

‘The real rape of York’. Dr. Rosenbach’s acquisition of books
from York Minster Library: a reconsideration

I

The upkeep of York Minster has always been a costly business.¹ Financial crises have often stimulated a perceived need for drastic measures, in order to ensure the Minster’s survival as a place of worship. Its financial viability has been the most common cause for concern, not least in terms of the relentless need for funds to maintain its exquisite but financially draining fabric. In the early twentieth century, the Minster found itself in precarious circumstances, and not all of them financial.

During the Great War, York Minster was not only in difficulty on paper, its very edifice was in a precarious state. The Minster’s fabric was in great need of repair; the ongoing war made it difficult to raise funds. Worse still, it was also facing a very different sort of threat: in 1916 the Chapter acknowledged that the city of York was

¹ This essay is dedicated to Mrs. Deirdre Mortimer, former Librarian of York Minster. Special thanks go to the staff of York Minster Library and Archives – in particular to John Powell and Peter Young – for their generosity with their time and knowledge, and to Nicolas Barker, for his advice and comments on earlier drafts of this essay. I would also like to thank Elizabeth Fuller, Greg Ciuliano and the staff at the Rosenbach Museum and Library for their help during my time in Philadelphia. I am deeply grateful to have received grants from The Bibliographical Society and the British Academy, which enabled me to undertake research for this essay. I am also grateful to the late Julian Roberts for initially discussing the Rosenbach acquisitions with me during my student days, and so stimulating my interest in early twentieth-century book dealerships.

soon 'likely to be visited by enemy aircraft'.² The Chapter agreed that a national appeal to repair the fabric of York Minster should not go ahead 'on the grounds that it would give information to the Enemy' and therefore potentially prompt an attack.³ Ten years later, with negligible designated fabric funds and the building in an even greater state of disrepair, the Cathedrals Commission met to discuss the issue as a matter of urgency. The Report for Cathedrals Commission suggested that, since there was now a severe risk of falling masonry, 'it might be worth consideration whether some of the unique volumes in the Cathedral Library should not be offered to the British Museum and the proceeds used for the Cathedral.'⁴

Consideration of the sale of the Library's holdings as a possible means of raising funds had, in fact, already occurred. In 1918, shortly after the Chapter's acknowledgement that a voluntary fund-raising campaign was out of the question, the possibility of releasing certain items for private sale was discussed. Chapter Minutes for 1 October 1918 note that Mr. Barclay Squires – 'an authority on old music' – had examined manuscripts in the Library, with a view to possible sales to the British Museum. However, a flurry of objections ensued and the idea was

² York Minster Archives [hereafter YMA], H 12/1/2: *Chapter Minutes 1909-1919*, p.208.

³ *Ibid.*, p.209.

⁴ YMA, D10/MA/3/26, p.48.

shelved.⁵ By 1926, however, fewer objections were being voiced; the drastic need for funds outstripped any concerns about the sale of books from the collection.

The state of the Minster's fabric at this time was hardly a secret but the condition of their finances was not so public. The correlation between a need for money and the Library's potential to realize that capital caught the eye of a young American named Nayan Little. Little frequently visited the UK and got to know the Dean of York, Lionel Ford, during the summer of 1926. She was the secretary to a New York publisher named George H. Doran, whose offices were just across the street in New York from those of the rare book dealer, Dr. Rosenbach.

Known as 'the Napoleon of the auction room, the man who set record prices year after year,' Abraham Simon Wolf Rosenbach had created a reputation as the man who could buy any book he wanted, when he wanted it.⁶ Little would often appear at his offices with books for sale that she had acquired on her various trips to England. She was clearly impressed with the charismatic 'swashbuckling bombshell' of a rare book dealer but, as her number of visits increased, she would often be denied an audience with the man himself.⁷ Yet her persistence continued unabated

⁵ YMA, H12/1/2, p.326. For all other minutes relating to the potential sale of books see YMA H12/1/4, pp.21, 23, 34, 35, 39, 40, 55, 111, 116, 119, 163, and 185.

⁶ Wolf, Edwin and Fleming, John F., *Rosenbach, a Biography* (London: Weidenfeld and Nicolson, 1960), p.13.

⁷ Wolf and Fleming, *Rosenbach*, p.329.

and in 1926 she brought news to catch his attention: books from York Minster Library were potentially available for sale. She had inside information to offer: she had just spent four months in York and, during her visit had been invited to various soirees hosted by the Dean of York, during which he had apparently bemoaned the dilapidated state of the Minster. She also claimed that he had discussed the Library with her at length. He took the bait and what resulted was to become one of the most notorious book sales of the twentieth century.

