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IN MEMORIAM: WILLIAM DUTCHER.

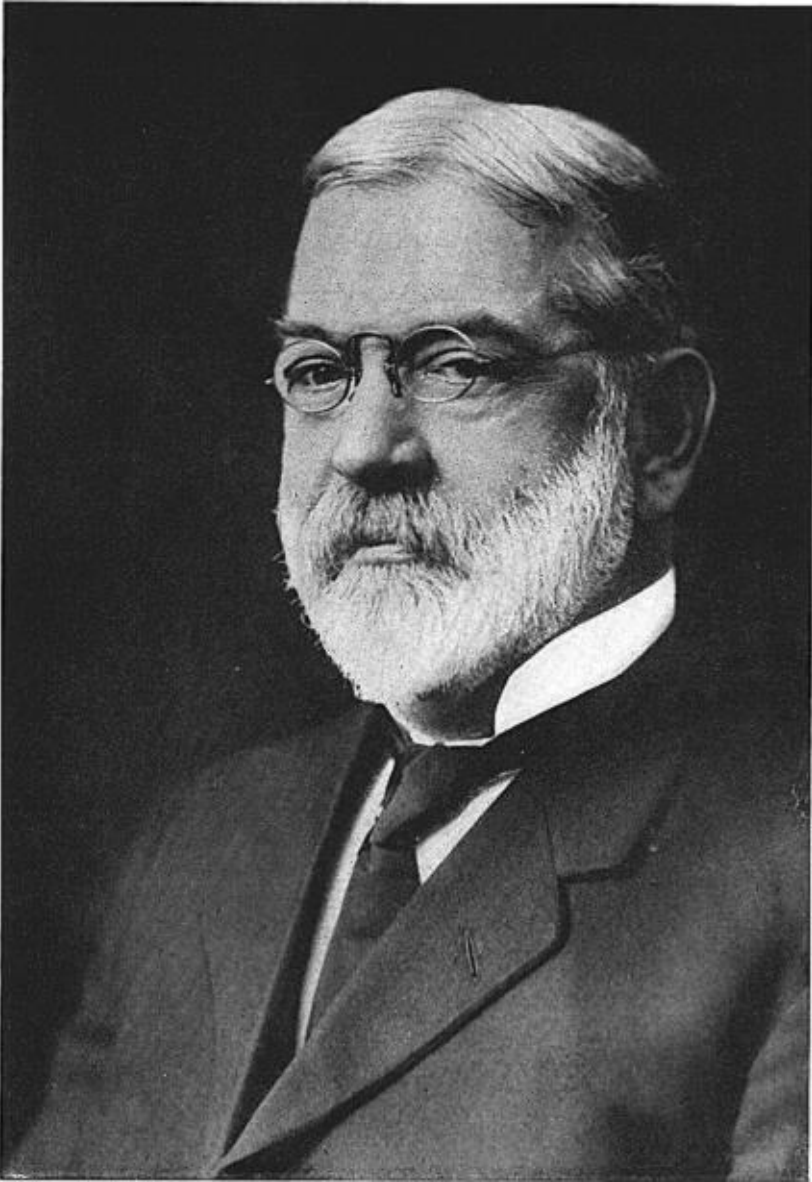
BORN JANUARY 20, 1846—DIED JULY 1, 1920.

Plate XV

BY T. S. PALMER.

STANDING in the heart of the business district of lower New York, within a stone's throw of Wall Street and old Trinity Church, is a building of a dozen or more stories, formerly considered a tall structure but now overshadowed and almost shut in by neighboring skyscrapers. To the casual observer there is little to distinguish this building, at 141 Broadway, from others in the neighborhood and it seems a most unlikely place for effective work in ornithology, but to one familiar with the circumstances the spot recalls associations and events of far reaching interest and importance. Here on one of the upper floors overlooking Broadway was the private office of William Dutcher, Ornithologist, Bird Lover and Conservationist. This was the scene of his labors during the years of his greatest activity and here he set in motion various projects which made a profound impression on the protection of bird life in distant parts of the country and resulted in the erection of an imperishable monument to his name.

