred outside of the country. Melnikas was sentenced to 14 months imprisonment, fined \$3,400, ordered to pay \$10,000 for the return delivery and restoration of the pages, and ordered to perform 250 hours of community service. The case was legally significant because it was the first prosecution of trafficking in foreign-origin artifacts under the Archaeological Resources Protection Act.

Also in 1996, across the Atlantic, Peter Bellwood of Essex was sentenced to four years imprisonment for page thefts from the British Library. He stole 97 rare Victorian sporting prints and maps of the Holy Land valued at £150,000. After his release, Bellwood continued his activities. Between March and August 2000, he used a razor to remove 50 pages from rare atlases in the National Library of Wales in Aberystwyth.

The case was unique because, unlike the usual page thief, Bellwood was not an antiquarian. Instead, he was a landscape gardener with a gambling problem. He used David Bannister's book, *Antique Maps*, to determine which rare prints to steal. The book lists the top 60 collections in UK libraries, and Bellwood referred to it in court as a "thieves handbook." Bellwood sold some of the maps he stole to Bannister for cash.

The 50 stolen pages were valued at £100,000, and Bellwood had sold them to Bannister and dealer Michael Cox for a total of £72,000. After Bellwood was finally arrested in 2004, a British court sentenced him to 4 1/2 years imprisonment for the thefts.

These were not Bellwood's only thefts. He had also stolen 11 maps from the Danish Royal Library in 2001. A videotape of the theft was used to identify Bellwood. After his sentencing

in the UK, Bellwood was turned over to the Danish court, which sentenced him to a year in prison and a 324,000-kroner (\$67,000) fine. The Danish maps were not recovered, and only a handful of the Aberystwyth maps were located and returned.

Moving forward to 2007 and back over to the States, the arrest of James Lynman Brubaker of Montana recovered tens of thousands of pages torn from rare books. Like Smiley, Brubaker was discovered by an industrious librarian. After the theft of nearly 700 pages from the Western Washington University, librarian Rob Lopresti kept an eye on *eBay* by monitoring 40 keywords likely to come up if the pages were auctioned. When he saw a seller with items looking suspiciously similar to those stolen from his own library, Lopresti asked some East Coast friends to pose as buyers. They bought the items, which turned out to be exactly what the librarian suspected.

Lopresti's sting operation led to the arrest of the 73-year-old Brubaker, who had completed 9,000 deals on *eBay* in 2007 of rare books and pages, totaling over \$500,000 in sales. A search of Brubaker's home yielded 1,000 books stolen from at least 100 libraries across the country, as well as 20,000 pages and maps ripped from rare books. In September 2008, Brubaker was sentenced to three years imprisonment and ordered to pay restitution of \$23,162.

In the UK last year, Farhad Hakinzadah was tried for having stolen pages of rare books from the British and Bodleian Libraries. He cut pages from Mughal manuscripts right under the noses of the librarians, causing an estimated \$750,000 in damage. The Iranian-born businessman and London millionaire pled guilty to 14 counts of theft. He was sentenced to two years in jail.

Our final and most recent example of page theft is also from Mughal manuscripts. On January 20, 2009, an Australian tourist was

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caught in the port of Damietta, 220 km north of Cairo, trying to smuggle pages torn from an illustrated Mughal manuscript out of Egypt. The pages were slated for return to the Islamic Arts Museum in Cairo. Nothing further has been reported on the case.

These stories represent millions of dollars worth of damage done by thieves cutting or tearing pages from rare books, usually in the reading or map rooms of major libraries. The British Library alone was successfully targeted by a good portion of these thieves over the course of a dozen years.

Several systemic flaws allow such thefts to continue to occur and go long undetected. The first is that thieves often target books scarcely illustrated, so they would be located in the rare book room instead of the map room of a library. Rare book librarians are generalists, and may not be as equipped as map librarians to monitor and ensure the safety of maps within broader volumes.

The second is lax security, especially for known scholars. Hakimzadeh and Melnikas were given largely unsupervised access to priceless collections because of their status as scholars. Of Melnikas, the prosecutor explained, "He was considered one of the family or a piece of furniture around the library. He collaborated with the Vatican Library in publishing his 1975 three-volume work, and in 1987 was working

with the Library translating the Vatican's 'Gratiani Decretum' into modern Latin."

Third, there is a culture of secrecy in the institutional libraries regarding thefts. There are concerns that going public with unrecovered losses will cause political embarrassment and encourage further thefts. Further, some law enforcement agencies advise that stolen goods are easier to recover when the thief is unaware that the loss has been discovered. Finally, the portable nature of maps and illustrations makes them easy to carry out of libraries and, once identifying marks are removed, difficult to distinguish as having been bound in a book.

It is interesting that rare books and manuscripts can be so intensely valuable, but that people are allowed to handle them with little supervision. A single page of a rare book can be worth \$100,000 or more. Yet, people are allowed to handle them in an insecure environment because they are culturally as well as financially valuable. Until security is improved in rare books libraries worldwide, maps and illustrations will continue to be surreptitiously removed and sold to collectors on the private market.

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