Much of the complexity and intrigue surrounding the sale of books from York Minster Library to Dr. Rosenbach has hitherto remained out of the public domain. This essay intends to address the balance, by detailing archival material held on both sides of the Atlantic, which, in combination, reveal a clearer picture of the transaction and its aftermath.

II

Initially, Rosenbach waited to see how any potential sale might develop but, after hearing no news of any impending auction or discreet sale to the British Museum, he wrote directly to the Archbishop of York. In December 1927 he stated that he had heard a 'rumor' that the Dean and Chapter were considering selling a number of volumes. He inquired as to the veracity of that rumor.⁸ He was not the only party

⁸ YMA, ACC/1988/29: Letter from Dr. Rosenbach to the Archbishop of York, dated 13 December 1927.

expressing an interest. That Christmas, Canon Frederick Harrison, the Librarian at York, received a inquiry from F.J. Kenyon, Director and Principal Librarian of the British Museum, about the possibility of acquiring, amongst other works, two important printed texts held within the Minster's collection: *The chorle and the birde* (1476? STC 17009) and *The hors, the shepe, and the ghoos* (1477-78?, STC 17019), both printed by William Caxton. The Minster possessed the only known copy of *The chorle and the birde*, and its copy of the latter text was considered a 'perfect' copy.⁹ These two poetic works by John Lydgate were both issued by Caxton in quarto, the usual format for works of poetry but also for texts of a religious or technical nature. Both copies are universally considered amongst the finest examples of early English printing.¹⁰

In his letter, Kenyon suggested that, were the Minster to consider parting with such incunabula, then a

wise body with a public character such as your own would naturally
feel that it could not dispose of such books merely to the highest

⁹ See Morris, Leslie A., *Rosenbach Abroad: In pursuit of books in private collections* (Philadelphia: Rosenbach Museum and Library, 1988), p.51.

¹⁰ See Blake, N.F., *Caxton: England's First Publisher* (London: Osprey, 1976), p.63; also: de Ricci, Seymour, *A Census of Caxtons* (Oxford: The Bibliographical Society, 1909), and Duff, E.G., *Fifteenth-Century English Books* (Oxford: The Bibliographical Society, 1917). The first editions of both of these works have the same watermarks as the first edition of the *Canterbury Tales*: a pair of unicorns, one fat, one lean, often attributed to Essones, near Paris. (See Duff, *Fifteenth-Century English Books*, p.66.)

bidder, perhaps for export out of the kingdom. Under such circumstances the Trustees [of the British Museum] earnestly hope that an opportunity would in the first instance be given to the national library to secure them at a fair price.¹¹

Harrison responded to Kenyon's letter on 1 January 1928 yet no copy of his response survives in the Minster Archives.¹² Whatever Harrison's response, no sale took place in 1928. It was only in October 1929 that the Chapter created a Sub-Committee to look more closely into the viability of disposing of any manuscripts and/or books from the Library.¹³ In the interim, however, Nayan Little hatched a plot.

In a letter to The Rosenbach Company some months before the formation of the Sub-Committee, Little remarked, 'It's nothing less than criminal for anyone in England to suggest that York part with the treasures of its library... [but] My friends in Yorkshire think more of money than we do – of books – and I know your Company would be glad to help them out.'¹⁴ Little knew that Rosenbach could offer

¹¹ YMA, ACC/1988/29: Letter from Kenyon to Harrison, undated.

¹² Kenyon's original letter survives in YMA, ACC/1988/29, with a manuscript note in the top left-hand corner acknowledging that the 'letter [was] answered 1/1/28'.

¹³ This Sub-Committee was formed on 15 October 1929. YMA, H12/1/4, pp.21-22.

¹⁴ This portion of the correspondence has been printed in Morris, *Rosenbach Abroad*, pp.48-49. The quotation here appears on p.48.

more money than any indigenous source could raise, or at least raise the capital more quickly.

