



The earl and the thief: Lord Ashburnham and Count Libri

Citation

Munby, A. N. L. 1969. The earl and the thief: Lord Ashburnham and Count Libri. Harvard Library Bulletin XVII (1), January 1969: 5-21.

Permanent link

<https://nrs.harvard.edu/URN-3:HUL.INSTREPOS:37363753>

Terms of Use

This article was downloaded from Harvard University's DASH repository, and is made available under the terms and conditions applicable to Other Posted Material, as set forth at <http://nrs.harvard.edu/urn-3:HUL.InstRepos:dash.current.terms-of-use#LAA>

Share Your Story

The Harvard community has made this article openly available.
Please share how this access benefits you. [Submit a story](#).

[Accessibility](#)

The Earl and the Thief: Lord Ashburnham and Count Libri

A. N. L. Munby

THIS is the story of a highly dramatic episode in the history of bookcollecting. It tells how a proud nobleman was hoodwinked by an adventurer into buying great manuscript treasures which had been stolen from French public libraries. From the French side the episode has been brilliantly written up by Léopold Delisle, whose heroic and ultimately successful struggle to recover these manuscripts for his native country is one of the finest passages in the history of librarianship. Delisle, however, wrote in 1888, and in 1953 the papers of the Earl in question, Bertram, 4th Earl of Ashburnham, were deposited in the East Sussex County Record Office, and from them a great deal can be added. Let me start by saying a few words about Lord Ashburnham's personality.

During the nineteenth century social barriers were in the process of being broken down. The rise of the middle classes, the growth of the public schools at which upper and middle class boys mingled on terms of equality, the rising status of the professions, all these contributed to an easier and less formal structure of society; and even dukes, or some of them at least, became all affability and condescension. To these influences Lord Ashburnham was wholly impervious. He was one of those nineteenth-century noblemen who braced himself to resist the wind of change and in the process he became stiffer and prouder than any of his forebears. He indulged in heroic quarrels with people ranging from Queen Victoria to the local master of foxhounds, and he beat the Bishop of Chichester hands down in a controversy about Infant Baptism. F. S. Ellis, who wrote an account of him in Bernard Quaritch's *Dictionary of English Book-Collectors* refers to his stern, haughty demeanour and his overbearing temperament, adding that "he was a man rather calculated to inspire fear than love or respect." Augustus Hare records how Sir George Dasent referred to him as "the old Bengal tiger at Ashburnham," and related

how he had dismissed the Historical Manuscripts Commission as "a society of ruffians who tamper with title-deeds." His control of his ancient family estates was patriarchal and despotic, and bred anecdotes of him such as one in which a woodcutter who had accidentally cut down the wrong tree fell on his knees before him to beg forgiveness. Nevertheless I have it on the high authority of his grandson that he was a fair, even a generous landlord, and a very efficient one; but you have only to look at the beetling marble eyebrows of his bust in the church at Ashburnham to realize that he was a formidable figure, not to be crossed with impunity. It was ironical that such a man in the course of fulfilling one of the great passions of his life, the collecting of manuscripts, should have been the unwitting accessory to a felony.

The thief, to give him his full name, was Guglielmo Bruto Icilio Timolcone, Conte Libri Carucci della Sommaia, who was born at Florence in 1803. He studied law and the natural sciences; at twenty he held a chair of mathematics at Pisa. He came to France as a political refugee in 1830 and was naturalized in 1833. He was elected a member of the *Institut*, and to a Professorship in the Faculty of Sciences at the University of Paris. His interest in mathematics became steadily more antiquarian, and his published history of the subject in Italy from the Renaissance to 1700 has an honorable place in the literature of the history of science.

Libri was in the highest degree combative by nature. In France as in Italy he plunged into political and learned controversy and pursued the latter so energetically that he was soon at loggerheads with half the French Academy. In particular he made a bitter personal enemy of the famous astronomer, Dominique François Jean Arago, whom he ridiculed in the *Revue des Deux Mondes*, pouring especial scorn on the series of *éloges*, which Arago in his capacity of Perpetual Secretary pronounced on deceased Academicians. The notorious hatred which these two men bore for one another was a factor which served to cloud the issue of the stolen books after 1848.

