JOSEPH HODGES CHOATE

A FOUNDER OF

THE AMERICAN MUSEUM OF
NATURAL HISTORY

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A TRIBUTE FROM THE TRUSTEES
OF THE AMERICAN MUSEUM

PREPARED BY
HENRY FAIRFIELD OSBORN, PRESIDENT
MCMXVIII

Beresford, London.

Joseph H. Choate
1903

JOSEPH HODGES CHOATE

BORN AT SALEM, MASSACHUSETTS, JANUARY 24, 1832
SON OF DR. GEORGE AND MARGARET MANNING (HODGES) CHOATE
GRADUATED FROM HARVARD COLLEGE, 1852
WITH DEGREE OF A.B.
AND FROM HARVARD LAW SCHOOL, 1854
RECEIVED HONORARY DEGREE OF A.M. FROM HARVARD, 1860
AND HONORARY DEGREE OF LL.D., 1888
ALSO RECEIVED HONORARY DEGREE OF LL.D. FROM AMHERST, 1887
EDINBURGH, 1900, CAMBRIDGE, 1900, YALE, 1901
ST. ANDREW'S, 1902, GLASGOW, 1904
WILLIAMS, 1905, UNIVERSITY OF PENNSYLVANIA, 1908, UNION, 1909
AND DEGREE OF D.C.L. FROM OXFORD, 1902
ADMITTED TO THE BAR IN MASSACHUSETTS, 1855
AND NEW YORK, 1856
MEMBER OF THE ORIGINAL GROUP OF CITIZENS
WHO FOUNDED THE AMERICAN MUSEUM OF NATURAL HISTORY, 1869
AND SERVED THE MUSEUM AS COUNSEL AND TRUSTEE
DURING THE REMAINDER OF HIS LIFE
PRESIDING OFFICER OF THE STATE CONSTITUTIONAL
CONVENTION, 1894
AMBASSADOR TO THE COURT OF ST. JAMES, 1899–1905
REPRESENTATIVE OF THE UNITED STATES AT
THE SECOND HAGUE CONFERENCE, 1907
LEADING REPRESENTATIVE AND ORATOR OF THE
CITY OF NEW YORK
ON THE OCCASION OF THE RECEPTION OF
THE COMMISSIONS OF GREAT BRITAIN AND OF FRANCE
WEDNESDAY, MAY 9, AND SUNDAY, MAY 13, 1917
PASSED AWAY
AT HIS HOME IN NEW YORK CITY
ON THE EVENING OF MONDAY, MAY 14, 1917

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Joseph H. Choate
1903

At a special meeting of the Trustees of The American Museum of Natural History, held May 22, 1917, in memory of Mr. Choate, the President was invited to prepare a Memorial.

JOSEPH HODGES CHOATE

A FOUNDER OF
THE AMERICAN MUSEUM OF
NATURAL HISTORY

At the age of thirty-seven, in the month of February, 1869, Joseph Hodges Choate became one of the Founders of The American Museum of Natural History and served the institution continuously for forty-eight years, sending his last official letter to the President on May 5, 1917, and attending his last meeting of the Board of Trustees on May 7, 1917. To the end he was fresh and young in heart, powerful and vigorous in mind, and his interest in the Museum showed no abatement.

The history of the Museum, as recorded in the Minutes of the Board of Trustees, shows that he was the author of the Charter, of the Act of Incorporation, of the original Constitution and By-Laws

and of the Contract with the Department of Parks. Into these papers, which constitute the unique legal foundation of the Museum, he worked an entirely new conception, namely, provision for the independent and untrammeled management of the Museum by the most intelligent men of the City, combined with its establishment as a public institution, to be built and partly maintained by public taxation, and to be endowed and enriched with specimens brought together through private gifts and donations.

This wise union of public and private endeavor led the way to the similar legal foundation of The Metropolitan Museum of Art, of which Mr. Choate was also the author. The foundation of these two Museums led to that of the several other great scientific and educational institutions of the City of New York, including the Botanical Garden and the Zoölogical Park, to which have been contributed, in the many years since their inception, $50,000,000 in private gifts. Thus Mr. Choate was, in a sense, the legal author of a system of insti-

tutions which now gives to the City of New York the lead among all the cities of the world.

From this auspicious beginning Mr. Choate served voluntarily as Counsel from 1869 to 1917, lending his tact, his sagacity, his influence, and, where necessary, his best fighting powers to the protection of the Museum. In the Legislature of the State of New York, who but Mr. Choate could have influenced William M. Tweed to favor the Museum's Charter? In subsequent years, who but he could have fought off the legislative bill to tax the property of the Museum? Who but Mr. Choate could have defended the rights of the Museum in the new Charter?