By February 1929, Little had asked for a meeting with Rosenbach, to discuss an 'idea of her own'.¹⁵ Her 'idea' was to use her connections with Lionel Ford (the Dean of York) to secure the sale to Rosenbach, not of the Caxtons, but of a work of perhaps even greater prestige: the York Anglo-Saxon Gospels. Temptation is a great motivator and a cloak and dagger operation was set in motion. Little travelled to York under instructions to use code when cabling Rosenberg, 'so that everyone in that small town would not be horrified at the intent'. The word 'Oswald' in any cable would signify Lionel Ford, the Dean; 'Cuthbert' would refer to Frederick Harrison, the Librarian; 'albatross' would indicate the multiples of a thousand pounds required.¹⁶

After her arrival in England, Little quickly assured Rosenbach that a sale was imminent, since Ford 'recognizes what a wonderful opportunity this is... to have the transaction accomplished quietly as well as quickly, with no press and no B[ritish] M[useum] controversy.'¹⁷ Yet Ford knew that the Sub-Committee were likely to recommend selling some works to the British Museum only. On 2 September 1929 Little cabled Rosenbach to request a draft for £30,000 to pay 'Oswald', who had

¹⁵ Ibid., p.49.

¹⁶ Ibid., p.49.

¹⁷ Ibid., p.49.

apparently agreed to 'sell [the Gospels to] me privately' with 'no press announcement [and with the] purchaser undisclosed'.¹⁸ Rosenbach perhaps suspected complications with the sale of such an important work, and asked her to secure a 30-day option; meantime she should return to New York.¹⁹ At some point shortly after this communication, someone – perhaps Little – must have suggested the Caxtons as an alternative. Little certainly would have known of their existence, having visited the Minster Library on a number of occasions.

In the meantime, Ford had either admitted his negotiations with his American friend or, more likely, had realized that the sale could not go ahead without the consent of the Chapter; consent that he must have realized he was unlikely to receive. On 6 November 1929 Ford wrote to Little, stating that the Chapter were 'not convinced that the time has come when we could let any of our Treasures go across the sea.'²⁰ The Chapter were now in consultation with Sir Stanford Downing, an ecclesiastical lawyer, and Professor A. Hamilton Thompson, an ecclesiastical historian, who, along with the Sub-Committee, were all working towards the seemingly now inevitable sale of some books or manuscripts, in order to preserve the Minster's fabric. The British Museum was top of their list of appropriate, indigenous buyers.

¹⁸ *Ibid.*, p.49.

¹⁹ *Ibid.*, p.49.

²⁰ Cited *ibid.*, p.49.

On 28 January 1930 the Sub-Committee reported back to the Chapter with the following recommendations:

The Dean and Chapter be recommended to retain Library manuscripts for [the] present and [to] dispose of certain Printed Books, certified by the expert advice of Prof. A Hilton Thompson and others, as being of secondary, and not of ecclesiastical value, at a price not less than that fixed by Messrs. Quaritch & Co., the expert valuers, the proceeds to be devoted to the urgent repair of the fabric of the Minster.²¹

Quaritch & Co. were, in Rosenbach's own words, 'one of the most celebrated and astute booksellers in London.'²² The Sub-Committee's report noted that the Minster owned between sixty and seventy incunabula, including five works printed by William Caxton, and some by Wykyn de Worde.²³ They noted that the Minster also had several hundred sixteenth- and seventeenth-century texts in its Library 'but only those are of great value which are either fairly early or first editions of famous

²¹ YMA, D10/MA/3/25.

²² Rosenbach, A.S.W., *Books and Bidders, The Adventures of a Bibliophile* (London: George Allen and Unwin, 1928), p.63.

²³ On his own copy of this report, Dean Lionel Ford wrote in pencil next to the listed Caxtons 'yes, if sold to British Museum'. YMA ACC/1988/29. He also wrote 'no' next to the York Missals and Breviaries but acknowledged that 50 - 60 Gospel books could be sold (excluding any 'pre-Conquest' Gospels).

books. There is a Fourth Folio of Shakespeare.’²⁴ Should a sale occur, the report recommended a hierarchy of suitable depositories for such books: a) the British Museum, b) Lord Brotherton (to keep the works in Yorkshire), c) the John Rylands Library (in the north-west of England), or d) by means of open sale.²⁵

Yet on 28 January 1930 – the very same day that the Sub-Committee advised that the British Museum should be considered the most appropriate repository, and that an ‘open sale’ (presumably to an indigenous buyer) was a ‘last resort’ – Dean Ford wrote to Nayan Little, offering the two most prized Caxtons to Dr. Rosenbach:

You will be interested to hear (please keep the fact private) that I have now the consent of my Chapter to go somewhat further in matter of

²⁴ YMA ACC/1988/29.

