

THE THIEVING OF ASSYRIAN  
ANTIQUITIES.

SO much interest is now taken in the archæological researches made in Egypt and Assyria that it behoves a journal of science to chronicle a case of considerable importance that has recently been before the law-courts. The case is noteworthy, because it is concerned with the excavation and disposal of the wonderful tablets, the decipherment of which has added so much to our knowledge of the early history of mankind.

We have not referred to the case earlier, as we had hoped that some action in the public interest would have been taken by the Trustees of the British Museum, which would have carried the matter a stage further. For this action however we have waited in vain.

Although the real question at issue is the spending of many thousands of public money, the case in the newspapers has taken the form of an action for libel. The plaintiff in the case was Mr. H. Rassam, formerly assistant-excavator to Sir Henry Layard in the works carried on for the trustees of the British Museum on the sites of the ancient cities of Nineveh and Calah in Assyria. His action was against Dr. Wallis Budge, acting Assistant-Keeper in the Department of Egyptian and Assyrian Antiquities in the British Museum. It was alleged that Dr. Budge had made certain reports concerning the way in which Mr. Rassam had disposed of some of the excavated antiquities, and that these statements were made to Sir H. Layard both at the British Museum and elsewhere. The statements were said to imply that Mr. Rassam had connived at depredations on the sites of the excavations made by him in Babylonia during the years 1876-82 for the trustees of the British Museum. Mr. Rassam estimated that his reputation had suffered by these charges to the extent of £1000, and after a hearing of four and a half days the jury decided in his favour, though there was a difference of opinion among them as to whether Dr. Budge's statements were actuated by *malice prepense*, and awarded him £50 to make up for the loss sustained by the defamations and to soothe his virtuous indignation. Such was the case before the public; the public interests behind it may be gathered from the following statement.

It will be remembered that so far back as 1846 Mr. Layard began to excavate at Kouyunjik for the trustees of the British Museum. These excavations had, we understand, been commenced at the expense of Sir Stratford Canning, on the spot where the eminent Frenchman, Botta, had begun to work, but were afterwards taken over by the trustees of the British Museum, who indemnified Sir Stratford Canning and paid Mr. Layard's expenses. When Mr. Layard came home, a year or two later, the excavations practically stopped, but were renewed at the expense of the trustees of the British Museum under the direction of a native, Mr. H. Rassam, the plaintiff in the present case. The funds spent by the trustees on these works were provided by the Treasury, and therefore all the results, without exception, belonged to the British Museum by right. In 1873 the late Mr. George Smith made an expedition to Assyria at the expense of the proprietors of the *Daily Telegraph*, with a view of discovering other fragments of the tablet containing the Assyrian account of the Flood. He subsequently made a second and a third expedition to the country (where, in 1876, he unfortunately died) at the expense of the trustees, with funds granted by the Treasury. In 1878 Mr. Rassam again appeared on the scene, and under the authority of a permit from Constantinople renewed diggings in Assyria, and began to open new sites near Babylon, at the expense of the British Museum. It will be seen then that, with very slight exceptions, the money has been found by the British Treasury. We now turn to the results of this expenditure. From the evidence

