

Disposal of Record Collections: Four Views

Why should record collectors think about eventually disposing of their collections, and how can they do so in a way that satisfies their own interests and the interests of other music collectors? In the following article, four members of ARSC share their views and experiences.

*To begin, **Larry Holdridge**, a collector and dealer, offers some advice on the basics, including locating a dealer and informing family members and friends of your wishes.*

In general, we have spent years building our collections. But eventually, there will come a time when it is necessary to dispose of our treasures, either by ourselves or by inheritors, unless the accumulation is destined for an interested family member or friend who will maintain or continue it. Judging from the hundreds of collectors I've known, such a record dynasty is unlikely. We disc devotees are more often islands to ourselves.

The most advantageous method of disposing of records is through a dealer who specializes in the collection's strengths. My enthusiasm, for example, is in classical 78s and cylinders, as well as speech and various personality and historical items. When it comes to jazz, dance band, rock, or popular records, I'm at sea. I simply would not consider discs with emphases in these areas as I could not make an intelligent offer, nor would I have the disposal outlets.

A word about record dealers in general, classical in particular. Most of us were first collectors and then evolved as dealers. Many, myself included, continue as active collectors. The motivation to sell records is no doubt rooted in the need for money and/or space - problems that can plague all but the most self-disciplined of discophiles. Most of my colleagues dealing in classical shellac have a musical background or an exceptional avocational interest in music and records. We also find a certain satisfaction in directing rare bits of wax, shellac, or vinyl to the hands of those who will particularly enjoy and cherish them.

For help in locating a dealer, I would suggest our ARSC Directory. You might contact a few listed ARSC members whose described holdings and interests mirror the sort of material you have for disposal. Try to determine the dealers with whom they have had positive experiences, either buying or selling. It would not be rude to ask a prospective buyer for customer references. Any responsible

dealer should be able to offer names of satisfied clients or at least names of those in the collecting world who can testify as to honesty, responsibility, and reliability.

Most dealers will inspect a collection and then make an offer. Dealers note the general condition of the records, the number of rarer items, and the overall quantity. Quite frankly, most carefully formed collections and certainly all general accumulations of old 78s will contain "common" records. These originally sold in the thousands and still turn up with surprising frequency. Many of the greatest artists' records are of little value, simply as they are still readily available. A dealer would not be anxious to add to his shelves the more familiar records of Elman, McCormack, Gluck, Kreisler, Farrar, or dozens of the other performers of legend. Likewise, the vast output of album sets pressed in the 40s and 50s have little or no value, despite the glamor of such names as Toscanini, Rubinstein, Ormandy, or Horowitz. Most collectors would readily settle for a CD or LP reissue of these performances, rather than having to deal with the 78s. Some dealers make regular trips to the landfills to dispose of their accumulations of truly worthless shellac.

During the inspection, a dealer will hope to find certain less common or rare records - items that might be particularly unusual and that would be in demand among collectors. Such items can be sold easily and would, in fact, determine the value of the collection. This is where the dealer's experience will be an asset to you.

There are occasional dealers who handle consignment sales. Their commission, depending upon the person and situation, might run anywhere from 25% to 60% of the selling price of the records. In the case of a large collection, this would be a slow process (likely a matter of years) and the results would vary widely. Factors to be taken into account include the reputation of the dealer, distribution of the lists, and the accuracy of the dealer's grading. There would also be a large amount of paper work involved. I've occasionally handled consignment lots, but only cases where the items are of unusual interest. Personally, I would have no desire to sell on consignment copies of records I already have in duplicate on the stock shelves. Probably the simplest and most direct method would be to sell the collection for a set price.

A dealer might offer to purchase in part or to select. This could happen if some of the material is outside the dealer's area of interest (for example, if the collection contains both classical and jazz), in which case the dealer should be able to recommend someone who might want to acquire the balance. Possibly, the dealer may not want to bother with records that would be difficult to sell. I would advise the seller against piecemeal disposal of a basically uniform collection unless there is some clear idea about what to do with the balance.