It is interesting at this point to cite in succession the entries in THE MINUTES OF THE BOARD OF TRUSTEES which manifest his great and varied activities between February 1, 1869, and May 7, 1917:

MR. CHOATE'S ACTIVITIES IN CONNECTION
WITH THE AMERICAN MUSEUM OF NATURAL HISTORY
AS RECORDED IN THE
MINUTES OF THE BOARD OF TRUSTEES

1869

Charter Member of Board of Trustees. *February 1*

Mr. Choate, Mr. Haines and Mr. Potter appointed a committee to prepare a Charter, suggest a name and apply to the Legislature for the passage of an Act of Incorporation. *February 15*

Mr. Choate, Mr. Dana and Mr. Bickmore appointed a committee to prepare articles for the papers calculated to interest the public in the objects in view. *February 15*

Mr. Dana, Mr. Roosevelt and Mr. Choate appointed a Committee of Three to draft a constitution which should be reported for its final adoption at the next meeting. *April 8*

Mr. Choate of the Committee on a Constitution and By-Laws reported a constitution which was read and adopted, article by article, and then as a whole. *May 4*

1870

Mr. Choate and Mr. Potter were added to the Executive Committee as a committee to prepare the annual report and present the same at the next meeting. *January 24*

Messrs. Choate, Green and Morgan were appointed a Committee on By-Laws, with instructions to report a code of By-Laws at the next quarterly meeting. *November 14*

1871

Mr. Choate was added to the Committee on Legislation. *February 13*

Messrs. Choate, Roosevelt and Blodgett were appointed a special committee to confer with the Department of Public Parks, in regard to the Bill recently passed by the Legislature (viz., the erection of a building on Manhattan Square—joint committee of The Metropolitan Museum of Art and the American Museum of Natural History). *April 15*

1872

Member of Auditing Committee—served until November 8, 1875. *November 11*

Messrs. Choate and Sherman appointed a special committee with power to add one to their number to ask of the City authorities an appropriation for the Museum from the excise or educational funds. *November 11*

1873

Messrs. Potter, Sherman and Choate appointed a committee to procure the striking out of the words "or other institutions of a like character" wherever they occur in section second, chapter 270, of the laws of 1870 and affect our Museum. *February 10*

1874

Mr. Choate appointed a committee to prepare an address for the Trustees to be read by the President of the Board (ceremonies at laying of corner-stone). *May 16*

Requested to prepare a preface for the report of the speeches and proceedings at the laying of the corner-stone. *July 2*

1875

Messrs. Choate, Stevens and Potter appointed a committee to prepare a contract with the Department of Public Parks for our permanent occupation of the new building on Manhattan Square. *October 11*

1876

Mr. Choate, of the committee appointed to draft an agreement with the Department of Public Parks for our permanent occupation of the new building, made a full verbal report which was accepted and the subject was referred back to the committee with power. *December 21*

1877

Mr. Choate, of the committee on preparing an agreement for our permanent occupation of the new building, read a draft for such an agreement. The whole matter was referred back to the committee with power and the President of the Board was authorized to sign the agreement when completed and affix thereto the seal of the corporation. *February 12*

Messrs. Choate, Potter, Pyne, Roosevelt, Morgan and Steward appointed a committee to wait on the Commissioners of the Department of Public Parks and urge the signing of the contract for the occupation of the new building. *November 12*

1878

Messrs. Potter, Choate and Pyne appointed a committee to act with a like committee from the Metropolitan Museum of Art on the matter of the maintenance fund in a conference with the Department of Public Parks. *February 11*

Mr. Potter and Mr. Choate appointed a special committee to prepare the scheme of a Bill to be presented to the next Legislature enabling a permanent contract to be made between the Museum and the Department of Parks for the annual maintenance of the Museum. *May 23*

1879

Elected member of Committee on Progress and Legislation. *February 10*

1880

Mr. Choate gave notice of amendment to Article Sixth of the Constitution by striking out therefrom the words "or exceeding in all ten thousand dollars in the interval between the quarterly meeting of the Trustees" and by striking out the word *sanction* and inserting instead thereof the words "previous authority." *February 9*

1881

Messrs. Choate and Hewitt appointed a committee to draw up a resolution on the retirement of Mr. Robert L. Stuart from the Presidency.

