

**Baseball, True Crime, the FBI and I(LL)
Interlibrary Loan for Archival Collections Revisited**

Elaine Engst, Cornell University

Presented at the Society of American Archivists 2012 Annual Meeting
Session 508: Interlibrary Loan and Archives: The Final Frontier

San Diego, CA – August 11, 2012

So what do baseball, true crime, and the FBI have to do with Interlibrary Loan? First, let's start with some context. The Division of Rare and Manuscript Collections at Cornell University is a large Special Collections unit within a university library, integrating access to all formats of primary source materials. Fundamental to our mission to enrich the intellectual life of Cornell is a commitment to foster information discovery and partner in the development and dissemination of new knowledge. Adding to this is a commitment to Cornell's land grant mission, now celebrating its sesquicentennial anniversary.

RMC's materials are made available in a supervised reading room to all researchers on equal terms. Requests to use materials are, of course, subject to appropriate care and handling and donor requirements. RMC will consider requests to digitize, photocopy, or lend materials needed by other institutions or individuals, also subject to specific limitations imposed by available resources, the terms of acquisition, and RMC's reproduction, conservation, interlibrary loan, and security policies. All of our policies are informed by the recommended national guidelines.

Cornell has a central ILL unit, whose policy clearly states that "Material held in Rare/Special Collections [is] provided at the discretion of the Division of Rare and Manuscript Collections. Must be last-resort supplier, do not request if available elsewhere." Requests for published materials, microfilm, bound manuscripts, and small collections come through ILL requests – about 150 per year. Requests for reproductions and loans for exhibitions and research also come through our local reference and reproductions mailboxes. As our policy and national policies state, we are always willing to consider requests for loans, in cases where copying would not be feasible. Over the more than 30 years I have been at Cornell, we have selectively loaned boxes and even collections for special requests.

A recent story provides an interesting case study. On July 2, 2009, an article appeared in the *New York Times*, headlined "Baseball Pioneer's Letters Pulled from Auction." According to the article:

Harry Wright, a Hall of Fame manager and pioneer during professional baseball's gestation period in the 19th century, kept his letters in scrapbooks along with pictures and ledgers from his distinguished career. These faded pieces of paper are fragile evidence of some of the earliest business practices in baseball.

Hunt Auctions was scheduled to sell some of the items on July 14 at the Major League Baseball All-Star Game FanFest in St. Louis. But the letters have been temporarily pulled from the auction after drawing the attention of the F.B.I. because of the possibility that they were taken years ago from the New York Public Library.

The letters were written to Wright, who was the manager, the general manager, and a center fielder for the 1869 Cincinnati Red Stockings, considered the first team of all paid players. A year before his death in 1895, Wright willed his archives to professional baseball's two major leagues. The materials were donated to the [New York Public] library in 1921, and some of them vanished more than 20 years ago.

The library lists as missing three scrapbooks of letters written to Wright during the 1870s, '80s and '90s. Of the 25 lots linked to Wright in the auction, at least 23 are from the same period as the missing scrapbooks.

On July 5, Jack Curry, the *Times* reporter filed a second story, "Another Clue that Auction has Stolen Items":

While the Federal Bureau of Investigation examines whether some materials that were supposed to be sold at Major League Baseball's All-Star Game Auction next week were stolen, a baseball historian offered evidence indicating that at least one of the items was taken from the New York Public Library.

Dorothy Seymour Mills helped Harold Seymour, her husband, prepare a doctoral dissertation at Cornell in 1956 titled, "The Rise of Major League Baseball to 1891." In that dissertation, Mills said they made reference to a letter that James Devlin sent to Harry Wright on Nov. 11, 1877, that was part of the library's Spalding Collection. That letter was one of the items that Hunt Auctions, which was contracted by M.L.B. to conduct the auction, was trying to sell....

Harold Seymour's two-volume 1956 dissertation, said to be the first doctoral dissertation on sports history, led to his three-volume history of baseball, written with major contributions from his wife as a researcher and writer. Harold Seymour died in 1992 and his papers, including his research files, were given to the Division of Rare and Manuscript Collections at Cornell in 1993.

After the articles appeared, there was interest from at least one individual researcher, but it was not until August that we were contacted by the FBI. I received an e-mail message:

August 10, 2009

Ms. Engst

.... I am a Special Agent with the FBI in New York City. I am investigating the theft of items from the New York Public Library A.J. Spalding Collection. I would like to speak

with you regarding the Seymour Collection and how it may aid in the investigation. Please give me a call at your convenience.

I called him and we talked about the possibility of a visit to review the materials, but nothing happened at that time.

In June of 2010, I received a second message:

June 16, 2010

Good Morning Elaine,

We spoke about a year ago regarding my investigation into the theft of material from the New York Public Library Albert Spalding collection. To assist in my investigation, I would like to get copies of Harold and Dorothy Seymour's notes contained in boxes 41, 42, and 43, as well as copies of the contents of Box 1, folder 39 ... and Box 6, folder 33.... I would be happy to come up and make the copies myself or send someone to make the copies. Please let me know the best way for me to obtain these copies and who I need to contact to make the appropriate arrangements.

I responded:

Sept. 16, 2010

Dear John,

You are certainly welcome to come and copy the materials in those boxes, but, as you may know, they include many, many 5x7 note slips. Were you thinking about photocopies or digital photographs? Digital photographs can be done in our Reading Room; most researchers find them quick and easy (particularly with a tripod).