²⁵ Ibid. Lord Edward Allen Brotherton (1856-1930) was the founder of the largest private chemical manufacturing firm in the United Kingdom. He was MP for Wakefield (1902-10, 1918-22), Mayor of Wakefield (1902-03), and Lord Mayor of Leeds (1913-14). He was created a baronet in 1918 and made Baron Brotherton of Wakefield in 1929. He died the following year. In 1927 he had given £100,000 to pay for a new library building for the University of Leeds. Named the Brotherton Library, it finally opened six years after his death, housing the Brotherton Collection. See D. Cox (int.), C. Sheppard (ed.), *The Brotherton Collection, University of Leeds: its contents described with illustrations of fifty books and manuscripts* (Leeds: University Library, 1986). For a contemporary description of the John Rylands Library (and hence why it would have been considered a suitable depository) see Guppy, Henry, *The John Rylands Library 1899-1935 – a brief record of its history with descriptions of the building and its contents* (Manchester: John Rylands Library Miscellaneous Publications, 1936).

our Treasures that I had when I wrote to you in November... The Chapter now think I should be justified in trying to raise something on those books which are not historically or ecclesiastically of first rate importance to us. Naturally in this connexion we think first our British Caxtons, and if your friend were still willing to make us a good offer for them, I believe it might be accepted... Do you think he would be moved to give us £20,000... for the two Caxtons? If he were agreeable, he should have them without any competitive public auction, and we would make them over to him as soon as the money arrived.²⁶

Ford ended this letter by asking Little if he could 'rely on your keeping the contents of this letter strictly personal and private, except as regards your collector friend?' Little immediately forwarded the original letter to Rosenbach. At the same time, the Dean apparently also touted for other private buyers who might possess something near Rosenbach's financial power, asking Ferguson of Quaritch if he knew of any other collectors who might be interested in books from the Library. Ferguson swiftly replied that it was against the terms of his contract to suggest alternative buyers.²⁷

On the very same day that Ford had penciled notes in his copy of the report, stating that the books could be sold only 'if to the British Museum', he was also agreeing to

²⁶ Rosenbach Museum and Library [hereafter RML]: I.186.10.

²⁷ YMA, ACC/1988/29: Letter from Ferguson to Ford, dated 1 February 1930.

sell them to Dr. Rosenbach, and looking for further private buyers. Ford was preparing to go beyond their 'last resort' and have them 'sent overseas'. His plans were in secret and directly against the findings of the Sub-Committee and the wishes of his Chapter.

By the end of January 1930, Ford had agreed to allow Rosenbach to visit the Library and to make a detailed analysis of the collection. The Dean wrote to Frederick Harrison, the Librarian, on 7 April 1930, confirming that 'Miss Little's friend' would be visiting on the following Wednesday, in order to view the Library and to finalise the deal.²⁸ (Clearly, Harrison knew about the potential deal by this stage.) Around the time of his visit, Rosenbach became a lifelong member of the Friends of York Minster.²⁹ Rosenbach's biographers, Edwin Wolf and John F. Fleming, make much of Ford and Harrison's reaction to their charismatic benefactor upon his visit to the Minster Library, suggesting that Rosenbach had the doors 'thrown open to him'. With a hint of mockery they chide Harrison for having 'fluttered about', approving of Rosenbach's interest in the Caxtons.³⁰

²⁸ YMA, ACC/1988/29: Letter from Ford to Harrison, dated 7 April 1930.

²⁹ RML, 1930.04.04: the card for Rosenbach's life membership of the Friends is dated 24 April 1930. This is a standard (yearly) membership card but the word 'life' has been inserted by hand. Ford wrote to Rosenbach on 23 April 1930, acknowledging receipt of his 'generous cheque for £50' for life membership and thanking him for 'this token of your valued friendship'.

³⁰ Wolf and Fleming, *Rosenbach*, p.335.

Rosenbach, however, wanted to renegotiate terms, stressing a drop in the American market and hinting that the £20,000 he had been prepared to pay for the Caxtons was a lot for just two little books, and that perhaps the inclusion of a few more books – ‘something in the way of bulk’ – might make the transaction more equitable.³¹ Eventually it was agreed that Rosenbach would pay £16500 for the Caxtons and £1500 for additional works, a list of which would be drawn up later.³² Finally, Ford consulted with his Chapter who agreed to the sale of the Caxtons, having heard of the sums of money on offer, which had already been accepted by the Dean. With the approval of his Chapter, the Dean duly sold the books to Rosenbach, and Miss Little earned £500 in commission for the transaction.³³

According to Wolf and Fleming, Dean Ford went to meet Rosenbach in London, at the Carlton Hotel, on 10 April 1930, to pick up his cheque and to deliver the Caxtons. In the version of events related by his two biographers and, indeed, by Rosenbach himself, Dean Ford got very drunk at the Carlton and was poured into a taxi, only to

³¹ In a letter to Ferguson prior to his visit Rosenbach voiced a concern about the New York stock market but expressed a hope that America’s financial slump would not last much longer. RML, 1.14.17 [1921-30].

