

DONATION TO A PUBLIC INSTITUTION

Donating your collection to a public institution may be the most desirable choice for you. This assures the best long-term care of the collection and avoids the repeated inheritance issues as each generation passes. You may be able to give your collection to a public institution with a "Deed of Gift" during your lifetime. A "Deed of Gift" for personal property may result in tax benefits for the donors.

You should think carefully about which institution would most closely match the plan you have for your collection. Check with the museum or institution to see if they accept donations, what types of collections they will accept, and their rules and guidelines for donation. Many institutions must be careful to limit their collections to items that they can properly care for or that fall within their area of interest. They cannot accept all donations that are offered.

There are several things you can do to make your collection more desirable and useful to a public institution. The first is to include, as part of the donation, all records or notes regarding your collection. Even very general information, such as "Found by Uncle Henry in Rooks County," can be useful. More specific information, such as "Found in Uncle Henry's back yard when they were digging a new waterline in 1956," can be extremely helpful to a researcher. Package your collection in a way that makes it easy to sort and store. Label individual items and link as much information as possible about that item to identifying records.

Another way to make a collection more desirable and to publicize your own contributions is to provide for future research on the collection. You may wish to endow money for a researcher to do an in-depth study of your collection or to create a museum display. Remember that museums and institutions must display collections in formats that are educational and interesting to the public, not necessarily in your original display case. Even when the collections are in a desirable display case, the museum staff may choose to rotate them. Remember, having the collection available for future research is just as important as having them displayed. The fewer stipulations you place on your collection, the more likely it will be accepted by a museum or institution.



Vest made for Bunny Mead by Cheyenne Jenny, wife of William Griffenstein. Courtesy of the Sedgwick County Historical Society.

For more copies of this brochure contact:

Professional Archaeologists of Kansas
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Manhattan, KS 66502-4503

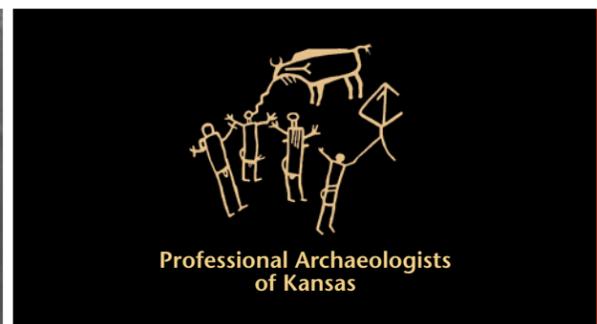
or

Kansas Historical Society
Public Archeologist
6425 SW 6th Ave.
Topeka, KS 66615-1099

PRESERVING PRIVATE ARCHAEOLOGICAL COLLECTIONS FOR FUTURE GENERATIONS



*Joseph Cramer collection
Sumner County*



**Professional Archaeologists
of Kansas**



**Professional
Archaeologists
of Kansas**

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YOUR COLLECTION OF ARTIFACTS OR CULTURAL ITEMS



*Anonymous collection
Kingman County*

CARE OF YOUR COLLECTION

The Importance of Your Collection

Your collection is important to you, but it also has significant importance to the larger community. Most people are interested in knowing more about the place they live. Much of our most valuable prehistory and history has never been recorded and can only be recovered by the study of items like those in your collection.

Recording Important Information about Your Collection

While the artifacts in a collection can have artistic and monetary value in their own right, the information about how and when the artifacts were obtained can have far more value. The collective information about all artifacts from a site has a tremendous worth in educating us about the past. When a collector records exactly where an item was found, it can often be related to other items found by others or to professional excavations in the area and often provides key information about the larger site. If professionals know the approximate date of collection, who collected the item, and what the conditions were at the time of collection (i.e., when the lake was the lowest it has been in 10 years), that can also tell them much about where the item might have come from in the site. Preserving stories about the history of individual items or whole collections and how they were obtained can also add great meaning to the collections. Ties to well known community members or major events can greatly increase the significance of the collection.

What Can Happen if You Don't Make Plans

Despite express spoken wishes to the contrary, most collections are broken up and lose most of their value upon the death of the owner. In many cases the surviving family members do not have the same passion for the collection, as the original collector. Sometimes the legal necessities or monetary concerns of probate can force the collections to be broken up or sold, even when that is not wanted by the heirs. In other situations, heirs just don't have room to properly store inherited collections. There have been recent incidents where heirs to a major collection preserved the artifacts but did not realize the value of file cabinets full of meticulously gathered notes related to the collection. They discarded the notes, and in so doing discarded much of the collection's value. Inheriting a large collection can bring considerable responsibilities and even monetary commitments when items need proper conservation.