The following April (apparently nothing moves very fast in FBI investigations), I received another e-mail:

April 7, 2011

Hi Elaine,

Any chance I can have someone from our local office in Ithaca pick up those boxes and then have them shipped to me in NYC so I can go through the files and copy what I need. I am only interested in going through the 3 boxes and 2 folders listed below. Let me know if this is a possibility, the months keep going by and I have not been able to schedule time to get up there. Please let me know your thoughts.

Of course, we were not prepared to loan boxes to an individual or organization, not even the FBI! But this seemed like an appropriate request for what were low-use boxes, unlikely to be used by on-site researchers any time soon. I contacted our colleagues at the Rare Book and Manuscript Library at Columbia University. After discussions about the terms of the loan, Michael Ryan, the Director of RBML, agreed to host the collection. The FBI agent was thrilled:

April 15, 2011

Elaine,

I can not thank you enough for your assistance with this. I look forward to reviewing these research notes and hope they can assist us in identifying the historical letters as property of the New York Public Library so they can be returned to where they belong for all to see.

My administrative manager worked with the FBI office to arrange transportation. They decided to use 2nd Day Air for a cost of \$144. The materials arrived at Columbia on April 22. Michael Ryan wrote:

Just to let you know that three cartons arrived safely today. They will be placed in our vault area and kept there when not being used by the FBI. We will await word from the latter as to their plans for visiting us.

As the terms of the loan specified, the FBI agent used the materials in the RBML reading room and was permitted to make his own copies. The research took a bit longer than the FBI expected – as I had warned them, there were many, many notes. In September, Susan Hamson at RBML provided a progress report:

Sept. 8, 2011

Hi there Elaine,

Yes, he did find some things that he said were very helpful. He admitted that the volume (a pittance in our world) was a little overwhelming at first, but he was fine.

The boxes were returned safely to Cornell on Sept. 30, 2011, and Susan wrote again:

Wonderful! Happy to know that they arrived safely.

[John] was a pleasure to work with and we were more than happy to assist the effort.

I called John last week to see if he could give me a progress report. He told me that he couldn't provide any details, since it was an "ongoing investigation." He assured me that the information provided by the research notes was critical to the investigation, since it provided the only written evidence that the letters had been in the New York Public Library. There is, apparently, some physical evidence, but in the absence of ownership stamps, it wouldn't be conclusive. He was very grateful for our willingness to allow him to use the materials in New York City and the outstanding experience he had at Columbia. He was quite certain that the investigation would lead to the return of at least some of the letters to NYPL and promised to let me know when the investigation concluded. We agreed that it was a rewarding experience for everyone.

So why is the loan of archival materials so controversial? Earlier this year, one of our researchers asked me about the possibility of borrowing several boxes from a collection in another library. I suggested that he make the request, indicating that we would be willing to host the collection. The answer he received was a flat denial – "we never loan boxes." I did not at that point want to question another repository's policies, but I was curious, so I asked if we could have an off-the-record conversation about their reasoning. The answers were not surprising, but there do seem to be responses to all of the concerns.

1. Concern for transporting materials. Safety of materials must always be paramount. But with increasing use of remote storage facilities, transportation is becoming a reality. Columbia, NYPL, and Princeton share off-site storage in a joint facility located in southern New Jersey, so, as Robert Darnton wrote in the *New York Review of Books* (June 7, 2012), "For the foreseeable future, some researchers... will have to depend on trucks going back and forth between Princeton and 42nd Street to get the books [and boxes] they need..." Any time collections are used, there is an increased element of risk. Most of us loan high-value materials for exhibitions, using bonded art shippers or couriers. For loan of lower-value archival materials, more standard shipping methods seem suitably low risk.

2. Collection would not be available for local users. There is always the question in any loan that the materials will not be there for local users. In making any decisions, we do consider the question of local use. While use is difficult to predict, we usually have an idea of which collections are most likely to be used. Loan times can also be adjusted accordingly.

3. Associated boxes/collections are not immediately available. In any research visit, there's always the possibility that researchers may find links to additional materials. In that event, a second loan might be a possibility, or, if it turns out that there are much more extensive materials, a visit might be required.

4. Local expertise. It's always valuable to have experts on site, but e-mail or telephone conversations can take the place of immediate on-site assistance.

5. Administrative costs and time. We are all working with reduced staff and many repositories have limited administrative assistance. It's certainly true that exhibition loan requests are taking an increasing amount of our time, but I think we all see the increased visibility of our collections as making it worth the effort. We are fortunate to have staff members who can take the lead in both ILL and local requests, but taking advantage of central ILL resources can also help.

6. Repository wants to focus attention on making digital copies. Increasingly, we are trying to fulfill many of our ILL and exhibition loan requests by offering digital copies. While we do want to scan entire works or items with item-level value like individual photographs, we are still struggling with the question of making copies to which we can continue to provide access of low-use, low-priority manuscript materials. Asking researchers to cover the entire cost of scanning may also be problematic.

National guidelines encourage us to make informed decisions on a case-by-case basis for loaning and borrowing the entire range of special collections materials within the larger context of Interlibrary Lending and borrowing. Eric will talk more specifically from the ILL perspective and Christian will address the updated ACRL/RBMS Guidelines, but, in conclusion, I would propose that it is our responsibility as archivists to carefully consider all of the ways we can enhance access to our holdings. ILL is surely one of them, and I would urge SAA to endorse the Guidelines.