³² RML, 1.186.10: the receipt from Harrison for these works does not list their names either. (Dated 16 April 1930.)

³³ RML, Internal Correspondence, II02.01 – 1930: Cable dated 10 April 1930, which reads: ‘bought both Caxtons at York for 16500 pounds and cabled Miss Green transmit 18650 which includes commission and 500 for Miss Little’.

lose his bag and the cheque on his way to King's Cross station.³⁴ In fact, it was Harrison who delivered the goods. Whether Harrison's crapulent exit was as magnificent as that attributed to Ford we shall never know. It is said that Rosenbach's own version of the event became more embellished, depending on the amount of alcohol he was consuming during his rendition.³⁵ Perhaps it merely says something of the lasting impression the clerics of York had upon the doctor. But, equally, it says something of Rosenbach's love of a good yarn. Either way, Rosenbach had acquired many of the jewels in York Minster's bibliographic crown, along with some stories upon which he could dine out for years to come.³⁶

III

Having sold the books 'quietly' to Dr. Rosenbach, Dean Ford then heard from F.S. Ferguson, the Managing Director of Quaritch, on 21 May 1930: Ferguson was hoping

³⁴ See Wolf and Fleming, *Rosenbach*, pp.335-36 and Morris, *Rosenbach Abroad*, pp.51-52.

³⁵ See Sowerby, E. Millicent, *Rare people and rare books* (London: Constable, 1967), p.169. Of course, a story that is amusing is not necessarily true. The receipts for Rosenbach's drinks whilst at the Carlton certainly show that he liked a drink – particularly spirits. His drinks' bill for that night clocked up £1 5s. for spirits but also 7s. and 6d. for mineral water. It was the highest amount that week (he only spent 2s. the following day) but it was by no means an unusual amount. His bills were frequently high before and after the meeting, indicating that alcohol was a regular feature in that particular Carlton suite (whether consumed by one or more guests). It does not act as evidence for the Dean (or the Librarian) getting drunk. (Receipts are recorded in RML, II.02.01 – 1930.)

³⁶ See Wolf and Fleming, *Rosenbach*, p.336.

to visit York in order to view the books that the Dean and Chapter were intending to sell.³⁷ It is safe to assume therefore that Quaritch's had no idea of the sales to Rosenbach. Ford had made inquiries with Ferguson back in January 1930, to see if he knew of any other book dealers who might be interested in elements of the Library's collection, and had made no mention then of a possible overseas buyer. No response is recorded.

By March the following year, not only had no contact been made with Quaritch's, the removal of the Caxtons and their sale to an overseas buyer had been leaked to the press, and a great tumult ensued. The *Daily Mail* was the first to report, in March 1931, that the Caxtons had gone 'missing' from York Minster Library.³⁸ On 18 March 1931, Ford tried to play down journalistic interest and issued his own press release, obliquely suggesting that the Caxtons were not 'missing', since the Dean and Chapter knew where the books were.³⁹ Ford then seriously misjudged the situation and misled the press by claiming that he had sold the books to a private buyer, who had no intention of reselling them.⁴⁰

Ford had naively hoped from the start that the transaction could be kept quiet and began to flounder under pressure. In a typescript letter to Harrison in February

³⁷ YMA, ACC/1988/29: Letter from Ferguson to Ford, dated 21 May 1930.

³⁸ *Daily Mail*, 7 March 1930.

³⁹ Cited in the *Daily Mail*, 18 March 1930.

⁴⁰ See, for example, the *Yorkshire Evening Press*, 18 March 1931.

1931, he had voiced his fears that the sale might be leaked to the press: 'I suppose a day will [underlined by hand] come when we shall have to inform official people confidentially that the books are no longer with us, with a request to keep the information to themselves. But I hope not yet! [Final sentence written by hand.]'⁴¹

Both the local and national press exploded with fury and disappointment when the truth surfaced. The *Yorkshire Post*, for example, noted that many of the books in the collection were donations, and so challenged the Chapter's right to sell. Edward Hailstone was one such benefactor, whose donations were now deemed at risk. The *Yorkshire Post* bemoaned that,

The library up to the present time was believed to be a safe and permanent receptacle for rare and valuable books. No doubt the late chancellor Raine held that opinion when he persuaded Mr. Hailstone to present his very valuable library. Other donors have been under that impression, and that the library would always be open for research and literary purposes.⁴²

⁴¹ YMA ACC/1988/29: Typescript letter from Ford to Harrison, dated 7 February 1931.