February 14

Resolution offered by Mr. Choate that a course of four or more lectures be arranged by the Executive Committee. *February 14*

1883

Mr. Choate was requested to report a "form" of endorsement and acknowledgment to be placed on the back of certificates of Patrons and Fellows in appointing their successors. *November 12*

1886

Mr. Choate and Professor Bickmore requested to prepare a draft of an Act and a form of contract with the State for securing a more permanent support to carry on the Lectures to Teachers. *January 5*

The Secretary *pro tem.* was requested to confer with Mr. Choate regarding the amendment proposed pertaining to the election of the Executive Committee and to report at the next meeting of the Board. *May 10*

1887

Mr. Choate gave notice that he should hereafter move the following amendment to the Constitution, to amend Article "6" by inserting after the first sentence thereof the following clause:

"The five members of the Executive Committee elected in February, 1887, shall forthwith draw lots for terms of one, two, three, four and five years, respectively, and the terms for which those drawing the two, three, four and five years, respectively, were elected, are hereby extended to cover those periods—and hereafter at each annual election one member shall be elected to serve for five years." *February 14*

Mr. Choate moved that it is the sense of the conference committee that the Museums ought to be opened on Sunday afternoons during the present year and that the Trustees should accept the additional appropriation for that purpose made by the City authorities. Mr. Choate afterwards offered the following amendment to the resolution:

"*RESOLVED,* That in the opinion of the Trustees it is not advisable to open the Museum on Sunday until suitable arrangements for that purpose can be made with the public authorities.

"*RESOLVED,* That the Executive Committee be instructed to confer with the Department of Parks and with the Board of Apportionment with a view to such an arrangement." *March 21*

1889

Mr. Choate and Mr. Dodge gave notice in writing that they should propose at the next quarterly meeting of the Board that Article 3 of the Constitution be altered so as to read as follows:

"The Trustees shall meet quarterly, on the *third* Monday of every February, May, August and November, *instead* of the *second* Monday." *February 11*

1890

Mr. Choate spoke of the possibility that the property of the Museum might be deemed by the courts liable to taxation. The question was referred to a special committee consisting of Mr. Green and Mr. Choate for consideration and to report thereon to the Board. *February 10*

1891

Several amendments to Constitution and By-Laws were proposed by Mr. Choate and the President. *February 16*

1892

Mr. Choate, with the President and Messrs. Hewitt and Mills, appointed a committee to consider relations of the Museum to Columbia College, the University of New York and other like institutions, to see if a closer coöperation in educational matters be wise and feasible and to make such recommendations as they may deem advisable at the next meeting of the Board. *February 15*

Messrs. Choate, Hewitt and Mills verbally approved the plan of coöperation for lectures by Columbia College and the Museum. *April 8*

1893

Offered a resolution which suggested an amendment to the Act of May, 1892, which would enable the Trustees to be free to use the money put at their disposal in the manner which would best serve the interests of the Museum and the public. *April 14*

1895

Evarts, Choate and Beaman wrote to H. P. Wilds requesting him to withdraw statement attributed to him against the bills for enlarging the Museum. *March 22*

1906

Appointed member of Special Committee on Maintenance Appropriation. *February 8*

Messrs. Choate, Robb and the President appointed a committee to revise Constitution and By-Laws. *February 8*

Mr. Choate presented Loving Cup to President Jesup. *February 12*

Mr. Choate delegated to accept the gift of busts of Men of Science at unveiling. *November 12*

1908

Mr. Choate, Professor Osborn and Mr. Robb constituted a committee to prepare resolutions relative to the death of President Jesup. *February 6*

Appointed member of Jesup Memorial Committee. *February 10*

The question of having the Mayor, the Comptroller and the President of the Department of Parks *ex-officio* members of the Board was referred to Mr. Choate for advice. *March 24*

1909

Mr. Choate rendered an opinion which in substance was that both by intent of contract and by established custom the funds appropriated by the City for maintenance were to be expended exclusively by the Trustees, etc. *February 8*

Mr. Choate was appointed to make the principal address at the unveiling of the Jesup Memorial. *October 20*

1910

Appointed member of committee to consider question of Museum in Bronx. *February 23*

Mr. Choate reviewed the provisions of the old Charter, the Ivins Charter and the so-called Revised Charter affecting the American Museum and the other Museums of the City. *May 9*

Appointed Chairman of Committee on Revision of the Constitution and By-Laws and Rules and Regulations. *July 20*

Appointed member of Committee of Three to consider with President Osborn and Mr. Huntington offer of Mr. Heye to donate archæological collection to Museum on certain conditions. *December 21*

1912

Appointed member of committee, with Messrs. Dodge, Osborn and Warburg, to represent the Trustees at hearing before Board of Estimate and Apportionment on the Corporate Stock Budget. *May 15*

1913

Appointed member of Morgan Memorial Committee. *April 16*

1914

Elected an Associate Benefactor, in view of generous contributions and genuine interest in growth of Museum. *February 2*

Offered resolution in regard to death of Mrs. Morris K. Jesup. *November 9*

Mr. Choate, as one of the incorporators of the Museum and as a member of the Committee which drafted the agreement between the City and the Trustees, stated that the original intention of the agreement was that the City would erect and equip the building and provide for its maintenance while the Trustees would furnish the collections, neither party acquiring an interest in the property of the other. *November 9*