William Dutcher was the son of Rev. Jacob Conklin Dutcher,



Wm. Dutcher.

a Dutch Reformed minister, and Margaretta Ayres, of New Brunswick, N. J. On his father's side he was a direct descendant of Captain William Dutcher of revolutionary fame, and of Isaac Van Wart, one of the captors of Major André; and on his mother's side, of Edward Fuller, one of the Mayflower pilgrims. He was born at Stelton, N. J., January 20, 1846, while his father was still a theological student at Rutgers College. After a few months his father moved to Coxsackie, N. Y., where he had a parish and about two years later again moved to Owasco, southeast of Auburn, N. Y. William's early education was secured in the local schools, but at the age of thirteen circumstances having made it necessary for him to engage in some occupation, he entered the office of a banker named Wright at 13 Bond Street, New York City, and while there employed lived with Mr. Wright and became a member of his family. A few years later, when his health was threatened, through the confinement of the office, he worked for some time on a farm near Springfield, Massachusetts.

Dutcher's career may be conveniently divided into decades. The first and second included his boyhood and early experience in business life, the third marked his entry into the insurance business in New York, and the following three decades from 1879 to 1910 were the years of his ornithological activity while the last decade of his life was passed in retirement.

Returning to New York City about the age of twenty he became connected with the Brooklyn Life Insurance Company and entered on a business career in life insurance which was destined to continue for many years. Entering the office first as clerk he was later promoted to the position of cashier and finally secretary. He remained with this company until the winter of 1894-95, when he became associated with the Prudential Insurance Company of New Jersey, with which he remained until his retirement from active business.

On May 18, 1870, at the age of twenty-four, Mr. Dutcher was married to Miss Catharine Oliver Price of Elizabeth, N. J., and took up his residence at Bergen Point, in that State. Here his son, Basil was born December 3, 1871. In 1876 he moved to New York, residing at 27 West 18th Street, afterwards occupied by the

store of Siegel-Cooper & Co., and five years later moved to 128th Street. In the spring of 1889 he moved again, this time to 525 Manhattan Avenue, a number well-known to all the early members of the Union, as it was here that the Treasurer had his office and the council usually held its meetings when the Union met in New York.

While living in New York, Mr. Dutcher was accustomed to find his recreation in hunting, chiefly along the shores of Long Island and New Jersey, where during the open seasons his holidays were spent in search of game birds—snipe and ducks in the autumn, and geese in March. On May 28, 1879, while hunting on the shores of Shinnecock Bay near Good Ground, Long Island, he shot a bird which was new to him and which proved to be a female Wilson's Plover (*Ochthodromus wilsonius*). This bird, mounted by John Bell, the veteran taxidermist of New York, became number one in the Dutcher collection of Long Island birds and was duly recorded in a brief note in the October number of the 'Bulletin of the Nuttall Ornithological Club' for 1879. The seemingly unimportant incident of the capture of this specimen and the publication of this brief note marked the turning point in Dutcher's career and proved the opening of a new chapter in his life. From this time on his interest in birds developed along new lines and he hunted not merely for recreation and amusement but to add to his knowledge of bird life and to acquire information which would aid in the prosecution of his scientific studies.

Finding that his time was limited he resolved to confine his attention to the birds of Long Island and soon became deeply interested in collecting all available information regarding the species of this region. His collection grew apace and was increased by the addition of specimens from various sources. At the same time he carefully and systematically collected every record and bit of information which would throw light on the precise distribution, occurrence and habits of Long Island birds. For about fifteen years he devoted unremitting attention to accumulating material both in the form of specimens and notes which would be useful in the preparation of a comprehensive work on the birds of Long Island. He examined the specimens

in the collection of the Brooklyn Institute, and the American Museum, and in various local collections. He secured notes and records from sportsmen, market hunters, and baymen, and in short left no stone unturned in bringing together facts of interest regarding the various species.