⁴² *Yorkshire Post*, 9 April 1931. See *A Catalogue of the Hailstone Collection of Printed books preserved in York Minster Library*, YML, MS. Catalogue York 1902, 2 vols. There is a manuscript catalogue compiled by C.W. Selby of *The Hailstone Papers 1696-1871*, 3 vols., held in YML. Frederick Harrison, the Librarian, catalogued the collections of the main benefactors in Appendix IV of his book *York Minster: Edmund Bunney's collection in 1617, Tobie Matthew's library in 1628, Marmaduke*

The *Yorkshire Post* pointed out that the books had been left 'in trust' and letters from numerous readers reflected the same sentiment: that the Dean and Chapter of York Minster had betrayed this trust.⁴³ The Cathedrals Commission reported that a sale would be appropriate only if it were to 'some recognised national library, so that they would remain in the country'.⁴⁴ The newspapers now suggested that the books were no longer in the country; worse still, it was not only the Caxtons that had left the Library.

Under extensive pressure from the national press, as well the *Yorkshire Herald*, *Yorkshire Post* and the *Yorkshire Evening Press* closer to home, Ford let slip that the books had been sold for £16500, and that a few other works had been sold as well.⁴⁵ Finally, when it became clear that the issue was not going away, the Dean and Chapter issued a statement, stating that 23 books had been sold to a Dr. Rosenbach.⁴⁶ Ford would now have to inform Rosenbach that his name had been disclosed. Rosenbach sent a cable to Ford on 27 March 1931 at 7.15am: 'No

Fothergill's donation in 1819, through to that of Edward Hailstones in 1890. Harrison, Frederick, *York Minster* (London: Methuen & Co., 1927), pp.198-199.

⁴³ Sir Stanford E. Downing of the Ecclesiastical Commission had in fact suggested that the books and manuscripts contained in the Library could be referred to as 'chattels' and therefore 'capable of being disposed'. YMA, ACC/1988/29: Letter from Downing to Barron, dated 8 November 1929.

⁴⁴ YMA, D10/MA/3/25.

⁴⁵ Press statement released 17 March 1931.

⁴⁶ See *Yorkshire Evening Press*, 28 March 1931.

objection mentioning my name now transaction is known but no further mention can be made of total price or prices on individual lots which is a private matter'.⁴⁷ But it was too late, as Ford had already revealed the details. Rather than send a cable, Ford timorously wrote a letter to Rosenbach in immediate response. In his defence, he claimed that his words were 'the result of anxious consultation with my Canons, almost at the point of a bayonet, with newspaper reporters barking round my heels'.⁴⁸

To make matters worse for the Dean, Dr. George F. Hill, then Director and Principal Librarian of the British Museum, openly attacked the transaction in the national press. Hill had written to *The Times* newspaper to complain of the Dean and Chapter's cavalier attitude in selling the Caxtons and other books. Hill stated that the Dean and Chapter had been in consultation with the British Museum in late 1929 but that 'The Dean and Chapter made no further communications to the British Museum, which was given no opportunity of acquiring the books.'⁴⁹ Yet the first staff at the British Museum knew of the sale to another party was when they opened up their newspapers.

The Minster Librarian, Harrison, responded to Hill's complaint by writing his own letter to the editor of *The Times*. In it he claimed that 'Dr. Hill is laboring under a

⁴⁷ YMA, ACC/1988/29.

⁴⁸ YMA, ACC/1988/29: Letter from Ford to Rosenbach, dated 27 March 1931.

⁴⁹ *The Times*, Letter from Hill to the editor, dated 24 April 1931.

misapprehension in thinking that the valuation of the books and manuscripts in the Dean and Chapter Library, York, was either suggested or undertaken on condition for sale should be offered first of all to the British Museum'.⁵⁰ Yet what Harrison claimed was a stretch of the imagination if not of the truth. The Sub-Committee's recommendation of a valuation was followed by a strong recommendation, if not exactly on the condition, that the books were to be offered for sale to the British Museum.

The British Museum did concede that they probably could not match the astronomic sums offered by the American dealers but that they would, nonetheless, be interested in any books for sale, so long as they did not duplicate works already in the Museum's collection. However, in a private letter to Ford, Harrison stated obliquely that the British Museum had said that they were not interested in *three* of the Caxtons; in other words, they were still interested in two of them. As *The chorle and the birde* and *The hors, the shepe, and the ghoos* were unique, surely these would be the two of the five Caxtons in the Library in which they were interested.⁵¹ In the end, Rosenbach acquired all five Caxtons from the Minster without any other bid being given serious consideration. In early May, Ford was obliged to write to Dr. Hill

⁵⁰ Harrison to the editor of *The Times*, 27 April 1931.