Two letters from Mr. Choate, dated November 28, 1914, and November 30, 1914, were read, in which he expressed his opinion as to the legal right of the Museum to accept real estate as part payment of the Jesup Bequest. *December 3*

1915

The President reported that he had had a conference with Mr. de Forest of the Metropolitan Museum and, acting under the advice of Mr. Choate, they were planning to submit to the Legislature at the same time a draft of a law which would remove the present limitations and give the Board

of Estimate power to appropriate such sums as it might deem desirable for the maintenance of the American Museum and the Metropolitan Museum. *January 21*

The President stated that addresses would be made at the Memorial Meeting to Professor Bickmore on January 29, 1915, by Mr. Choate, the President, Mr. Dodge, Mr. Gratacap and Dr. Finley. *January 21*

Reëlected Trustee in Class of 1919. *February 1*

The President stated that he had had conferences with Mr. de Forest, with Mr. William Church Osborn of The Metropolitan Museum of Art and with Mr. Choate, Counsel of the American Museum of Natural History, and that it had been decided to submit to the Legislature simultaneously similar bills which would permit the Board of Estimate and Apportionment to use its discretion in providing further appropriations for maintenance. *February 1*

The Special Sub-Committee on Jesup Endowment reported that after correspondence with the Executor and after consulting the Museum's Counsel, Mr. Choate, it was found that the American Museum of Natural History could not accept real estate in part payment of the Jesup Bequest. *April 23*

A letter from Mr. Choate, dated April 26, 1915, was read, in which he approved of accepting the proposition of the Executor of the Jesup Estate to pay over to the Museum on or before June 17, 1915, 50% of the Jesup Bequest. *May 3*

Mr. Choate moved that the report of the Executive Committee (in regard to providing new buildings by private subscriptions; transferring of the

balance of the building appropriation C DP 3B, amounting to $111,-808.77, to an equipment fund, and increasing of the maintenance appropriation from the City to $225,000) be printed and sent to the members of the Board so that it might be in their hands at least ten days before the meeting at which it was to be considered. The motion was adopted.

May 3

It was reported that the legal documents in connection with the Will of Margaret Bowsky had been sent to Mr. Choate. *November 17*

The Assistant Secretary reported that in accordance with instructions from Mr. Choate, he had signed the necessary legal papers appointing the firm of Evarts, Choate and Sherman as attorneys to represent the Museum in connection with the bequest of Amos F. Eno. *December 15*

1916

Mr. Wickersham stated that he had been in conference with Mr. Choate and that they felt it would be advisable for the Trustees to take action similar to that already taken by the Metropolitan Museum of Art in the disposition of the fund bequeathed by Mrs. Jesup, and moved the following resolution:

"*RESOLVED*, That it is the sense of the Board of Trustees that all stocks now held for the Permanent Endowment of The American Museum of Natural History be sold as soon as they can be disposed of at a price equal to or greater than the price at which they were acquired."

Mr. Cuyler then offered the following amendment to the above resolution:

"*RESOLVED*, That it is the sentiment of the Board of Trustees that the National Bank stocks now held for the Permanent Endowment be sold as soon

as they can be disposed of at a price equal to or greater than the amount at which they were acquired, and that the other stocks should not be acted upon until Mr. Choate's committee makes its report." *February 7*

It was reported that the attorneys for the Museum had appealed the Eno Will case on the advice of Mr. Choate, and that the case was being prepared for the Court of Appeals. *November 20*

1917

The Secretary presented a letter dated January 31, 1917, that the President had received from Mr. Cuyler as Executor of the Jesup Estate, in which he proposed to make a further payment of 5% on account of the Jesup Bequest on April 1, 1917, and offered to pay the remaining 5%, provided the Trustees would waive any claim to interest that might be due should the final payment be deferred until the liquidation of the estate. A letter was then read from Mr. Choate, dated February 20, 1917, in which he advised against the acceptance of Mr. Cuyler's offer, in view of the large sum of interest which might legally be due the Museum on final liquidation of the estate. *February 21*

Messrs. Choate, Dodge, W. B. James and Mills participated in a full discussion of building policy under the present conditions and the following resolution was unanimously adopted:

"*WHEREAS,* Under the present war conditions very large financial demands are being made on all generous givers; and