elicited at the trial it appeared that soon after Mr. Rassam began to dig in Babylonia, collections of tablets found their way into the London market, and these were bought by the British Museum for considerable sums of money (*Times*, July 1). If we remember rightly Dr. Budge stated that between the years 1879 and 1882, while Mr. Rassam was excavating, a sum of at least £3000 of public money was spent in this manner. Now as no other excavations were being carried on except by the British Government, and as the internal evidence of the tablets indicated that those which they received from Mr. Rassam as the result of his works and those which they purchased had the same origin, it was natural that the public department should begin to grow uneasy. And this feeling became stronger when it was found that the tablets purchased were of much greater value archæologically and historically than those which arrived at the British Museum from Mr. Rassam. Speaking broadly, it seems from the evidence that Mr. Rassam sent home 134,000 pieces of inscribed clay from Babylonia, and of these more than 125,000 are what Sir Henry Rawlinson, Mr. Maunde Thompson, and Dr. Wallis Budge style "rubbish" (*Standard*, June 30, *Times*, July 3). This represented the direct return for the outlay. What did go wrong we cannot say, but the outsider will certainly think that something did go wrong in this matter. In 1882 Mr. Rassam came home, and in this and the following year collections of tablets and other antiquities of very great value were offered to the Museum for purchase; in fact the supply appears to have been so great that it was some three or four years before the British Museum had funds to buy what it was offered. In 1887 the British Museum despatched Dr. Budge to Mesopotamia with instructions to make investigations into the sources of the supply of tablets which were coming to London, and on many other points, to touch upon which does not concern us (*Times*, July 1; *Standard*, June 29). While in Bagdad Dr. Budge obtained a great deal of information upon the subject of the systematic trade in Babylonian antiquities which was being carried on, and he found that the agent who had been appointed at Mr. Rassam's instigation, and who represented himself as Mr. Rassam's "relation" (*Standard*, June 29), and who was paid by the British Museum to protect the sites, was himself actively engaged in the sale of antiquities. On visiting the sites of the excavations Dr. Budge found that clandestine diggings were going on, and he was also able to purchase many valuable tablets and other antiquities from the peasant diggers (*Times*, July 1). The information which he gathered on all these points he sent home to the British Museum in the form of reports, one of the results of which was the dismissal of the native agent. On two subsequent occasions Dr. Budge visited Assyria and Babylonia, and carried on excavations for the trustees, and he acquired some thousands of tablets.

It will easily be guessed that from first to last a very considerable sum of public money, amounting to tens of thousands of pounds, has thus been spent upon excavations in Assyria and Babylonia, and the question naturally arises, Has this money been spent judiciously, and has the nation obtained what it had a right to expect in return for its money? It seems pretty evident that people other than the trustees of the British Museum have obtained collections of Assyrian antiquities, and it appears to us that this subject should form the matter of a careful and searching investigation. Sales at auctions have revealed the fact that sundry gentlemen had been able to acquire Assyrian slabs from the palaces of Assyrian kings, and as the excavations were carried on by the Government, it is difficult to account for this fact. The public has a right to know how property of this nature came into private hands, and the question must be asked until it is satisfactorily answered. The matter cannot be allowed to rest where it is.

We have seen that it was stated at the trial that in consequence of Dr. Budge's reports the native agent has been dismissed for his pains. Dr. Budge has been mulcted by the verdict of the law-courts in a sum of something over, we hear, £1000. Hence arises another point of wide general interest regarding the treatment which should be accorded to confidential reports from subordinate officers by the higher officials. In the case with which we are at present concerned, Dr. Budge reported such things as he considered to be of importance for the information of his superior officers, and it was, one would think, their duty to sift such reports and to act upon them. For some reason or other, as we gather from the evidence at the trial, the trustees did not act upon them, from which fact Mr. Justice Cave inferred that Dr. Budge in repeating to Sir H. Layard part of the contents of his reports had repeated things which the trustees themselves had considered frivolous and trifling (*Times*, July 4). This, however, is no argument at all, for the reasons of the non-action of the trustees are unknown, and it does not follow that the trustees regarded them as vexatious and trifling. With the terror of the decision in this case before them, all members of the public service will be in duty bound to consider whether they are able to afford the expenses of an action at law, and the enormous costs which follow in its train, before they report unpleasant truths to their superiors. Who can complain if public servants, rather than incur the penalties of the law, hold back information they are in a position to give? Whether this will be good for the public service remains to be seen.

Mr. Justice Cave, referring to the depredations around the excavations, is reported to have said (*Standard*, July 4): "We all know that if you gave £300 for a cylinder like the one produced, it is an incentive for people to steal. It is like the poachers. They will take your own game if you will buy it of them, or they will take it anywhere they can get it." Mr. Justice Cave's facetious remark, however, is scarcely on all fours with the verdict of the jury. He owns that the excavating grounds in question are preserves belonging to the trustees of the British Museum; yet when a keeper reports in general terms that a large amount of poaching has been going on, he is heavily mulcted for his pains, because an individual chooses to assume that he was meant.