Libri showed great aptitude for bibliography and palaeography, and he started to form a large library. As early as 1835, however, he was dealing in printed books and manuscripts, and by the end of that decade his trade in them was very extensive. He twice failed to get himself appointed to the staff of the Bibliothèque du Roi, but in 1841 he was made secretary of a commission which had been newly set up

to oversee the publication of a union catalogue of manuscripts in French public libraries. In his official capacity Libri toured the libraries of France, many of them disgracefully neglected by the authorities responsible for their administration. A writer in the *Bulletin du Bibliophile* of 1888 recalled the sinister impression which he made upon the librarians he visited, clad in a capacious cloak and armed with a stiletto, for, he said, the Carbonari had put a price on his head. An interesting by-product of these journeys was an article which he contributed to the *Journal des Savants* in 1842, "Notice des Manuscrits de quelques Bibliothèques des Départements." In the introductory pages of this article Libri gives some account of the state of the public libraries, which to the modern scholar, wise after the lamentable series of events following upon his visits, makes somewhat curious reading. His official status and impressive letters of introduction doubtless encouraged librarians to give him the run of their collections without supervision, and as a result he was able to steal manuscripts on a large scale. Thefts by him were subsequently traced at the town libraries of Dijon, Lyons, Grenoble, Carpentras, Montpellier, Poitiers, Tours, and Orleans, thefts not only of complete books, but of single leaves and quires torn from manuscripts of great antiquity. The bindings of the stolen books were generally renewed, and marks of provenance systematically effaced. Paris in the early 1840's, so Delisle assures us, was full of skilful forgers who catered especially for those who required genealogies and documents to prove descent from a Crusader, a social distinction comparable with a passage on the Mayflower. By these craftsmen many of Libri's thefts which had French monastic provenances were given false inscriptions transferring their source of origin to Italy. Some of these alterations were highly ingenious. Manuscripts from Fleury (Floriacum), for example, were assigned to Florence by a deft alteration of a contraction. Fake Italian bindings were supplied for some of them; in fact few aspects of this deplorable affair gave Delisle sharper anguish than the attribution to Italian *ateliers* of some of the great glories of French medieval illumination.

Libri seems to have exhibited his stolen treasures to the learned world with reckless overconfidence. In particular he displayed the Tours Pentateuch, a conspicuous book, being of the seventh century and decorated with nineteen large miniatures, at the salon of his friend Paul Delaroche. Mérimée, who was present, at once said that he had

seen the manuscript at Tours some years before; but Libri, with admirable presence of mind, replied that Mérimée had seen a later French copy of the original which he had acquired in Italy; and Mérimée to the end was a champion of Libri's innocence.

Libri consigned large parts of his library, or perhaps we should say of his stock, to the auction room. Delisle lists eleven sales between 1835 and 1846 which contained material from this source, and it may well be that there were others. These, however, were mainly sales of printed books; it was not until late in 1845 that he seems to have planned to sell his whole collection of manuscripts, and to this end he drew up an annotated list. It was doubtless the embarrassing provenance of some of the finest items which prompted him to offer them for sale abroad; and it was his friendship with Anthony Panizzi, a fellow-countryman and political exile, which led him to offer the collection in the first place to the British Museum. Great secrecy was maintained, so great that for some time the name of the would-be vendor was not disclosed even to the Trustees. Sir Frederic Madden, Keeper of the Department of Manuscripts, drew up a report from Libri's catalogue which was submitted to the Trustees and as a result he was authorized to visit Paris with John Holmes, an assistant in the Department, for the purpose of inspecting the manuscripts and making a definite recommendation as to the desirability of their purchase. They set out on 6 May 1846, and the personal account of Libri which Madden recorded in his unpublished journal in the Bodleian Library is of great interest.

Monday 11 May . . . I proceeded with Mr Holmes on foot to the Sorbonne to call on M. Libri . . . The entrance of the Sorbonne (which stands in a narrow street bearing the same name) reminded me of one of the minor colleges of Oxford, and the interior quadrangle in some measure corresponds. M. Libri's rooms were up the first staircase on the right, and we ascended three dirty flights of stairs, or rather more so, and soon [met] M. Libri himself who received us very courteously. In his external appearance [he] seemed as if he had never used soap and water or a brush. The room, in which we were introduced, was not more than about 16 feet wide, but filled with manuscripts on shelves up to the ceiling. The windows had double sashes and a fire of coal and coke burnt in the grate, the heat of which, added to the smell of the piles of vellum around, was so unsufferable, that I gasped for breath. M. Libri perceived the inconvenience we suffered and opened one of the windows, but it was easy to see that a breath of air was disagreeable to him, and his ears were stuffed with cotton, as if to prevent his feeling sensible of it! M. Libri is a rather corpulent person, of good humoured but broad features, and reminding

me somewhat of the portraits of Magliabecchi. After the first compliments had passed, he placed in my hands the copy of my printed Report, which was sent to him (in my opinion *very unjustifiably*,) by Mr Panizzi. We had the catalogue of the Mss. with us, and set to work immediately, but the task of examining the Mss. was one of great fatigue. They were only partially arranged from want of space in the room, and M. Libri remained in the room the whole time, standing close by us, so that we were unable to make any remarks on the state of the Mss. without his hearing them. He understands English very well, but only speaks it a little.