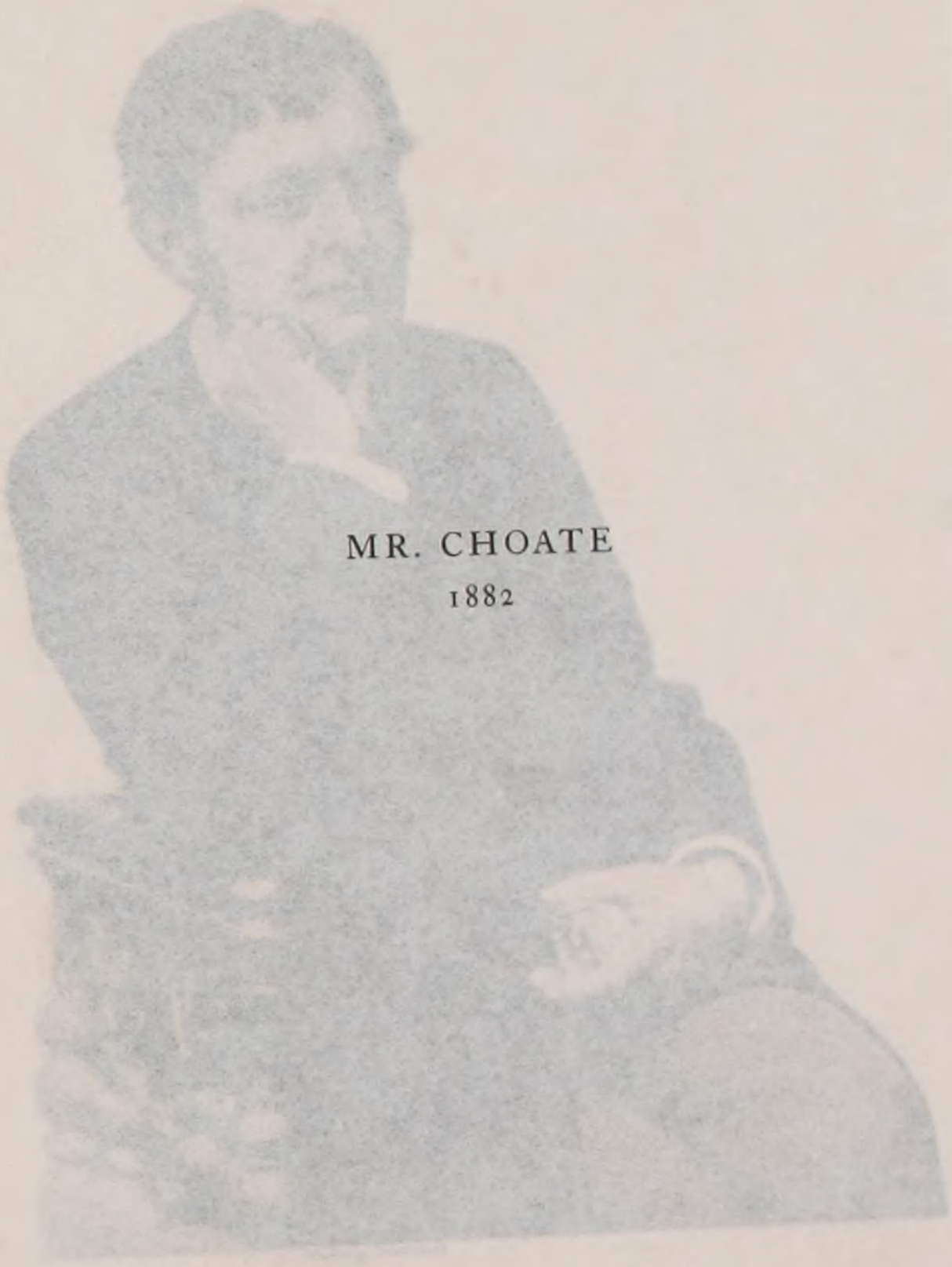
"*WHEREAS,* The cost of building is very high; be it

"*RESOLVED,* That the President write to each of the subscribers to the Museum Building Fund, stating that the Board of Trustees considers it unwise to proceed with the construction of new buildings and has decided not to ask

for the payment of subscriptions that have been made or that may be made to the Building Fund until six months after peace has been declared."

Mr. Choate was requested to draft a letter which the President could send to the subscribers to the Museum Building Fund in order that its terms might be legally binding upon the donors or their heirs to make payment of the subscription when it was due. *May 7*

MR. CHOATE AS EARLY HISTORIAN
AS ORATOR, AS COUNSEL
AS AUTHOR



MR. CHOATE
1882

MR. CHOATE

1885

Savony, New York.

On May 16, 1874, Mr. Choate was appointed a Committee of One to prepare the address for the Trustees to be read by the President of the Board of Trustees, in which he gave a compact and luminous résumé of the early history of the Museum:

"In this view it may not be unbecoming for the Trustees briefly to relate the course of events which have brought this undertaking to its present advancement, and to declare the purposes which have actuated them in the efforts they have made to establish, on a permanent foundation, a Museum which, as they hope, will be worthy of recognition as a National Institution.