⁵¹ YMA, ACC/1988/29: Letter from Harrison to Ford, dated 24 April 1931, in which he expresses his anger at Hill's letter to the editor of *The Times*.

at the British Museum to apologise for not telling the British Museum about the sale.⁵²

Meanwhile, at Quaritch's, Ferguson was keeping Rosenbach abreast of what was happening in the English press. In a moment of camaraderie, Ferguson told him:

By the way, the British Museum authorities have been going for the Dean of York, in the *Times* because the Dean and Chapter did not give them the opportunity of buying any of the Caxtons, etc, which you bought. They had been led to expect that these books might be offered to them, and indeed I had been led to expect the same when I undertook the valuation. I need hardly say that nobody blames you in the very least for having made the "scoop" you did.⁵³

With journalists and others on the attack, the Minster's Chapter met to discuss the exposure the sale had received in the press. Harrison was asked to compile a report on the sale. What Harrison told the meeting of Chapter on 31 March 1931 was that Rosenbach had legitimately bought the books; no other party could or should have been taken seriously, since no one else could offer such a sizeable amount for the books. He made no mention of the fact that they had acted in direct contradiction to the advice of the Sub-Committee's findings. Harrison insisted that, although 'Dr.

⁵² YMA, ACC/1988/29: Letter from Ford to Hill, dated 6 May 1931.

⁵³ RMA, I.141.18: Letter from Ferguson to Rosenbach, dated 8 May 1931.

Rosenbach is of Jewish birth,' and although he was a businessman with the instincts of a businessman, the sale was legitimate.⁵⁴

Harrison believed that Rosenbach – a 'friend' of York Minster – wanted to help the Dean and Chapter, hence the sale was justified because it was highly beneficial to all concerned. The Librarian claimed that Rosenbach was 'happy in the knowledge that he had helped to make the restoration of the Lantern Tower of the Minster possible.' He ended his report by acknowledging that the report, 'which of necessity omits many interesting details', was intended to help the Chapter arrive 'at a right judgement in the matter'.⁵⁵

On 27 March 1931 the Chapter publicly endorsed Lionel Ford's actions. It is worth noting that Ford waited until he had this endorsement from his Chapter before writing his apology to Rosenbach for the negative exposure.⁵⁶ With the backing of his Chapter, Ford was, to all intents and purposes, cleared of any wrongdoing. Public opinion, however, was clear: the texts should never have sold overseas. Rosenbach was not overly perturbed by the backlash but he did follow closely the coverage in

⁵⁴ These 'Private and Confidential' notes were made by Canon Harrison for a meeting of Chapter held on 31 March 1932. They were discovered in an old filing cabinet in the Library on 20 January 1966 and eventually incorporated into YMA, ACC/1988/29. No part of Harrison's report has hitherto ever been published or referenced in academic discussion of Rosenbach's dealings with York.

⁵⁵ YMA, ACC/1988/29.

⁵⁶ See above, p.[18]. Letter from Harrison to Ford, dated 24 April 1931.

the British press, keeping a file of newspaper articles about the sale. In a letter to Ford, dated April 23, 1931, he told the Dean that,

I have several clippings from York, but the whole matter seems to be a “tempest in a teapot”. Perhaps it might have been better if their sale had been announced at once. With the newspapers it is always a case of “much ado about nothing”. It was the business of York-minster if the authorities wanted to dispose of the volumes, and not that of the general public.⁵⁷

Yet that ‘sale’ was not a single transaction: Ford and Harrison sold further books to Rosenbach soon after they sold the Caxtons, managing to keep subsequent sales away from the glare of the press. This later sale – made with the consent of the Chapter – included a copy of John Eliot’s 1633 Indian Bible (valued by Ferguson of Quaritch’s at £750 on May 21, 1931).⁵⁸ In total, Rosenbach managed to acquire more than seventy incunables and early modern codices from York Minster Library.⁵⁹

IV

⁵⁷ RML, I.01.49: Letter from Rosenbach to Ford, dated 23 April 1931.

⁵⁸ YMA, ACC/1988/29. The valuation sheet also listed further books to the value of at least £752, which were listed subsequently either as ‘missing’ in manuscript notes added to the list, or as ‘sold’. Those marked as sold were indeed acquired by Rosenbach in 1931.