Detailed comments on the manuscripts follow, beginning with the Tours Pentateuch. In the middle of the afternoon they broke off for the day, upon which Libri politely offered them tickets for various learned meetings and carried Holmes off to the *Institut*. On Tuesday morning they returned to the task, again in intolerable conditions of heat and discomfort. With the second day's inspection Madden expressed himself somewhat disappointed, though he added, "There can be no doubt of the value of the collection as a *whole*, and it is entirely a question of price." On Tuesday afternoon Libri, whose manner is described as "particularly courteous," offered them cards of admission to the Chamber of Deputies, but Madden had some difficulty making himself presentable. "The books are so dirty in his room," he recorded, "that when we leave off the condition of our hands and clothes is dreadful. A clothesbrush remedies the latter, but for the former we have no resources, but a shallow *pudding-dish* (I speak literally) of white ware, brought in by M. Libri's dirty servant, accompanied by a small allowance of water, and a beastly rag for a towel!" On Wednesday Madden looked at the Dante manuscripts and was better pleased, and on the following day he and Holmes were left to themselves for the first time. On Saturday they had reached the autograph letters and Libri apologized for having mislaid a letter of Petrarch. Madden adds a gloss to this passage. "At the time M. Libri told me this," he wrote, "I was fully satisfied of his probity and upright dealing, but subsequent events have too well convinced me, that he was the last man in the world to *mislaid* a letter of Petrarch, and not to turn it into as much money as it would produce at an auction." Libri continued to be attentive and hospitable. He took his guests to a reception at Guizot's and gave a dinner party for them, having assembled M. Naudet, head of the Bibliothèque du Roi, M. Maignan of the Department of Printed Books, and the Prince de Ligny to meet them. Madden however was feeling out of sorts

and recorded that he ate little and talked less, "a deficiency," he added, "that was amply made up by Mr Holmes, who suffered his tongue (as he generally does) to get the better of him."

By Tuesday, 18 May, Madden was confirmed in his view that the purchase would be an advantageous one, and under that date he gives in his journal a summary of his draft recommendations to the Trustees in which he goes out of his way to say that in general Libri had not overdescribed his wares and that he was to be considered trustworthy. Almost reluctantly Madden had begun to discard the suspicious xenophobia which was part of his nature.

"I must own," he recorded against 27 May, though the entry was obviously written later, "that in regard to our *personal* intercourse with M. Libri, no one could behave more courteously and with greater wish to oblige; and there was an appearance of bonhomie in the features and conversation of this gentleman that completely won me over. I know that it was in his interest to be civil to *me*, because he was playing for a stake of 10,000£. Yet there appeared so much openness of manner about him, that I felt inclined to credit his word implicitly, and in my Report to the Trustees I spoke in handsome terms of his fairness and my confidence in his integrity."

Madden's favorable impression of Libri's character did not long survive his return to London on 1 June. Two days later the bookseller, Thomas Rodd, called at the Museum. "I asked him some questions concerning Libri," wrote Madden, "whose character he knows very well, having frequently had dealings with him, and learnt when at Paris a great deal respecting his history from Mr Moore, who resides in the *rue des Bons Enfants*. His account of Libri rather surprised and staggered me. Rodd asserts, that so far from *not* being a *marchand de livres*, a *bouquiniste*, which M. Libri so anxiously repudiates in his letters to myself, that he was notoriously a *dealer* both in books and Mss., a fact known to every bookseller in Paris. His character for probity was very problematical, and Rodd did not hesitate to say, that he had heard it repeated more than once, that Libri was suspected to have *stolen* a portion of the Mss. he possessed. As to his having given (as he asserts) 10,000£ for his collection Rodd quite ridiculed the notion, nor did he value the Mss. so highly as ourselves."

Madden's calculations suggested that between eight and nine thousand pounds was a true valuation, whereas Rodd inclined to £7500.