"It had long been a subject of regret to many citizens interested in the cause of education and culture, that this great city, the most prominent seat of American civilization, should remain entirely destitute of any adequate means for the study of Natural History, while all the other principal branches of science and knowledge found within it their professors and their colleges, which invited students from all parts of the land, and furnished them with suitable facilities for acquiring the special education which they sought. It was also considered that a department of knowledge which has in recent years assumed so large a share of attention and so marked a place in every scheme of Liberal

Education, should have in this city a grand collection of specimens, free to the inspection of its own citizens as a source of public amusement, and open to the use of the teachers and scholars of its public and private schools as a means of general instruction.

"It was for these purposes that the Legislature of the State of New York, by an Act passed on the 6th of April, 1869, created the Trustees and their successors a body corporate by the name of 'The American Museum of Natural History,' to be located in the City of New York, for the purpose of establishing and maintaining in said city a Museum and Library of Natural History; of encouraging and developing the study of Natural Science; of advancing the general knowledge of kindred subjects, and to that end of furnishing popular instruction and recreation. Under this Charter the Trustees immediately organized, and have, during the five years which have since elapsed, devoted no inconsiderable amount of time and thought, as well as of money, to carrying into practical operation its useful provisions. Having by their own contributions, and those of many public-spirited citizens who evinced a substantial interest in the project, obtained the necessary means, they purchased the extensive collection of Mammals, Birds, Fishes, etc., belonging to the late Prince Maximilian of Neuwied, the Elliot collection of Birds, besides a large part of the celebrated Verreaux and other collections of specimens of Natural History, and thus found themselves in possession of a suitable nucleus for a complete collection, but without any proper building or place of deposit, where the specimens might be at the same time safely preserved and made available for the popular use and enjoyment. At this stage in their enterprise, the Trustees . . . turned in their hour of need to the Commissioners of the Central Park, and proposed to deposit their collections,

for safe keeping and exhibition, within the limits of the Park itself. . . . The Trustees were met by the Commissioners with the most enlightened and liberal sympathy, and the proposition was accepted by them with the declaration on the part of the Commissioners, which the event has justified, that the proposed plan of coöperation, which insured and combined in the enterprise the interests and means of the private citizen with those of the public, would probably be made an example and incentive for uniting the energies of those interested in other branches of Science and Art in similar undertakings. . . .

"It very soon, however, became evident by the rapid growth of the Museum, and the constant additions which accrued to its collections, that the temporary accommodations which were the best that the Park Commissioners have thus far been able to afford, were altogether inadequate for the purpose to which they were devoted, and accordingly the Legislature, in response to the petition of a large number of influential citizens interested in the cause, by an Act in 1871 relative to the Department of Public Parks, authorized the Commissioners to erect, upon Manhattan Square, a suitable fire-proof building for the purpose of establishing and maintaining the Museum therein, under rules and regulations to be prescribed from time to time by the Commissioners, and in the same connection and by the same act the like provision was made for a similar building for the use of 'The Metropolitan Museum of Art,' the foundations of which are already being prepared by the Commissioners on the opposite side of the Park.

"By this double act of munificence on the part of the people of the State, the City of New York has been endowed with two institutions of education and ornament which, though now in their infancy, will at no distant day be recognized as of great and permanent public advantage,

and whatever jealousy may justly pertain to appropriations of public money to private uses can in no way apply to this Museum of Natural History. . . .

"In recalling, with pride, the progress that has already been made towards the realization of their plans, the Trustees desire to place on record their high appreciation of the services of Professor ALBERT S. BICKMORE, whose zealous devotion to the interests of the institution, and untiring industry in carrying out the wishes of the Executive Committee, have done much to advance the prosperity of the Museum.

"We lay here to-day the corner-stone of an edifice which shall be dedicated forever to the study and the culture of Natural History. These massive foundations already securely laid give promise of the most solid permanence in the superstructure. The wise forethought of the Park Commission, in reserving for the future use of the Museum the remainder of Manhattan Square, has provided amply for its continued growth.

"The presence on this occasion of the President of the United States, who has kindly consented to assist us in these ceremonies, assures us of that public interest which is necessary to sustain the undertaking.

"The cheering words of the Governor will doubtless lend the countenance of the State to support this institution which has been founded by its bounty, and finally, the Trustees, in pledging once more their own efforts for its success, would bespeak for it that popular favor without which it must surely languish and decay."

During all the early period Mr. Choate was the historian of the Museum. He was the author of the *First Annual Report* (1870).