Here then are the facts; we believe that so far no action whatever has been taken by the Trustees; still we are glad to learn from the *Daily News* that Dr. Budge's *confères* at all events have a sense of public duty. That paper states "that the keepers of departments and the assistants in the British Museum have combined to present Dr. Budge with a cheque in settlement of his damages in the recent libel action of 'Rassam v. Budge.' It is understood that this is not merely an expression of sympathy with a popular colleague, but that the action of the Museum officers was prompted by a strong feeling that as Dr. Budge has acted throughout in the interests of his department, it would be most unfair to allow him personally to suffer."

#### BRITISH ASSOCIATION MEETING IN NOTTINGHAM.

**A** FORTNIGHT ago some account was given of the local arrangements made for the entertainment of members of the British Association during their stay in Nottingham. The accommodation provided for the sections was also indicated. Fuller details on these matters will be found in the local programme now in course of preparation.

With regard to the more serious and useful functions of the Association, something of a preliminary and general character may now be stated.

It is with feelings of great satisfaction that members will welcome Dr. Burdon Sanderson as general president at Nottingham, and it will be unnecessary in a scientific periodical to refer to the eminent service which has been rendered to scientific progress by the president elect.

The acceptance of the following gentlemen of the positions of sectional presidents will also do much to ensure the success of the sections:—Mr. R. T. Glazebrook, Dr. Emerson Reynolds, Mr. J. J. H. Teall, Rev. Dr. H. B. Tristram, Mr. Henry Seebohm, Dr. J. S. Nicholson, Mr. Jeremiah Head, and Dr. H. Robert Munro.

In respect to these appointments universal regret will be felt at the inability of Prof. Clifton to fulfil the duties of the president's chair in Section A, which he had accepted, owing to serious family trouble. But the acceptance of the position by Mr. Glazebrook will beyond doubt cause general satisfaction.

The work of the sections will in part be connected with receiving the reports to be made by the various research committees. Amongst these the following subjects are included:—Electrical standards, meteorological observations on Ben Nevis, the application of photography to meteorology, calculation of tables of certain mathematical functions, recording direct intensity of solar radiation, wave-length tables of the spectra of the elements, an international standard for iron and steel analyses, the direct formation of haloids from pure materials, action of light on dyed colours, isomeric naphthalene derivatives, erratic blocks in England, the fossil phyllopora of palæozoic rocks, the collection of geological photographs, the circulation of underground waters and their use as water-supplies, the zoology of the Sandwich Islands and of the West India Islands, exploration of the Irish Sea, the inhalation of oxygen in asphyxia, methods of economic training, exploration of ancient remains in Abyssinia, the characteristics of natives of Canada and of India, the recalescent points in metals, volcanic phenomena in Japan, the Pellian equation, the discharge of electricity from points, comparing and reducing magnetic observations, optical constants of lenses, ultra-violet rays of the spectrum, meteoric dust, rate of increase of underground temperature, the bibliography of solution and the properties of solutions, the bibliography of spectroscopy, the silent electrical discharge in gases, the action of light on the hydracids of the halogens in presence of oxygen, the proximate chemical constituents of various kinds of coal, the history of chemistry, the erosion of sea-coasts in England and Wales, the volcanic phenomena of Vesuvius, type-specimens of British fossils, investigation of the remains in Elbolton Cave, structure of a coral reef, the migration of birds, the protection of wild birds' eggs, the teaching of science in elementary schools, graphic methods in mechanical science, prehistoric and ancient British remains, the physical deviations from the normal among children in elementary and other schools.

Amongst the other subjects of general interest, which will probably be introduced and discussed, are the following:—

In Section A the question of the national physical laboratory, of the central publication of physical papers, of magnetic and other units, and of mechanical connection between ether and matter will probably be raised. It is expected that a discussion on the teaching of physics in schools will take place, as well as a joint discussion with Section C on "Earth Tremors."

Section B will receive communications raising discussion on explosions in coal mines, flame, bacteriology, recent progress in inorganic chemistry, and recent research in organic chemistry, especially in connection with colour and colouring matters. The papers on these subjects are to be classified, and each class will be considered on a special day, of which due notice will be given.

In Section C the presidential address will deal with "The Doctrine of Uniformitarianism as illustrated by