"We think that this is too low," commented Madden, "and although I begin to suspect that M. Libri is a *scoundrel*, I do not the less desire to secure his collection for the Museum, if it can be accomplished fairly." A fortnight later the Berlin bookseller, Asher, confirmed Rodd's view of Libri as a notorious dealer of questionable honesty. "I feel quite uncomfortable about M. Libri from what I have heard," wrote Madden. "There is something wrong about him, and he has evidently tried, with the help of his friend M. Panizzi, to make a dupe of me. Still there can be no doubt about the value of his Mss."

Madden and Holmes made independent calculations of the collection's value and on 8 June 1846 the Museum asked the Treasury for £9,000 to make the purchase. It was not until August that Treasury refusal was communicated to the Trustees. In September they returned again to the attack and requested £6,600 for the purchase of everything except the important collection of Napoleonic papers, and this time the Treasury authorized expenditure of £6,000. Libri, however, was reluctant to divide the collection and the negotiation hung fire; in November Holmes had put him in touch with Lord Ashburnham, which made him less amenable to the Museum's attempts to strike a bargain. Madden in the meantime had discovered a good deal to Libri's detriment, and was especially incensed to learn that while he had been treating with the Museum for what he described as the whole of his manuscripts he had in fact been offering part of his collection elsewhere. "I believe all foreigners *alike* dishonourable in money matters," commented Madden, "but in so grave an affair as the sale of a collection for 10,000£ one could have expected a greater share of good faith than usual to have been kept." On 14 September, by which time it seemed apparent that negotiations would break down, Madden suggested to Payne and Foss that they should buy the entire collection and cede it to the Museum at a ten per cent increase, but it seems that the partners were unwilling to make any overtures or to be involved in the affair. Five days later Foss showed Madden a letter from Libri in which he proposed that he should send most of his manuscripts to England to be sold at a series of auction sales under Payne and Foss's management, an offer which they declined. On 10 December Madden was asked by Libri to hand the catalogue of the manuscripts over to Holmes; he did so, and there is no indication in his journal that he knew the purpose of the request: to allow Holmes to forward the catalogue to Lord Ashburnham.

Once again the strictest secrecy was enjoined on the participants, and Holmes stated to Libri that Panizzi himself had not been apprised of Ashburnham's entry into the field. On 16 December 1846 Holmes wrote to Lord Ashburnham in reply to certain questions which the Earl had put to him about Libri's catalogue. He was not at this stage urging the purchase, rather the reverse. He stressed the absence of "fine & beautiful manuscripts"; the Giulio Clovio was much damaged, and although he believed it to be genuine, he and Madden had valued it at only £25 and £50 respectively. The Lorenzo manuscript was, he said, small, but fine, though not worth more than £100. "One great feature of the collection," he continued, "and one to which Libri attaches perhaps half the total value are the *early* Mss. Many of these, perhaps one half, are incomplete as might be expected, but there is one volume amongst them, the Pentateuch with paintings of a very early date which both I and Sir F[rederic] valued at from £800-£1000. I know of none like it in this country. It would more than vie with the Vatican Terence and Florence Virgil." He also extolled the Napoleon correspondence, the seventeen manuscripts of Dante, and the autographs, and added that Libri's descriptions seemed fair. "I quite acquit him," he said, "of any desire to overstate the value." He returned to this subject in a letter of two days later, when he wrote, "I have not the least doubt of M. Libri's honor and integrity." Nonetheless he warmly approved of Ashburnham's plan of getting a second opinion on the collection from Thomas Rodd, whom he described as an excellent judge of *market* value and a man of the utmost probity.

Rodd advised emphatically against the purchase, and on 16 December 1846 he urged the Earl to send Libri "a decided answer in the negative." "I have not seen the whole of the collection," he wrote on the following day, "nor any list of it, but I saw in Paris, some sixteen months past many of the most curious and valuable articles. The opinion I formed of the collection from what I saw then, was that it was calculated for a public library and not for the cabinet of an amateur." He went on to explain that the interest of the collection was scholarly and palaeographical rather than artistic, and he urged the Earl, if possible, to secure a choice of the manuscripts rather than buy the whole. He stressed, as did Holmes in a later letter, the certainty of financial loss if Ashburnham bought the whole and then consigned to the auction room the manuscripts which he did not re-

quire. In any case Libri himself would probably be forced to sell by auction, since the British Museum had declined the purchase and the French Government was unlikely to entertain the project for an instant.

For a few days Ashburnham's zeal for the acquisition seems to have abated, but on 6 January 1847 Rodd urged the Earl to go himself to Paris and see the books if he were set on proceeding. It was Rodd, however, who made the trip in March with £2,500 at his immediate disposal.