⁵⁹ For a detailed list of all the texts known to have been acquired by Rosenbach, including details of subsequent ownership, see Morris, *Rosenbach Abroad*, pp.55-61.

In 1960, Rosenbach's biographers described the decision by the Dean and Chapter of York to sell *so many* rare titles from their collection as the 'the real rape of York'.⁶⁰ Yet Wolf, who had worked for Rosenbach and knew his methods, would later insist that 'It was no rape. It was quite voluntary on the part of the York Minster, which regarded Rosenbach as a benefactor.'⁶¹ E. Millicent Sowerby, who also worked with Rosenbach, never wavered in her rather dim view of the proceedings. She openly claimed that 'The sale was arranged by Dr. Lionel Ford, the Dean of York, in complete secrecy, without even consulting his Chapter.'⁶² She maintained that it was a questionable transaction, insisting, even in 1967, that it was 'a transaction which still upsets me when I think of it.'⁶³

In the aftermath, Lionel Ford continued to justify the sale. In July 1931, in the *Yorkshire Herald*, he claimed that 'Through that sale alone have we been able to begin work, now long overdue, on the roofs and central tower of the Minster itself'.⁶⁴ The original estimate for the money required for repairs to the Tower was around

⁶⁰ *Ibid.*, p.336.

⁶¹ See extracts of his interview with Leonard W. Boasberg, for *The Inquirer*, 8 March 1988, available at: http://articles.philly.com/1988-03-08/news/26279121_1_rare-books-abraham-simon-wolf-private-libraries.

⁶² Sowerby, *Rare people*, p.169. Sowerby was the Chief Bibliographer to the Rosenbach Company. See also Wolf and Fleming, *Rosenbach*, p.175.

⁶³ Sowerby, *Rare people*, p.169.

⁶⁴ *Yorkshire Herald*, 20 July 1931.

£55000.⁶⁵ The money raised from the sale of books to Dr. Rosenbach was £20210.⁶⁶ Yet on 30 March 1931, the *Yorkshire Herald* reported that the Minster was still in need of £48,800 for fabric repair. In reality, the money paid by Rosenbach did not go towards the restoration but actually remained in a Special Fabric Restoration Fund.⁶⁷ In reality, those specific funds were subsequently converted into the Minster Library Fund.⁶⁸ Rather than enabling the fabric to be repaired – the very necessity that instigated the sale – the money, it was claimed quarter of a century later, ‘did much to make the modern revival of the library a financial possibility’.⁶⁹

Dean Ford showed no remorse – publicly or privately – over the sale of incunabula and rare books to Dr. Rosenbach. He enjoyed his dealings with Rosenbach and saw no reason for regret. On 7 May 1930, Ford wrote to Harrison, barely able to contain his joy at the sale, stating that he liked to ‘recall the [thought]of our joint experience in working, playing, and twice landing our big fish – it is hard to keep silence’.⁷⁰ In his letter to Rosenbach, Ford claimed that he had only divulged information about the sale by default – ‘at the point of a bayonet’ – but it may also have been something of a boast, after landing his ‘big fish’. From the tone of their correspondence, it does

⁶⁵ YMA, H/11/4: Chapter Acts, 28 January 1930. The total listed is £54,811. See also the typescript assessments in YMA, ACC/1988/29.

⁶⁶ See Morris, *Rosenbach Abroad*, p.54.

⁶⁷ YMA, E.4g-k 1888-1937.

⁶⁸ YMA, E.4g-k 1888-1937.

⁶⁹ C.B.L. Barr, *York Minster Library* (York: Sessions, 1989), p.528.

⁷⁰ YMA, ACC/1988/29: Letter from Ford to Harrison, dated 7 May 1930.

appear as though Ford and Harrison reveled in their experiences, almost as if, for them, the thrill was in the chase, not in the acquisition of much-needed funds for fabric repair. They had been on an adventure.

It is possible that Ford was keen to ensure a financial windfall for the Minster, which could stand as some sort of legacy. What was not widely publicized at the time was the fact that Ford was terminally ill with cancer. He died on Easter Day 1932, just as the whole backlash against the sale had begun to ease. The motives remain questionable but his actions raised an important issue: did the Dean and Chapter have the right to disperse any part of the Library's holdings? Was it really the private 'business' of York Minster only, if the Dean and Chapter wanted to sell any of its contents – something not open to outside scrutiny or of public concern? Such questions have been tried and tested in many institutions since Dr Rosenbach's encounters with York Minster Library. The need to balance faithful custodianship with financial viability remains all too great a concern for our great collections, both in the UK and beyond.