



John M. Fahey, Jr.
President and CEO

September 19, 2005

Personal and Confidential

President Richard C. Levin
President, Yale University
105 Wall Street
New Haven, Connecticut 06511-8917

Dear President Levin:

I must state at the outset of this letter that I have heard a great deal about you, and of an extremely positive nature from our mutual friend, Bobby Haas.

I also feel it important to note that we at National Geographic had not known or been told in advance that a telephone call to you would be part of my scheduled meeting with President Toledo and his delegation on this past Friday. I apologize if it seemed orchestrated, as none of us at National Geographic had known about this planned telephone call before it actually occurred. Even as it was unfolding, I did not realize that I would be called upon to be a participant in the discussion. Yet perhaps some good may come of our talking personally and candidly about this situation that arises from circumstances in which our institutions were intimately involved some ninety-plus years ago.

We have heard a great deal in recent years from our friends in the Peruvian Government about the Hiram Bingham Peruvian Expedition artifacts in Yale's possession. This has occurred because National Geographic has worked with various governmental and private entities from Peru on a number of current scientific projects in Peru, and most recently, an excellent exhibition of treasures from the Andes in our Museum in collaboration with the Government of Peru. I also know that there was some prior discussion several years ago between some of our staff at National Geographic and your lawyers and Dr. Berger of the Peabody Museum about the artifacts issue. As I mentioned on the

phone, some of these documents referenced below may have been shared with your staff then.

We recently received a request from the Peruvian Government through Ambassador Ferraro for copies of the photographs we have in our image collections from the Bingham exhibitions. Upon examination, we determined that we could not convey copies of the vast bulk of the Bingham exhibitions' photographic collection without Yale's permission. We determined that we could convey copies of the public domain photographs published prior to December 31, 1923, which included photographs published in *National Geographic Magazine* articles about these Peruvian expeditions in 1913, 1915 and 1917. The meeting at National Geographic this past Friday had been arranged by Ambassador Ferraro during President Toledo's U.S. visit so that we could present a scrapbook of copies of some of these photographs to President Toledo and his wife.

Once we were told about (and were encouraged by) the efforts of Ambassador Ferraro to initiate a personal and direct dialogue with you about the artifact issue, we asked our research library to review the microfiche correspondence that may be related to the artifacts. That was done a few weeks ago and the most pertinent letters reflecting the correspondence between Hiram Bingham and Gilbert H. Grosvenor, then the president of the National Geographic Society, were copied. Those are the letters referenced in our Friday telephone call and which we are pleased to provide you, just as we did last week to Ambassador Ferraro and President Toledo. For your convenience and in light of the imperfect legibility of copies of certain of the letters, we have prepared and attached a very brief summary of certain excerpts from the exchange of correspondence that we thought you might find quite pertinent to the core issue.

We sincerely hope that Yale and the Government of Peru can reach an amicable and mutually attractive resolution of the artifact question. I think you have sensed the evident passion and commitment at the highest levels of the Peruvian Government to recover these artifacts. President Toledo, Mrs. Karp Toledo, his very articulate wife, and Ambassador Ferraro talk of proposals that hopefully can be perceived by all as quite favorable to both Yale and Peru. From our discussions with Peru's representatives, we are confident that a negotiated resolution of the artifact issue could include strong public statements of

appreciation for Yale's good care of the artifacts, praise for Yale's cooperation in their return, future lending agreements for great treasures of Peru to be provided to Yale and the Peabody, and prominent recognition of Yale in a permanent museum for the Bingham artifacts at Cusco

We at National Geographic have certainly stressed with the Peruvian Government our great desire to see this issue resolved privately and amicably, and I am personally committed to our supporting a resolution that both Yale and Peru find to be in their mutual best interests. It is our strong belief that, acting together in a spirit of good faith, the parties should be able to forge a very reasonable resolution that is best for all concerned.

If you think it at all helpful for us to talk personally about these issues, I am of course pleased and honored to do so.

Best regards,

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Peabody". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Attachments -

- Summary of Correspondence
- Copies of Correspondence

Synopsis of Certain Correspondence concerning Bingham Expeditions' Artifacts

March 1, 1912: Hiram Bingham to Gilbert H. Grosvenor. "I am enclosing a plan for this year's work. It has been approved by President Hadley and will go through if you can help us. It calls for an expenditure of \$25,000. If the National Geographic Society will contribute \$10,000 I will undertake to raise the other \$15,000.If you choose to make as a condition of your cooperation that I secure permission to excavate and bring some archaeological material out of the country it will not seriously hamper my plans for I have no doubt that I shall be able to secure this permission at least for one year from the Peruvian government."

November 28, 1916. Hiram Bingham to Gilbert H. Grosvenor. "You will remember that we eventually succeeded in bringing back from Peru on the last expedition, some seventy-four boxes of potsherds, bones and a few archaeological objects of interest to science, but nothing of value. The more valuable part of the collection is made up of skeletal remains, which I offered to the National Museum for study. They cannot accept them, however, unless they are to become their property. Now they do not belong to us, but to the Peruvian government, who allowed us to take them out of the country on condition that they be returned in eighteen months. ...It is suggested, however, that a written application be presented to the Peruvian government through our State Department applying for an extension of the term allowed..... I am almost tempted to let the Peruvians "whistle for it," but I suppose that would not be fair to any future work the the National Geographic Society might try to do in Peru. If only Peset were still Peruvian Minister we might accomplish something, but on the whole, I fear the game is not worth the candle. My suggestion is that the collection of skulls be turned over to the best anthropologist in this vicinity that is willing to handle it, on the condition that it is to go back to Peru in the near future. Are you willing?"