There is also the possibility of donating a collection. Some institutions with sound archives, such as Yale or Stanford, the Library of Congress, or the Rogers and Hammerstein Archives, would be interested if the proposed gift contains worthwhile material. It would be your responsibility to have an appraisal made for tax purposes. To satisfy the IRS you should contact an experienced party in this field, such as ARSC's Steven Smolian. This form of disposition could be useful in the case of a large estate where a tax write-off would be of value. However, do not expect a wing to be named in your honor. The institution would salvage those records they do not already have on their shelves and then attempt to dispose of the remainder.

What is your collection worth? Despite at least one pioneering effort in the

classical 78 field some years ago, there are no effectual price guides. You must depend on your own knowledge and the honesty and learning of the dealer selected. I, for example, would look for records of personal interest to me and those I think would be of appeal to collectors in general. I would then formulate an offer, taking into account my profit and length of time it would take to dispose of enough material to realize that amount. In any collection there will be records that, for one reason or another, aren't worth listing or that would realize only a minimum return. What could be more moving than Caruso's 1907 "Vesti la giubba" from *I Pagliacci*? Thousands of record buyers thought this too, so today such a thrilling record will not have relative dollar value. On the other hand, every collection is likely to have a bit of caviar along with the chestnuts. The dealer will recognize these items based on his or her experience and clientele interests.

Finally, it might be wise to communicate your wishes to family members or friends before the inevitable occurs. This might seem obvious, but based on past experience, I'd say a majority of collectors have never broached the subject with family and friends. As a result, those who inherit the records can be completely at sea as to what to do with them. I can recall one situation in which an important collection was sent to grace the landfill. The family had no idea that the junk cluttering the house for so many years could possibly be of any interest or use to anyone other than the dearly departed. Few people invest in records for profit, but it is good to know that there is a chance of securing a return on them. A respected dealer may find for you or your heirs a bit of gold in those tons of shellac.

Next, Mildred Petrie, founder of the Sarasota Music Archive in Sarasota, Florida, talks about disposal from the archivist's point of view:

The Sarasota Music Archives is literally deluged with records from individuals who have grown older along with the record industry and must decide what to do with their collections.

No matter how much they are treasured by collectors, at least six of every ten records are duplicates when delivered to us. We keep the best for our archival collection, a few for our working collection, and grieve - as do the collectors - when we must dispose of the others.

At the same time, our "hearts leap up when we behold" a rare treasure hidden among these hundreds of black discs. Our space becomes crowded, our cataloguing woefully behind schedule. There is endless sorting. Shelves have to be bought along with new computers, records have to be cleaned, and we struggle with the financial challenges that expanding resources bring to us.

We note the emergence of a policy to charge maintenance fees in preservation circles. The time may come when archives will have no alternative. Perhaps there should be a computer clearing house for archives; however, that also would involve extra costs of handling and shipping.

Meanwhile, we do not forget that our archive would not even exist without the donated materials through which it has been developed, and we continue to be grateful for all acquisitions.

Like collectors, archivists are anxious to see collections survive. Our next contributor, Ted Sheldon, a librarian with the University of Missouri-Kansas City, Kansas, takes the collector step-by-step through the decision-making process when arranging for transfer of a collection to a specific sound archive:

Gifts can be the lifeblood of institutional sound archives. At the same time, the giving of collections can provide significant advantages to donors. Gift collections offer archives the opportunity to expand collections for relatively small investments of time and resources. At the same time, the giving of collections can provide substantial financial and status benefits to donors. Commonly, archives are able to add to their holdings through the provision of recognition and remembrance at a minimal cost. Donors, in turn, have the opportunity to receive tax benefits equal to several times the amount they can expect to see through the sale of collections to dealers and others. Unlike the market in printed matter, gifts of sound recordings to sound archives housed in not-for-profit institutions can still provide mutual benefits to both archive and donor. Thus, the heart of a successful gift often rests on two factors: 1) the desire of the donor to achieve more than a monetary gain, and 2) the relatively low value of sound recordings in the marketplace.