Libri's manner, Rodd reported, was "frank and cordial," and he voluntarily offered that the bookseller should take over to England the two best manuscripts for Ashburnham's inspection. Rodd, writing from Boulogne, said that he was bringing the Tours Pentateuch and the Hours of Lorenzo di Medici, and that this fact was to be disclosed to no one, not even to Holmes.

From that point Rodd's tone changes. On 13 March he was urging Ashburnham to buy the collection *en bloc* after all, rather than make a selection. He did indeed set out the objections once again but added, "Were I a collector and the money freely at my command without any fear of my fortune being injured by it, I should not hesitate at making the purchase." On 19 March the Earl offered £8,000, a figure which Libri accepted on the 27th, and a month later the sixteen crates of manuscripts reached Ashburnham Place.

Madden heard of the purchase on 23 April from Payne and Foss. He was greatly surprised that Lord Ashburnham should have paid £8,000 for the whole collection, the greater part of which, he assumed, would have no interest for him. "I confess I am astonished," he wrote, "that Lord A[shburnham] has been induced for the sake of a few volumes to lay out so large a sum; but I suppose (probably guided by the advice of Mr Holmes) that he expects to reimburse himself a large portion of the outlay by the sale of those Mss. he does not keep. I feel wholly indifferent now to the Collection. M. Libri has already broken up and destroyed the integrity of the Autograph collections, and after Lord A[shburnham] has picked out the early Latin Mss., the Dantes, and the few illuminated volumes I do not choose to come forward as a purchaser of the refuse."

By this transaction the Ashburnham Library was increased by 1,923 manuscripts. There were forty-five ancient Biblical manuscripts, all before the eleventh century and ten of them of the eighth

and earlier (among them the Pentateuch which was to cause such trouble and vexation in a few years' time), a number of Latin classics of the ninth or tenth century, the collection of Dante manuscripts, a good series of early French romances, many important Italian texts, much Florentine correspondence of the fourteenth and fifteenth centuries, scientific papers of the seventeenth and eighteenth, and also the letters of Napoleon. Although its importance was mainly textual, the collection was not devoid of a few richly illuminated books; and had the title to some of the finest items been unimpeachable, Lord Ashburnham and his advisers would have been able to congratulate themselves. This indeed they did for a short time; but the exposure of Libri, and the printing by Lord Ashburnham of his catalogue of the Libri manuscripts, quite soon brought a series of disagreeable consequences in their train.

In Paris anonymous accusations against Libri had been addressed to the authorities as early as 1846, and in 1847, the year in which Libri sold very large numbers of his printed books at auction, the ugly rumors redoubled in intensity. We are concerned here with the effect on Ashburnham of the unmasking of Libri, and can only touch shortly upon the well-known facts relating to his downfall. An enquiry was held by M. Boucly, a magistrate, who forwarded his findings to the Minister of Justice on 4 February 1848. Guizot, the President of the Council of Ministers, was informed, but Libri was exceptionally fortunate in the timing of his exposure. The abdication of Louis Philippe, the founding of the Second Republic, the June days, the Prince-President's *coup d'état*, all intervened to divert public attention from his case. Libri slipped across the Channel to London on 27 February, escorting Guizot's young daughters and eighteen crates of books. On 13 March, Holmes reported to Ashburnham, "Libri is in London. . . . His flight may be accounted for by the fact that he was an intimate friend of Guizot and also violently opposed both on political and personal grounds to Arago, now one of the members of the provisional Government." During that week the British press reported from their French counterparts the denunciations of the refugee. "Libri is very much taken up," wrote Holmes on 22 March, "by a gross attack made upon his character in the *Morning Chronicle*. He is openly charged as having fled from Paris on account of its being discovered through papers found in M. Guizot's house that he had stolen Mss. to the amount of 400,000 francs from

the Public Libraries of France and particularly from the Chartreuse of Dijon, which he sold to the British Museum. Libri went immediately to Claremont to see Guizot, and Panizzi has written in his own name to the *Chronicle* stating the circumstances of our purchase and the utter falsehood of the whole accusation." Holmes went on to explain that the manuscript concerned had been bought through Payne and Foss. "I write at once to say all I know," he added, "and to express my firm belief that Libri acquired no Mss. dishonestly."