November 29, 1916. Gilbert H. Grosvenor to Hiram Bingham. "Dear Hi: Replying to yours of November 28, I feel that we ought to abide by the letter of our agreement with the Peruvian Government and return all the material that we contracted to return, and I am glad that you share this view with me."

December 1, 1916. Hiram Bingham to Gilbert H. Grosvenor. "Dear Bert: Since the receipt of your letter this morning, I have seen President Hadley and made arrangement with him whereby the skeletal material will be studied in time to allow of its return to Peru in accordance with the letter of our agreement with the Peruvian Government."

October 26, 1920. Eduardo Higginson, Consul General in the U.S. Consulate General of Peru, New York to National Geographic Society. "I beg to inform you that I have this day received a cablegram from the Director of Instruction of the Peruvian Government, asking me to request from you the return of the original and duplicate objects taken from Peru by the Expedition headed by the Commissioner of your Society and Yale University. They also ask me to request you to send with these objects copies of the studies and information obtained relative to the investigations instigated in Peru during this expedition. The return of these articles is requested in accordance with article four of the

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Supreme Resolution No. 1592 issued by the Director General of Instruction on the 31st of October 1912, of which you undoubtedly have a copy. I would very much appreciate your prompt reply as to when you will be able to ship these objects to Peru."

October 30, 1920. Gilbert H. Grosvenor to Hiram Bingham. "What answer shall I send to the enclosed letter from the Peruvian Consul General of New York?"

November 1, 1920. Hiram Bingham to Gilbert H. Grosvenor. "I am returning herewith the letter from the Peruvian Consul General in New York and would suggest that you reply regretting that the war interfered with the studies which were being made of the material brought from Peru, and has greatly delayed the preparation of reports relative to the investigations. I saw the Peruvian Minister, as you will remember, a year ago last February and he promised to see what he could do towards getting a postponement of the return of these articles. He never let me know the result of his inquiries.....Most of the material consists of broken potsherds of no value to the museum in Lima, and of skeletal remains that will be of very small value to them. There was practically no decorative pottery nor any interesting exhibition material in all the boxes referred to in the Consul General's letter, viz., the results of the 1915 Expedition. However in order to procure it for study we had to promise to send it back as you authorized me to do when the matter came up for discussion in December 1915. I suppose we shall have to raise some more money to ship the material back to Peru. I wish there were some other way out of it. I do not think any of the people down there realize how valueless the material is from their point of view. They want something that will make a show in their museum in Lima, and with the exception of a few trepanned skulls, there is nothing here that they will not be disappointed in. In fact when they see the material they will probably accuse us of having sent them a lot of rubbish instead of the original material. P.S. George Day, Treasurer of the University, has received a similar letter, I find. I will try to find out what he has done about it and let you know."

November 3, 1920. George Peabody Day, Treasurer of Yale, to Hon. Eduardo Higginson, Consul General of Peru, New York City. "Referring further to your letter of the 26th of October.....I write to advise you that Dr. Bingham is still too ill to give to this matter his personal attention, and that pending conferences with him it will be impossible for us to take action in this matter. From colleagues of his I understand that they have not yet had time to finish the studies based upon some of the material referred to, so that there will be no studies for us to send to the Peruvian Government if the material cannot be left with us for some little time. I am, therefore, venturing to write to ask if you will discuss with your Government the possibility of our retaining the material referred to until perhaps January 1, 1922, in order that time may be given for the completion of the studies based on part of this material, and which should prove of service, both to the Peruvian Government and to the world of scholarship."

December 30, 1920. Eduardo Higginson, Consul General of Peru, to Gilbert Grosvenor: "In view of your request to be allowed to retain the material until January 1st, 1922....I sent a cablegram to the Director General of Instruction requesting him to grant such an extension of time. I have this day received his communication and under Supreme

Resolution No. 2169 of the 4th of December, 1920, permission is granted for the extension of time to January 1, 1922."

January 17, 1921, Gilbert H. Grosvenor to Hiram Bingham. "I enclose a copy of letter from Eduardo Higginson...advising that permission has been granted by the Peruvian Government to the National Geographic Society-Yale University Peruvian Expedition, for retention of the original and duplicate objects taken from Peru by the Expedition until January 1, 1922."

October 12, 1921. Hiram Bingham to Gilbert H. Grosvenor. "In December, 1915, when we were returning from our last expedition to Peru, the question came up about getting our collections to this country for study. The only way in which this could be done was by promising the Peruvian Government that they would be sent back when the studies were completed. I took the matter up with you and you authorized us to proceed. Due to the war, great delay has taken place in the studies but they are partially completed and **about half of the collections** have just been shipped back to the National Museum at Lima. The cost of freight, cartage and insurance amounts to \$142.70. Will you be so kind as to ask your treasurer to send us a check for this amount?"

October 15, 1921. Hiram Bingham to Gilbert Grosvenor. "Evidently my last letter crossed yours, since you say nothing about the cost of returning the specimens to Peru. I kept a secretary working part time, nearly all of the months that I was away, on the enormous amount of Peruvian material that was collected on the various expeditions. I expected to begin work with her on the material immediately on my return. It now appears that she is seriously ill and will not be able to do anything for months. In the meantime, I must break in a new Secretary and try to find out where all the material is. You have no idea how much there is of it. Practically all my work this fall and winter will be on the Peruvian material."