In the face of this climate, it is worth asking what considerations, questions, and decisions an institutional sound archive must ponder when the opportunity to acquire collections from private donors arises.

A Priori Considerations

The opportunity presented by a prospective donor materializes in the context of questions previously asked and answered by the sound archive and its parent institution. These questions can be asked consciously or unconsciously, or in combination. The summation of these decisions constitutes a collection development policy which may or may not appear in written form. Effectively managed and operated archives have the capability to provide written policies which indicate to the potential donor how his or her gift will be received, how it relates to existing collection strengths and weaknesses, and in what ways it will help the archive achieve its long-term goals.

Before the collection development policy can be committed to paper and a decision made about a specific gift opportunity, the archive and its parent institution must answer several questions:

- Institutional mission. What is the mission of the institution to which the archive belongs? How does the sound archive serve the identified mission of the institution? A purposeless archive does not deserve to exist, and certainly does not deserve institutional support. Nor can an archive's purpose diverge from that of the parent institution. An archive which works at cross purposes to its institution, or seeks to exist apart from the mission of its parent institution, will not succeed.
- Focus of the collection. Does the archive have a specific focus for its collections? Will the archive collect labels? What genres will be added? Will all formats be collected, or only specified ones? Are there chronological delimiters defining the collection? A commonly repeated opinion of some librarians is that they

cannot resist a numbered series. If the decision has been made to collect all recordings in a series (e.g., by label) is the archive prepared to add relatively insignificant items along with others having great significance? If the collection focuses on specific genre, how will the genre be defined?

- Relationship to other archives. How does the focus of the archive's collections relate to other archival sound collections in terms of content and service? Is the archive making a contribution to the preservation and access of sound materials where it is needed? Plenty of sound archives collect opera and classical music, but not many collect some other types of music. What is the geographical relationship with other archives following similar collection development policies and with similar collection strengths?

- Space. How much space is available to accommodate the collection? Is available space filled or nearly so? What is the prospect for increasing the space available to house collections? If space is in short supply, does the archive wish to devote what is a fairly precious commodity to a specific collection? Is the nature and quality of space minimally adequate for the housing of sound collections? Will floor loadings be exceeded?

- Staffing. What staff resources are present to move, process and service collections? Does excess capability exist with existing staffing patterns? Can and will the archive reallocate staff resources needed to support this gift? In the post-WWII era, many libraries accepted collections with no immediate prospect to do more than store boxes of books and bound journals in a basement or attic. It was thought in those days of heady expansion that the staffing needed to effectively handle unprocessed gift collections would certainly appear later: "Collect it, then worry about dealing with it". Nowadays, expansion of staff is more problematic.

- Access. Does the archive expect to promote sound collections and follow a strong public access policy? If so, will the expansion of collections be supported with appropriate access? How will expanded collections provide for greater institutional strength? Will additional collections only overburden an already seriously over-extended archival operation?

- "Niche" or market targets. What is the niche of the archive and its collection? Each sound archive should perform a function which relates to an identified potential user group or groups. The user group(s) should have limited opportunity to fulfil needs from other sources. Only an archive with clearly identified markets and customers will successfully compete within the institution for resources against other valid needs. The days are long gone when sound archives and their parent institutions were considered virtuous by their very nature, and deserving of support and enhancement solely because they existed.

The sound archive with which I am affiliated has three market niches. First, it focuses on jazz and popular American music. Second, it seeks to document the political, social, economic, religious, and cultural history of the United States in sound. The sound collections directly supplement print, video, and other sources. Third, the archive provides access to users. Users come into the archive and use the collections. No other factor has played as large a role in the success of our collection development efforts than the ability to tell potential donors that their gifts will be used by people who need them.