On the following day Holmes reported that Panizzi's letter, to his great indignation, had not been inserted in the *Morning Chronicle*. He sent Ashburnham a copy of *La Presse*, which he had procured, containing the official and detailed charges against Libri, and added that Panizzi was confident that he had answers to all of them. "Madden," he continued, "who has long had a great dislike to Libri, has I understand brought the question before the Trustees of this house, as to how far Libri may be allowed to use Mss. here, — and this before any application has been made to him or to me for the use of any Mss. . . . In the meantime I continue to believe Libri innocent. We all know how during political troubles Mss. and books have changed owners in a violent way." The bookseller Boone had shown the article in *La Presse* to Madden on 22 March, and the latter noted down the charges in his journal. "The circumstances stated are so confirmatory of the reports mentioned to myself in 1846," he wrote, "and his dishonourable conduct towards myself in regard to the sale of his Collection renders him, in my eyes, a person of such very doubtful integrity, that I shall, as a matter of duty, bring the matter before the Trustees."

Madden could hardly have done less, for Libri was constantly in the Museum and as a privileged friend of Panizzi had been allotted a seat in the King's Library. The Trustees met on the following day and having considered Madden's report they summoned the Keeper of Manuscripts into their presence. "They told me," he recorded, "that I had acted perfectly rightly in bringing the subject of M. Libri before them, but that they had seen Mr Panizzi, who had given them *such explanations*, that they were *perfectly satisfied*. M. Libri is therefore to have access to the Museum collections without restriction. After I had left the Trustees, they sent for me a second time, and returned to me the French newspaper and my letter to Sir H. Ellis, as they do not intend to make any note on their minutes of the transac-

tion. Very well! I, at least, have done my duty. I shall ever have the same opinion of M. Libri. That he is a *liar*, and a *dishonorable man*. Whether he is a *thief* also perhaps time will show."

Holmes hastened to tell Lord Ashburnham of Libri's vindication in such exalted quarters. "I am quite rejoiced to have to tell your Lordship," he wrote in a second letter of 23 March, "that since I wrote my note of this morning the Trustees have gone through the charges specified against Libri and have been convinced by documents that all are as false as the first, and that no stigma rests on Libri, and I am also able to tell your Lordship (in confidence) that they resolved no vestige should remain on their proceedings of such a charge against such a man, and therefore *returned* to Sir F. Madden his report, a proceeding very seldom resorted to. Present: — H.R.H. Duke of Cambridge, Lord Cawdor, Lord Northampton, Dean of Westminster, Mr. H. Hallam, Sir Robert Inglis."

Libri and Panizzi in the meantime were hard at work on a pamphlet to refute the accusations, and on 23 May Holmes told his patron that he would send him 25 or 50 copies and that he himself had promised to distribute a hundred. On 1 June he reported that copies had been despatched to every peer and member of Parliament. In England, as always, there was widespread sympathy for the victim of what was taken to be political persecution. Guizot, who had also reached England, went about saying publicly that the whole affair was "une infâme de M. Arago"; for Libri's arch-enemy, the eminent astronomer, had become Minister of Marine and War in the Provisional Government, and was in a position to wage a relentless campaign against the thief. Libri, however, was not devoid of powerful friends. Paul Lacroix, well-known by his pseudonym "Le Bibliophile Jacob," arrived in London and having examined Libri's papers expressed himself perfectly convinced of his innocence. On 1 December Holmes reported to Ashburnham that Lacroix had seen "the actual accounts, either bills or receipts or vouchers, satisfactory to him, for nearly 900 of the mss. which your Lordship has." On the English side of the Channel the pamphlets and comments were, after the first few days, almost exclusively in Libri's favor, and the English attitude is well summed up in a letter of Holmes written on 28 December 1849. "I know of nothing," he wrote, "more opposed to the good English and Christian notions of right and wrong and of evenhanded justice than the 'affaire Libri' and the attacks and defences and the tone of the pamphlets pro

and con. We cannot, thank God, imagine *here* a man's house, property, money, books and papers seized and handed over to three paid 'experts' who in 22 months bring no charge, state no fact, nor communicate in anyway with the accused, nor take any steps whatever to bring him to trial! However the facts brought to light illustrate very clearly the low and base grovelling animosities of the soi-disant literary men of France."

The three experts appointed by the French Government to unravel the tangled web of Libri's affairs were slowly but surely building an incontrovertible case against him; and in this they were aided, as it emerged later to Ashburnham's annoyance, by a list of his Libri manuscripts furnished by Madden to the prosecution. On 22 June 1850 Libri was tried in his absence and condemned to ten years' solitary confinement with hard labor. The criminal loudly protested his innocence and his friends were tireless in their efforts to get the sentence rescinded. As late as 16 December 1860, Guizot, Mérimée and others petitioned the Senate to this effect, but in vain. In England Madden must have been one of the few men who held unwaveringly to belief in his guilt. In October 1862 Lord Brougham wrote to Augustus de Morgan, "Libri is the very worst used man of whom we have any instance, partly by academic faction, partly by national prejudice and partly by political jobbery." Even at his death, which occurred in 1869, *The Times* obituary still took the same line.