Shortly after the organization of the Linnaean Society of New York he became a member and met George N. Lawrence, the veteran ornithologist, and others who were active at that time. Upon the founding of the American Ornithologists' Union in September, 1883, Dutcher was elected an associate member and in the following year was appointed on the committee on Protection of North American Birds. The active work of this committee really began at a meeting held in his office at 51 Liberty Street, New York City, in December, 1885. The chairman of the committee was the late George B. Sennett and among the most active members were Dr. George Bird Grinnell, then editor of 'Forest and Stream,' and William Dutcher. The original minutes of the meetings of this committee, entered in a book which is now in the possession of the National Association of Audubon Societies, show in detail the work accomplished during the three years that the committee was active. The most important results included the organization of the original Audubon Society with a large membership and the drafting of a model law, for the protection of non-game birds subsequently known as the A. O. U. or Audubon law.

In 1886, at the first Washington meeting of the Union, Mr. Dutcher was elected an active member and this event marked the beginning of his association with certain activities at the National Capital. It was here at a subsequent meeting of the Union that he exhibited with considerable pride the results of his first experiments in photographing birds. It was here that he later paved the way for the inclusion of nongame species in the Federal law for the protection of migratory birds and it was here finally that he took up his last residence shortly before his death.

In 1887 he was elected Treasurer of the Union, an office for which he was peculiarly well adapted and which he filled with

remarkable success for a period of sixteen years. Singularly systematic in all his work and prompt in business dealings, he had little patience with failure to act promptly in business matters. So successful was he in collecting dues that a year or two after his appointment he was able to report at the annual meeting that 90 per cent. of the entire membership was fully paid up to date, a record which has perhaps not since been surpassed.

During the early nineties, about the time of Dr. Parkhurst's activities and the investigation of the Lexow Committee, Mr. Dutcher became active in civic affairs. Deeply interested in the movement for the improvement of conditions in New York City, he became identified with good government clubs, took an active part in elections, served on several occasions as inspector or judge of elections, and became thoroughly familiar with the records of various candidates for local offices. On one occasion he was urged to become a candidate for alderman but for various reasons declined to enter the race. His experience in civic affairs laid the foundation for much of his subsequent work and made a deeper impression on his later activities than was apparent at first sight. Under the head of what he was accustomed to call "civics" Mr. Dutcher included certain public activities which he considered a part of the personal and public duties of every good citizen and which he took as seriously as he did his business or any other matters in which he was particularly interested. During all his active career he never failed to familiarize himself with the records and characteristics of the principal local and state candidates for office, and to a certain extent of those in the field of national politics. Doubtless the experience gained at this time enabled him in later years so successfully and effectively to handle legislative matters when he took up practical work in behalf of bird protection.

In 1896 and in 1897 he served as chairman of the committee on Protection of Birds of the American Ornithologists' Union and was especially active in urging the formation of State Audubon societies. These years of preliminary preparation proved to be merely an introduction to his most important life-work.

The opening year of the new century marked the beginning of

the most active period in his career and of his work in bird protection. In December, 1899, Abbott H. Thayer, the artist, wrote to Dr. Stone, then chairman of the A. O. U. Committee, relative to raising a fund for the protection of the colonies of sea birds along the Atlantic Coast. Mr. Dutcher was induced to take charge of this phase of the Committee's work and at once entered into correspondence with Mr. Thayer. In a letter dated January 25, 1900, the latter inclosed \$110 as a contribution "toward our fund" and in the weeks which followed added substantial contributions. It happened that at this time Mr. Dutcher was particularly interested in a bill then pending in the New York legislature for the protection of gulls and terns, and he saw the possibilities in this fund for helping his work in the Legislature and in providing the payment of wardens to protect the gull colonies. By April work had progressed to a point where the fund warranted active field work, but operations were handicapped by lack of information as to actual location of the most important breeding grounds and the protection accorded the birds under State laws. Nevertheless wardens were employed and a beginning made in what proved to be the first practical work in America in protecting sea birds.

It should be recalled that at this time there was pending in Congress a measure of far reaching importance, commonly known as the Lacey Act. This bill which had been under consideration for nearly three years was finally passed by the House on April 18, 1900, three weeks later by the Senate, and on May 25, it became a law. During the closing weeks of this legislation Mr. Dutcher took an active part in assisting in the passage of the Act, notwithstanding his activities in organizing a warden force and in keeping in touch with legislation at Albany.