He also took a leading part in the educational movement, preparing the resolution which led the way to the delivery of the first Four Lectures to Teachers by Professor Albert S. Bickmore, in 1881. This was the first direct contact between the Museum and the Public Schools. In 1886, with Professor Bickmore, he prepared a draft of an Act and a form of contract with the State for securing a more permanent support to carry on the Lectures to Teachers. This led to an annual appropriation, varying in amount from $18,000 to $38,000, to extend the educational influence of the Museum not only throughout the City but throughout the State, until the year 1904, when the Legislature failed to renew the Enactment. In his later years Mr. Choate was a frequent attendant at the lectures specially designed for the children of Members.

Into every act connected with his service to the Museum, he entered with a spirit of intelligence and of enthusiasm, lightened invariably by a delightful humor. On the occasion of his delivery of the Memorial Address to President Jesup on February

9, 1910, all who were present will remember his serious praise of Mr. Jesup's life and work, lightened with occasional and unexpected flashes of wit, such as his allusion to the Chilean mummy, which he always referred to as the "copper woman," at the same time observing that the question had never been decided by the biologists as to whether the "copper woman" belonged to the animal, vegetable or mineral kingdom.

In reviewing these great services of Mr. Choate, we may well conclude with his last published paper on the Museum:

> "You ask me to contribute for the *Journal* something about the beginnings of the American Museum, in which, as the only surviving founder, I had something to do.
>
> "Nobody ever dreamed at that remote time, nearly fifty years ago, that the American Museum of Natural History would ever reach its present vast proportions and splendid utility. New York was far behind other American cities in this development of knowledge and science. Sporadic efforts had indeed been made to establish a museum where the collections of New York's learned naturalists might be gathered, but thus far Philadelphia and Boston had been allowed to lead. I remember that, when it had finally been resolved to establish the American Museum, the first thing was to get a charter from the State, and I went

in company with the late William E. Dodge to Albany to consult with members of the Legislature about granting it. To our surprise we found that the matter of granting us a charter depended upon the decision of William M. Tweed, who was then practically in supreme control of the Legislature. We hardly anticipated that he would put no obstacles in our way, but wonderful to tell, he received us really with enthusiasm, and said that he entirely approved of the project as an educational measure and that he would do whatever we wanted. Consequently, we obtained without any delay, or expense, or trouble the much desired charter.

"A few men of large wealth were interested in the project, being amateur lovers of natural history in one or another department, but there was no such splendid scientific supervision as the Museum now enjoys in its president and its various curators. Some of the gentlemen interested in the Museum in that early day had little collections of their own which they were very glad to contribute, and also money to spend for such benign purposes; and I suppose that they wanted me to become one of the founders so that they might have a legal advisor to fall back upon, in case of need, who should be one of their own number, and I very gladly joined, although having nothing to contribute in the way of collection or of money.

"Professor A. S. Bickmore fortunately was the great promoter of the organization of the Museum. He had been a pupil of Agassiz, and was besides a young man of energy and persistence. It was he who instigated the various gentlemen of large wealth, of whom I have spoken, to unite for the Museum's formation and first organization. He labored incessantly in season and out of season, and in any history of the American Museum he is to be remembered as its most effective early promoter.

"No one thought at that time that a great democratic city like New York would ever contribute two hundred thousand dollars a year for what then seemed such a luxury as a Museum of Natural History or a Museum of Art, and I do not know that any city in America had at that time ever contributed a dollar for any such purpose. In the New York effort we lived from hand to mouth at first, although the gentlemen of whom I have spoken certainly contributed very liberally to the support of the infant institution. It was not, however, until the first building was erected by the City under the authority given by the Legislature that we began to realize what an important project we had in hand.

"In the meantime we lived as best we might in quarters hired for the purpose, the old Arsenal Building near the south end of Central Park, and the Museum at first was certainly a very small affair. Only the enthusiasm and unfailing generosity of the more wealthy among the Trustees, who year after year put their hands into their pockets to make up the deficit, kept the tottering infant alive during these early years of struggle.

"As usual where either individuals or museums become known as collectors, miscellaneous collections of every description came crowding in faster than they could be taken care of. We strove first to gain public attention and confidence by a well-ordered exhibition of our most attractive objects, storing the others away to await future developments. Forty-four thousand dollars were raised the first year by the Trustees and their friends, and only five thousand people visited the Museum to reward their efforts. Every day it became more and more obvious that it was quite impossible to build up by private means alone a great museum worthy to compete with the museums of Europe. When we fully realized this, we sent to the Legislature a lengthy petition, signed by

forty thousand citizens, asking that a building be erected by the City. Manhattan Square, consisting of eighteen acres, was at that time a remote and almost inaccessible tract of land. This land was granted as the site for the first building. The corner-stone was laid, I well remember, in the presence of the President of the United States, accompanied by members of his cabinet, the Governor of the State, and the Mayor of the City. On the twenty-second of December, 1877, the building was formally opened.