Unquestionably, other *a priori* considerations pertain to the development of sound collections. But to build collections effectively, the archive must address these questions before the donor appears at the door with potential gift in hand.

Moreover, the archive should be in a position to inform the potential donor about the decisions it has taken to answer these questions and formulate its collection development policy.

When the Potential Donor Appears

The arrival of each gift opportunity carries its own set of circumstances. These circumstances provide the framework for discussion between the archive and the donor. While the donor has his or her own interests which need to be addressed, the archive must determine the answers to a series of questions which lead it to accept or decline the gift. The following questions, among many others, lead to the final decision.

- **Trust.** Who is the donor, and can a trust relationship be established? Trust is the foundation stone for a mutually beneficial relationship.
- **Donor aims.** What aims does the donor seek to achieve through the gift? Does the donor want money, remembrance of a loved one, remembrance of him or herself, power and influence in an institution, or prestige and status? Does the donor seek to enhance educational programs? The archive must ascertain the aims of the donor, and decide if it has the capacity to fulfil those aims. It must also decide if it should meet those aims based on its mission.
- **Access.** Who shall have access to the collection? Is access restricted for a period of years? Does the donor mandate specific kinds of access? The donor may require that items in the collection be provided to off-site individuals (e.g., family members). Is this acceptable to the archive?
- **Access or preservation.** If a choice must be made, does the donor want the gift collection to be preserved or used? In explicit terms, this choice does not need to be made often, but the archive will need to have a clear understanding of the donor's views and intentions on this issue, and acceptance should be based on agreement.
- **Ownership.** Does the donor intend to transfer ownership of the collection, or will the collection be deposited for a period of years? The archive with which I am most familiar refused to accept deposit collections in most instances. The only exception involves the primary need to preserve one-of-a-kind recordings of great significance in serious danger of destruction. Generally, the archive will invest growing quantities of resources in collections which are accepted. These investments include storage space, cataloguing resources, staff, management and administrative resources, and supplies. They should be committed only for collections where ownership has been transferred to the archive. Moreover, a clear transfer of ownership removes the potential for confrontation and disagreement between the archive and the donor.
- **Commercial rights.** In the case of original compositions and performances, who holds the commercial rights to gift items? In nearly all cases, these rights remain with the creator or his/her heirs. But in some instances, commercial rights are transferred to the archive and its parent either when ownership of the items is transferred, or on the death of the creator. The archive has the opportunity to use the proceeds from commercial rights to support the gift collection if rights are transferred to the archive. In any case, the donor and the archive should clearly agree on this issue.
- **Copyright.** Does the holder of copyright for materials being donated grant copyright clearance to the archive? If so, is the clearance restricted to specific

purposes (e.g., educational, research) or is it for any purpose? Access to collection materials can be significantly increased through copyright clearance, and recent experience indicates that donors are often willing to grant clearance for commercial purposes and the maintenance of commercial rights.

- Copies of collection contents. Does the donor want the right to request copies of items in the gift collection? Does the archive have an obligation to provide cassette or other copies of items in the collection? When and under what circumstances? The archive will want to limit its exposure in this area because of the expense incurred to make large numbers of recordings. Experience indicates that donors are often sensitive to this issue when discussing the terms of the gift, but most often do not exercise their right to have copies made. Nonetheless, the obligation of the archive should be included in the gift agreement.

- Recognition and promotion of the gift. How will the gift be recognized and promoted? Plaques? Press releases? Public dedication ceremony? What attribution, if any, should be made when materials from the collection are published? The archive can provide recognition at low cost and most often is willing to do so.

- Right of disposal. Does the archive have the right to dispose of parts of the gift collection which are not needed by the archive? Under what circumstances can the archive dispose of items from the gift collection? Does the donor and his or her family have the right of first refusal? Answers to these questions can limit the actions of the archive even when ownership is transferred. The archive may be willing to allow the archive to dispose of items from the gift, but want to retain the right of first refusal. Can the archive accept that stipulation?