At the next annual meeting of the Union held in Cambridge, Mass., in the following November, he presented a detailed and very interesting report of the activities of his committee along the coast from Maine to Virginia. Experience had shown that the work was hampered by lack of adequate laws by which the birds could be given protection even when under the care of regular wardens. With the beginning of 1901, a year in which the

legislatures of most of the States were in session, Mr. Dutcher laid out an elaborate campaign for better bird legislation. The latter part of January found him at Augusta, Maine, urging in person before a joint committee of the House and Senate the necessity for proper protection of gulls and terns on the Maine coast. Later at Trenton, N. J., Albany, N. Y., and Hartford, Conn., he had bills introduced including the provisions identical with or closely modeled after the A. O. U. law. In Massachusetts through other members of the committee similar legislation was introduced, while in Delaware after a hot campaign he finally succeeded in securing the enactment of a comprehensive bird law. Later in the spring when the legislature of Florida convened he journeyed to Tallahassee and spent ten days in an effort to convince the members of the importance of bird protection. So successful was he in these various directions that at the close of the year he had the satisfaction of reporting that the model law had been enacted in seven of the States and for the first time it was possible to provide adequate protection for gulls and terns at the most important breeding colonies along the coast. Shortly after the enactment of the Florida statute attention was called to the important colony of Brown Pelicans which had nested for many years on Pelican Island in the Halifax River near Sebastian, Fla., and which on various occasions had been subjected to ruthless slaughter. Several times the nests had been robbed to such an extent that the future of the colony was threatened. It seemed desirable that title should be acquired, if possible, to the small island on which the birds nested, but as the island was still unsurveyed public land it could not be purchased until it had been surveyed and the plat approved by the General Land Office. Mr. Dutcher thereupon arranged to have the island surveyed but to his dismay learned that on approval of the survey the land would be open to entry by anyone and he might finally fail to secure possession. At this juncture a suggestion was made by the Surveyor General of the General Land Office that the island should be made a National Reservation by Executive Order. Mr. Dutcher at once adopted the suggestion with enthusiasm and upon his recommendation, made through the

United States Department of Agriculture, Pelican Island was reserved by President Roosevelt on March 14, 1903, as a preserve and breeding ground for native birds and thus became the first National Bird Reservation.

Two years previous the first steps toward the foundation of the National Association of Audubon Societies had been taken at the annual meeting of the Union in Cambridge in November, 1901, through the organization of a National Committee made up of representatives of the various State societies. Mr. Dutcher was elected chairman of this committee and the work began to grow apace. Among those who became interested in the new organization at an early date was Albert Wilcox, a cotton broker of New York and New Orleans, who after meeting Mr. Dutcher and looking into the plans for work urged the appointment of an active secretary who could devote considerable time to building up the membership and extending the influence of the association. He also suggested the incorporation of the association. Acting on these suggestions Mr. T. Gilbert Pearson was appointed secretary and in January, 1905, the new organization was incorporated as the National Association of Audubon Societies and Mr. Dutcher was elected president. The wisdom of the selection of these two officers was amply justified by the success of their work. In the following year Mr. Wilcox died suddenly and it was then discovered that he had endowed the Association handsomely, and having made it one of the residuary legatees under his will, the Association received an endowment of \$331,072. This bequest immediately assured the permanency of the Association and its work of education and conservation.

The year 1907 was a busy one both in legislation and in extension of the work of the Association, but a sad one for Mr. Dutcher on account of the impairment of the health of his daughter, Mary, who had contracted tuberculosis. In the hope that a change would benefit her health, he decided in 1908 to move from New York to Plainfield, N. J. This hope proved in vain and within a few months he was called upon to meet one of the greatest sorrows of his life in the death of his daughter on January 17, 1909. How much this loss meant to him and how much it affected

his career is known to but few outside the immediate family circle.