Augustus de Morgan, to whom we referred above, was one of Libri's staunchest English champions. I think that I am probably right in attributing to his pen a powerful article in the *Dublin Review* in 1853. Admittedly this article is not listed in the bibliography of his works which his widow attached to her biography of de Morgan published in 1882, but there is an expert assessment of Libri's work as an historian of mathematics which must be considered a telling clue to its authorship. The article is ostensibly a review of twenty of the pamphlets on the *affaire Libri*. Its tone is judicial and it roundly condemns Libri's anti-religious and anti-clerical bias. On the main issue, however, it is uncompromisingly favorable to him, and the prosecutors of Libri come in for some rough handling. The whole system of French justice was of course little understood and widely condemned in England. The *Acte* in particular which set out the charges was no factual impersonal document such as would have been preferred under English law; it read like a speech for the prosecution and

a highly impassioned one at that. There is no doubt that some evidence which friends of Libri sought to give in his favor was suppressed or distorted; and Libri had one piece of undeserved fortune out of which great capital was made, when certain printed books which he was alleged to have stolen from the Mazarine Library were discovered to be present here. He won credit by going through the motions of preparing to return and stand his trial in person, and then being dissuaded by the anxiety of his friends for his personal safety at the hands of his political enemies. De Morgan made the most of these points, and his article ends with a resounding peroration.

"If there is any virtue in Saxon blood," he wrote, "it is that it boils at injustice and oppression, and we appeal to the sympathies of our English readers to excuse what their judgement might condemn. Finally we appeal to Frenchmen, to the government now established, and to the chosen head of a great nation, to heal the sores of revolutionary passions, to forget that M. Libri is an Italian, and a friend of M. Guizot, and to DO JUSTICE."

Such was the temper of public opinion in England, and it was little wonder therefore that when first, in November 1850, the French Government approached Ashburnham on the subject of the stolen manuscripts, it received small satisfaction. Attempts by the ambassador in London to secure an interview with the Earl were unsuccessful in 1850 and again in 1852. On 3 May of the latter year Count Walewski wrote officially after Libri's trial and asked Ashburnham to surrender the manuscripts, receiving by way of compensation the price which he had paid for them. Ashburnham's reply was distinctly chilly.

"I must at the outset," he wrote on 5 May 1852, "decline to enter into any negotiation founded on the assumption that any of the mss. in my possession were stolen by Sgr. Libri or even that I am convinced of his guilt. I am aware that he has been accused of having stolen various books and mss., that he has been prosecuted for the offence and that the result of the trial has been such, it has been said, as always awaits the absent. That he is therefore guilty according to the Law cannot be denied: but yr Excellency will allow me to say that a verdict obtained under such circumstances carries no conviction to my mind of the moral guilt of the accused.

"From the first it was well-known to Collectors, Librarians and Booksellers in England that Sgr. Libri was not, and could not be,

guilty of an important part of what was laid to his charge. He and his friends have since, as I am informed, disproved the rest of the original accusations. I therefore believe that Sgr. Libri is innocent, and must therefore take no step which would appear to imply that I join in the condemnation of a gentleman who has indeed been convicted in a Court of Law without being heard in his defence, but who has successfully vindicated his character where assailed elsewhere."

The Earl conceded in this letter that his library contained many articles which might, in his own phrase, "be more suitably housed in a French Public Library rather than an English private one." It was not, I think, his intention to raise any great hopes of a successful negotiation, but not unnaturally in his reply the French Ambassador took him up on this point and invited him to be more specific. In an answer of 7 July 1852 Ashburnham stated that when he made this observation he was thinking not of the early manuscripts but of his large block of the papers of Napoleon, which he had bought from Libri, but which no one had ever suggested were illegally obtained. If however the Government of France wished to discuss the sale of these manuscripts or of any others, then he would first demand that a categorical assurance be given. The Government must begin by acknowledging that Lord Ashburnham was the lawful owner of the property in question and it must state that it was willing to treat with him as such and not as with a receiver of stolen goods. Implicit but unexpressed in this letter was a suggestion that the representative of an upstart Empire, hardly worthy of the name, should show proper deference to a peer of the realm living on estates which had been in the ownership of his family for seven hundred years; and Count Walewski sensibly did not pursue the matter further at that date.