Legal and Ethical Considerations

Your collection is important to many people in the community besides yourself, and planning for the future of the collection is extremely important. However, there are some special considerations you must take into account. Some items may have legal requirements for their proper disposition.

Human Remains, Sacred Items or Items Associated with Human Burials

The first consideration is for any human remains, items that were originally associated with a human burial or items that are sacred to Native Americans, which may be in your collection. Human remains receive special protection under both federal and state laws. If human remains were found on federal land, they are protected by the Native American Grave Protection and Repatriation Act. The Kansas Unmarked Burial Law protects any human remains found in the state.

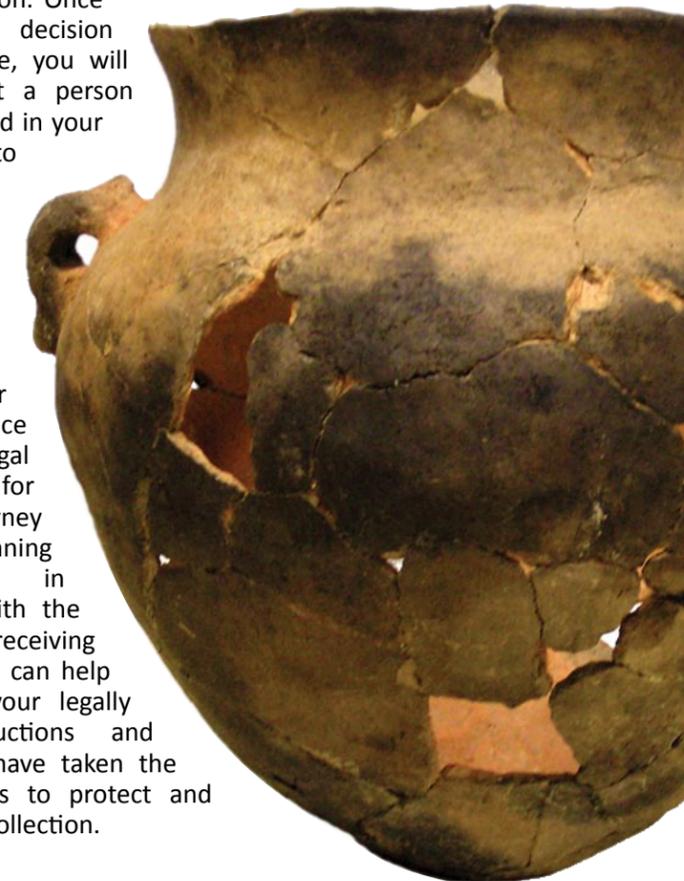
Collections that were obtained from Public Lands

Another consideration is whether all or part of the collection was obtained from Public lands. Archaeological or paleontological items on public lands are the property of the public, and the federal agency which has primary jurisdiction over that land has a legal obligation to protect those items for the public good. To avoid any uncertainty, it will be very helpful if you have a written record of where each item in your collection came from. With that record, the recipient of your collection can determine which if any items may have come from public lands, even if you were not certain. If you have items collected from public lands in your collections, you can make arrangements to return them to the Agency responsible for those lands. However, if for some reason that Agency doesn't have the facilities to accept the items or refuses them, then you should make arrangements for the items to go to another appropriate public institution.

THE DONATION DECISION

Your decision to donate all or a part of your collection should be made in consultation with an attorney or other estate planning professional. Your specific financial and family situation will determine whether a gift during your lifetime or a gift after death is the best option or will provide the desired tax benefits. That information is necessary before you decide whether to give your collection during your lifetime or in your will, trust, or other method. Both wills and trusts have distinct advantages because both offer an opportunity to provide legally binding, written instructions about the disposition of your collection. Once the donation decision has been made, you will want to select a person to be designated in your will or trust to carry out your instructions.

The institution that has agreed to accept your collection may be able to offer some guidance about its legal requirements for gifts. Your attorney or estate planning professional, in consultation with the institution receiving your collection, can help you develop your legally binding instructions and see that you have taken the necessary steps to protect and preserve your collection.



*Jim Stauffer collection
McPherson County*