The year 1910 may fairly be considered as the culmination of Mt. Dutcher's career. The outstanding project of the spring was the introduction in the New York legislature of the Shea-White bill prohibiting the sale of aigrettes. Active work in behalf of the bill at Albany was entrusted to Mr. Pearson, while Mr. Dutcher remained at his office in New York skilfully directing affairs and bringing every pressure to bear in behalf of the measure. So successful were the efforts of the friends of the measure that the bill finally passed and was approved by Governor Hughes on May 7, thus for the first time providing adequate means of restricting the traffic in aigrettes for millinery purposes. No sooner was the success of the measure assured than Mr. Dutcher sailed for Europe as the representative of the National Association at the Fifth International Congress of Ornithology which convened in Berlin on May 30. Here he extended an invitation to the Congress to hold its next meeting in the United States, presented a paper on International Bird Protection, and received an appointment on the International Committee for the Protection of Birds. Upon his return to New York early in the summer he was welcomed by a number of his friends who had arranged a luncheon in his honor on July 14 and presented as a testimonial of their regard for his success in bird protection a fund of about \$7500 to be known as the Mary Dutcher Memorial Fund. Two months later, in September, occurred the annual meeting of the American Fisheries Society at the New York Aquarium which Mr. Dutcher attended and discussed with various members matters of conservation of mutual interest.

On October 19, only six days before the annual meeting of the National Association, which was to have been a notable event in celebration of the successful work of the year, Mr. Dutcher suffered a stroke of apoplexy which paralyzed his entire right side and left him speechless so that he was unable to communicate his thoughts except by signs. Of the heroic patience with which he endured his affliction for nearly ten years it is unnecessary to speak in detail, but it is important to mention that during all

this time he never lost his interest in birds. In spite of suffering and sorrow he kept fully informed of the progress of the work, was always interested in reading about his favorite subject and whenever possible insisted on attending the annual meetings of the National Association of Audubon Societies and on one or two occasions the meetings of the Union. The last meeting of the Union at which he was present was that held in New York on the historic occasion of Armistice Day, November 11, 1918. In spite of the confusion attending the celebration he made his way in charge of his nurse to the meeting of the council and after the routine business had been disposed of he produced a package and carefully unwrapping it exhibited a copy of Giraud's 'Birds of Long Island' with a photograph of the author and two autograph letters which he had treasured for many years. After some difficulty he made known that he wished the editor of the Union to prepare a biographical sketch of Giraud and his work for publication in 'The Auk.' This article prepared in accordance with his wish by Dr. Stone appeared in 'The Auk' for October, 1919, pp. 464-472, and may fairly be considered as Dutcher's last contribution to ornithology.

In this connection reference may be made to Mr. Dutcher's ornithological publications comprising about 100 titles which naturally fall into four groups: (1) A series of notes on the birds of Long Island; (2) a few general papers on birds; (3) a series of annual reports and brief notes on bird protection chiefly in connection with his work as chairman of the Bird Protection Committee and President of the National Association of Audubon Societies; (4) about twenty or more popular leaflets on common birds prepared for elementary instruction in schools and issued as part of the series of Audubon Educational Leaflets.

The notes on Long Island birds appeared mainly in the Proceedings of the 'Linnaean Society' and in 'The Auk' and contain many records of value and of considerable local interest. Many of these notes together with unpublished material from his note books, were incorporated in Dr. Braislin's 'Birds of Long Island' 1907, and also in Eaton's 'Birds of New York' 1910-14. Among his general papers the most important were those summarizing

existing information in regard to the Labrador Duck¹ in which were brought together all the records then available and a list of the known specimens which increased the total number from 33 to 42. Later, in connection with W. L. Baily he published² an important 'Contribution to the life history of the Herring Gull (*Larus argentatus*) in the United States,' a bird in which he was greatly interested and to which he had given special attention for some years. Among the bird protection papers mention should be made of his 'History of the Audubon Movement from 1883 to 1904'³ and 'Some Reasons Why International Bird Protection is Necessary,'⁴ the latter presented before the International Congress in Berlin.

When it is realized that Dutcher's writing was nearly all done at night or in leisure hours after a busy day at the office with all the disturbances and routine details incident to an active business life, the wonder is not that he did not write more but that under the circumstances he was able to accomplish so much. Writing with him was a somewhat serious and laborious occupation. He always wrote out his papers in long hand, but the actual writing was rather a pleasure than otherwise for his handwriting was beautifully distinct and legible and he took great pride in it. His signature was remarkably clear and he always took time to give each letter its proper form. In preparing his papers his main object was a clear and accurate statement of facts and he frequently spent much time in correcting and rewriting his manuscript so that his ideas might be expressed in the precise form in which he wished them stated. This was especially so in the case of his annual reports and his educational leaflets. The subjects of his papers were usually matters of personal observation or work which he deemed important to place on record, such as notes on the occurrence or habits of certain birds or reports on his activities in bird protection. Some were more or less didactic such as his leaflets for use in bird study in the schools or the

¹ 'The Auk,' VIII, pp. 201-216. April, 1891; XI, pp. 4-12, 175-176. 1894.