- Subsequent gifts. Do the conditions and agreements governing the initial gift also govern subsequent additions to the gift collection?

Many other questions will arise when a donor and an archive discuss the terms of a gift. The archive will want to make an agreement with the donor which recognizes its capabilities and intentions. It will seek agreement with the donor on the issues mentioned above, and measure the costs incurred in relation to the benefits to be gained. Three things are certain. First, except in cases where the gift is small in value or size, the archive and the donor must reach a written agreement. Second, the archive be honest and fair in its dealing with donors. Third, neither party should act precipitously.

“What happens to a private collection when its owner dies?” asks Gary Thalheimer, a private collector who has seen too many wonderful collections fall into the hands of unscrupulous dealers or wind up in thrift stores. Thalheimer has drafted his own action plan, which he shares with readers below:

Everyone who has a large and/or valuable collection of recordings must face this problem - even though it means admitting one's own mortality. After several collectors I had known died, I realized the issue concerned many of us.

One collector made no provision in his will (if there was one) for the disposal of his collection. His family, knowing nothing about records, asked a dealer to evaluate them. The dealer, left alone to look over the material for several days, removed the most valuable items and made a token offer.

Another collection went to a thrift shop, along with furniture, clothing, and

whatever else the family did not want to keep.

When one encounters situations such as these, it becomes very clear that collectors must make provisions for the eventual disposal of their collections, and consider the following:

- 1) Do we want the value of our collection to benefit family members, friends, or charitable institutions by making arrangements for the sale of this material? If this is the case, we ought to make our executors aware of its value, perhaps through a letter of instruction including a list of reliable dealers or potential buyers, or perhaps an indication of values or known valuable items.
- 2) Do we want the collection to remain as an entity in either a public or private archive? And have we made certain that the archive is willing or able to accept this gift, especially if there are restrictions? Moreover, can we make financial provisions for shipping the material to the recipient?
- 3) Do we want to donate the collection to an archive (again, public or private), library or school to use the material in any way they wish, including the disposal of all or part?

My collection is a fairly personal one, best and very loosely described as extending from the beginnings of electrical recording to the death of Kleiber (1956), with a few hundred excursions beyond these limits, plus reviews, magazines, catalogues, and equipment for playing tapes, records, and CDs.

No one in my family has expressed any interest in the collection, which I started in 1942. So, as an individual collector, this solution probably fits my situation:

I would like an organization or other collectors to have some benefit from my collection. However, many years ago, I was antagonized by one public archive whose main object was to squirrel away material and permit access only to "professionals and qualified researchers". My amateur collector status did not permit access to this collection, since the research was for my own amusement and do doubt "frivolous".

More recently, I discovered that many archives tend to become "black holes" into which material disappears until they have sufficient funds to catalog (and, of course, a large backlog).

I would like my collection to go to an archive that would not restrict its use in any way (other than, perhaps, enforce legal restrictions imposed by copyrights), and permit free access to all interested parties. The recipient should be permitted to use the collection in ways most beneficial to itself and other collectors by selling or disposing of duplicate or unwanted material. Depending, of course, on the size of my estate, some funds will be allocated for packing and shipping the records and tapes, and a bequest made to the archives.

One afterthought: Since we read about such things happening in the art world, perhaps some institutions might be willing to accept title to a collection or part of it, while the collector continues to enjoy it. This, of course, raises further questions, for which we may have to consult tax lawyers and accountants!

Contributors

Larry Holdridge is a collector and dealer of long standing. Based in Amityville, New York, he is one of the most knowledgeable and highly respected experts in his field.

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Ted P. Sheldon is a librarian with the University of Missouri-Kansas City, Kansas. He is Chair, ARSC Publications Committee, has been editor of ARSC Journal, and has held a number of offices within the Association.

Gary Thalheimer is a private collector and author of note.