The Napoleon correspondence was the subject of a further frigid exchange two years later, when Monsieur Armand, an attaché at the French Embassy, wrote for permission on his Government's behalf to take copies of the letters for publication in the official edition of Napoleon's papers. On 11 January 1855 Ashburnham declined to allow transcripts to be made, but signified his readiness to exchange the Napoleon letters for fine early manuscripts from French public libraries, an insensitive suggestion under the circumstances, and one which Armand rejected as lying far outside any authority which he had been given in the matter.

During the first few years of his ownership of the manuscripts

there is no reason to believe that Ashburnham gave any credence whatever to the possibility of the charges against Libri being true. In 1853 he had printed privately a handsome catalogue of the Libri manuscripts, reproducing Libri's own descriptions; and he gave copies of this catalogue to public institutions and to private individuals. He also prepared a slim folio volume of nine plates illustrating pages from eight of his most remarkable manuscripts, four of which were stolen.

But Ashburnham was an intelligent man. Doubtless his palaeographical knowledge fell short of professional standards, but his library was one of his life's passions and the study of its components his continual pursuit. It is inconceivable that he was not swayed by the evidence which, in a series of papers in the *Bibliothèque de l'École des Chartes* and elsewhere, Delisle and, later, Paul Meyer laid before the learned world; offprints were sent to him. It was not however until 1869 that a partial recognition of the ugly facts was wrung from him. In the previous year he reproduced in facsimile a portion of Libri manuscript No. 7, an early copy of the Books of Leviticus and Numbers. It was Delisle's demonstration that these books had been torn by Libri about 1842 from a Pentateuch in the Public Library at Lyons which extracted from Ashburnham an admission that he accepted the evidence of the thefts. On 16 June 1869 he wrote the following sentence in a letter to Delisle. "Other mss. from Libri's collection contain what I have long suspected, and what you state to be, fraudulent attempts to conceal the true *unde derivantur* of property that has been lost or stolen." Nevertheless during his lifetime the question of restitution was never seriously entertained, and when he died on 22 June 1878 his son inherited not only the glory of the ownership of the Ashburnham Library but the embarrassments as well.

Postscript:

It is a matter of real regret to me that I was unable to offer, as the inaugural lecture at a series to honor George Parker Winship,¹ a talk which I had not given elsewhere. My excuse must be the heavy administrative duties which have occupied me for the last five years and the little leisure they have left me for research. "The Earl and the Thief" contains parts of two Lyell Lectures which I gave in Ox-

¹See the note on "The John Barnard Associates and the Winship Lectures" in this issue, pp. 104-105.

ford in 1963, and in its reconstituted form I have delivered it several times in the United States. I am the more grateful to the HARVARD LIBRARY BULLETIN for allotting space to its publication in this form, because it relates to part of only one episode in a much larger history of the Ashburnham Library which I hope at some future date to attach to a volume of studies of nineteenth-century collectors of manuscripts.

The negotiations by which the stolen manuscripts were finally returned to France were hardly less complex than those which took them to England. In brief, in 1884 the Italian Government, which also claimed stolen Libri manuscripts from the 5th Earl of Ashburnham, managed to purchase the whole collection, less 166 manuscripts claimed by the French. These, after further hard bargaining, in which the German Government was also involved, were finally bought by the Bibliothèque Nationale in 1887. They were not given back to the provincial libraries from which they had been stolen, but were retained in Paris.

CONTRIBUTORS TO THIS ISSUE

MRS. LYLE G. BOYD is Editor and Senior Research Associate at the Harvard College Observatory; she was co-author with Professor Donald H. Menzel of *The World of Flying Saucers* (1963).

FREDERICK BRACHER is Professor of English at Pomona College; his earlier articles on Sir George Etherege appeared in the July and October 1967 issues of H.J.B.

MRS. MARY LOUISE LORD is Associate Professor of Classics at Connecticut College, New London.

A. N. L. MUNBY, Librarian and Fellow of King's College, Cambridge, is the author of several books and pamphlets, including *Cambridge College Libraries* (1959) and *The Libraries of English Men of Letters* (1964).

FORREST G. ROBINSON is an Instructor in English at Harvard.

DONALD STONE, JR., Assistant Professor of Romance Languages and Literatures at Harvard, edited *Four Renaissance Tragedies* (1966) and is the author of *Ronsard's Sonnet Cycles* (1966).