² 'The Auk,' XX, pp. 417-431. Oct., 1903.

³ Bird Lore, VII, pp. 45-57. Feb., 1905.

⁴ Bird Lore, XII, pp. 169-172. 1910; Verhandlungen V. Int. Orn. Congress, pp. 858-882, Berlin, 1911.

statements for use in connection with legislative measures. His reports as chairman of a committee or president of the National Association of Audubon Societies were not mere statements of routine business, but were complete records of the work accomplished during the year with suggestions or outlines of future activities.

It will be noticed that Dutcher's most important work lay in the field of applied ornithology and especially in bird protection. It was his ambition to have the more important facts of economic ornithology and the life histories of birds put in clear and attractive form so that they would interest the general public and could be available for educational purposes. In this way he hoped to restrict the wholesale slaughter of birds for millinery purposes or for sport and to prevent the extermination of certain species which seemed doomed to follow in the wake of the Great Auk the Passenger Pigeon and the Labrador Duck. His active interest in conservation began many years before the now familiar term 'conservation' came into general use. As early as 1887 he introduced at one of the meetings of the Linnaean Society a resolution for the protection of the Yellowstone National Park so that his activities in behalf of bird protection extended over a period of more than a quarter of a century. In this field he almost always worked through some committee or organization, realizing that in this way he could command more support and make his energy count for more before the public or in legislative matters than by his own unaided efforts. It made little difference whether he served as chairman or not, as he entered into the work with vigor and enthusiasm and soon became one of the most active members of the committee.

In personal appearance Mr. Dutcher was somewhat above average height, dignified and rather serious in manner but always very approachable. He invariably commanded respect by his fairness and by his earnest manner and was able to hold the attention even of an unsympathetic audience at a legislative hearing. He made friends easily, was always glad to meet his friends and acquaintances, and was cordial even to strangers. He was particularly interested in young men and ready to aid them in



1. BROWN PELICANS, OLD AND YOUNG, LEAVING DUNHAM'S ISLAND, TEXAS.
 2. YOUNG WHITE PELICANS ON NESTING GROUNDS, LITTLE BIRD ISLAND, TEXAS.
 3. A GROUND NEST OF THE REDDISH EGRET, BIG BIRD ISLAND, TEXAS.
- FROM 'BIRD-LORE.'

any way. Several ornithologists now well known can doubtless recall the assistance which he rendered them in the early days of their study of birds. At the meetings of the Union he made it a point to become acquainted with the younger members and many of these visiting New York were from time to time invited to his home. While rarely referring to religious matters he was in fact almost as much interested in his church work as he was in civics and for many years was a vestryman in the Episcopal Church. Quiet and unostentatious, he never missed an opportunity to extend a helping hand to any who needed it and many private deeds of charity should be placed to his credit. To one in need he spared no effort to render such assistance as he could. Wherever he went he made friends and while in his legislative work he necessarily had opponents it is doubtful if he had any actual enemies. To know William Dutcher was a privilege, to work with him was an inspiration.

1939 Biltmore St., Washington, D. C.

NOTES ON THE BIRD-LIFE OF SOUTHEASTERN TEXAS.

BY T. GILBERT PEARSON.

Plates XVI-XVII

DURING the spring of 1920 a field trip in the interests of the National Association of Audubon Societies took me into southeastern North Carolina, southern Mississippi, western Louisiana, and southeastern Texas. The region covered in Texas has been so little visited by ornithologists of recent years that it is thought the following observations concerning some of the birds found in that territory may be worth recording.

Aboard the patrol-boat "Jim Duke," owned and operated by the Texas State Game, Fish and Oyster Commission, in company with William L. and Irene Finley, I cruised the various bays from Aransas Pass northward to Caranchua Bay, an offshoot of