"The contract entered into at that time between the City and the Trustees of the Museum has subsisted without change for forty years. Contracts of the City with other great institutions such as the Metropolitan Museum of Art and the New York Zoölogical Society have been closely modeled upon it. The policy embodied in this contract secures equal advantage to the institution and to the public. It provides for the permanent occupation by the American Museum of all the buildings erected or to be erected in Manhattan Square, and for a free exhibition within the buildings of all our collections, under regulations agreed upon. The City of New York, therefore, is the absolute owner of the buildings, and the American Museum is owner of the collections—an arrangement which has fostered delightful and beneficial relations, steadily growing more close and cordial, between the Museum and the people.

"Now the American Museum has grown with incredible speed to wholly unexpected magnitude, and I have every reason to believe that it is now regarded, and in the future will be still more highly valued, as one of the great educational institutions of the City, worthy of the support of its citizens and quite as important as the public schools, as an institution whose maintenance shall be provided for out of the public funds."

In the above article published in *The American Museum Journal* of May, 1917, we have the voice of Mr. Choate in a loyal and proud word for the institution which he helped to found. With other Trustees he had for nearly fifty years a feeling of fatherly ownership and responsibility as year after year he watched the organization rise from its infancy to its present commanding place in Science and Education. And for the same fifty years the American Museum on its side looked upon him with affectionate admiration, and, feeling a contented mind under the protection of this representative of the law, the foremost advocate of the American Bar, has been able to devote itself unreservedly to the work for which it was founded.

It is delightful to remember how greatly Mr. Choate enjoyed the Museum he had helped to found. He was a very frequent visitor up to the last days of his life. We recall one occasion when his enjoyment was very evident. It was one Saturday forenoon in the early spring of 1917, and about time for the "Children's Lecture" to begin

in the auditorium of the Museum. Outside, the weather was gray, with a cold wind; inside, where many hundred children had come gaily trooping, there was a great sunshine of adventure and anticipation of the journeyings they were to make into the jungleland of Africa—or was it into the American wildernesses of our wild flowers or birds? Then he came in smiling, among the children, and many people both young and old whispered: "Mr. Choate," with accents of reverence for his great name and exultation that they were in an audience of which he was to be a member. He was in one of his gayest moods, it seemed. He was holding a grandchild by each hand, and he was quite as filled with fun and anticipation of the pleasure ahead as were the children. After the lecture and after they had viewed some of the Museum exhibits, accompanying the head of the Department of Education of the Museum, one of the children said exultingly: "Are we not lucky to have grandpa for a grandpa!" She had quite the right point of view. And the American Museum could have said with

equal sincerity and emphasis: "We are immeasurably glad that Mr. Choate is our founder, trustee and friend."

His last days were full of vivid personal enjoyment because of his opportunity to use his eloquence and argument to give all that was in his power to the two causes nearest his heart: the new desire of his vigorous patriotism for the entrance of America into the war on the side of the Allies, and his ever-abiding desire as a diplomat for a closer union of England and France with his home country.

One of his last and most eloquent and patriotic utterances may be quoted:

"If we only teach our children patriotism as the first duty and loyalty as the first virtue, America will be safe in the future as she has been in the past. . . . We can always be sure of fleets and armies enough. But shall we always have a Grant to lead the one, and a Farragut to inspire the other? Yes, on this one condition, that every American child learns from his cradle that his first and last duty is to his country, that to live for her is honor, and to die for her is glory."

Our honored colleague is not dead; his spirit lives in the institution which he helped to found and which he cherished for nearly fifty years. May his example of high purpose and unselfishness, of the love of nature, of energy, simplicity and humor, ever be with us to inspire our future growth and development.

Henry Darfield Osborn

President

Herman Schein

Secretary

MR. CHOATE'S ASSOCIATES ON THE BOARD OF TRUSTEES

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1914–

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1885–1914

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1892–1895

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1903–1907

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1869–1905

Adrian Iselin
1905–

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1903–

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1889–1903

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1911–

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1869–1908

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1898–

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1894–1911

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1882–1893

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1874–

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1882–1910

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1910–

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1869–1913

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1908–

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1889–1890

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1901–

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1886–1900

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1869–1872

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1869–1880

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1872–1895

Percy R. Pyne
1900–

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1891–1910

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1869–1878

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1886–1891

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1872–1888

John B. Trevor
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1878–1899

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1910–

George W. Wickersham
1910–1917

William C. Whitney
1891–1904

John David Wolfe
1869–1872

καὶ μὴν ἀριθμὸν
ἔξοχον σοφισ-
-μάτων
ἐξεῦρον αὐτοῖς
γραμμάτων τε συνε-
-θεσις
μνήμην θ' ἁπάντων
μουσοποιὸς ἐρ-
-γάτις
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