

'The Auk' goes to press. Promptness of publication is important and there is no time for the necessary correspondence to complete the records. In the case of Associates the editor seldom learns of deaths until the list of members for the next year is submitted for publication.

The best plan that suggests itself for keeping an accurate record of deceased members, and ensuring proper obituary notices, would be to appoint some competent member of the Union, such as Dr. Palmer, as a permanent committee on History and Biography, a suggestion which is hereby respectfully offered to the president and council. Ed.]

Time of Incubation.

EDITOR OF 'THE AUK':

The writer is gathering data on the length of the incubation in various bird species. He would like to ask if any of the readers of 'The Auk' could help him in this quest. Knowledge of the exact time would be preferred but an approximate might help. He has already collected a considerable mass of information on this subject, but wishes more, especially concerning the lower and lowest forms of bird life. Any expense in this matter would be gladly defrayed by the writer.

Yours cordially,

W. H. BERGTOLD.

1159 Race St., Denver, Colo.,
November 26, 1914.

Proposed Revision of the By-Laws of the American Ornithologists' Union.

EDITOR OF 'THE AUK':

I wish to address all working ornithologists and oölogists in the United States and Canada,—through the columns of 'The Auk,' 'Condor,' and 'Wilson Bulletin.' For a number of years, there have been many of the working ornithologists and oölogists who have not been satisfied with the present by-laws of the American Ornithologists' Union. This dissatisfaction has been shared alike by "Fellows," "Members" and "Associates" of the Union. We have seen in a mild form from time to time this dissatisfaction expressed in the columns of 'The Auk,' only to be side-tracked and dropped with but small notice and courtesy.

I have just received the annual circular letter from the A. O. U., stating my dues for the ensuing year are now due, and asking for new members, etc., etc. Each year as I look over this communication I ask myself, "Shall I continue in the A. O. U., and what can I offer a new member as an inducement to have him join the "Union?" Carefully looking through the pages of the by-laws I can find no inducement to offer him, nor do I see any

inducement offered me to continue in the Association after this year, should the by-laws not be changed. I have no quarrel with any officer, or class of member of the A. O. U., my quarrel is with the by-laws. We all know that the A. O. U. was only a continuation of the "Nuttall Club," and when re-organized and incorporated in 1888, nearly all active members at that time could be, and were, embraced in the class of "Fellows" and "Members." Active members since that time have increased, so much so that now many of the most active workers are in the Associate class. The by-laws have remained the same, not keeping pace with the changed conditions. How many of the different class of members of the A. O. U. have ever seen a copy of the by-laws? The copy that I now have before me, I secured in March, 1914, through the courtesy of the Treasurer. In reply to my query as to who was entitled to a copy of the by-laws, the Secretary informed me on 10/28/1914, "That every member and associate of the A. O. U. is entitled to a copy of the by-laws, but it is not customary to send a copy unless requested to do so." I believe if every new member could see the by-laws before joining, that he would think them so narrow, and the inducements offered therein so small, that he would refrain from joining the Union. I trust every class of members will at once send to the Secretary, and secure a copy of the by-laws, and see for themselves if the following assertions are correct or not.

About eight per cent of the membership are "Members," paying four dollars yearly dues. They have no vote or voice in the business matters of the Union.

About ninety per cent are "Associate" members, paying three dollars yearly dues. They have no vote or voice in the business affairs of the Union.

The business meetings are of the "Star Chamber" kind, and are not open to the main supporters of the Association.

There is no given method for the advancement of members from one grade to that of a higher grade, nor is there any given standard for a member to measure up to; before he can be advanced to a higher grade. This is one of the weakest points in the by-laws. Judging from the membership list in the April, 1914 'Auk,' we gather the following has nothing to do with one's chances for advancement.

Length of time as a member.

Field work in any of the active lines.

Attending annual meetings of the A. O. U.

Published articles in 'The Auk.'

Amassing a collection of scientific specimens, and a library on ornithology, either through purchase or by personal work.

What qualifications then must a person have, to attain a higher grade in the Union? Are the majority of the "Fellows" in a position to know just who is doing active work, or eligible to advancement? What member wishes to make out his own application for nomination to a higher class, and have it signed by three "Fellows" as required by Section 4, Article 4,

of the by-laws? What chance is there for a member to become a "Fellow" except through dead men's shoes, and who likes to wait for such advancement? A "Fellow" can only be retired by his own desire, Article 1, Section 3. No one can blame any of the "Fellows" for desiring to remain in that class, even though some may take no active part in ornithology and its branches today. The present grades in the membership of the Union, are unsatisfactory and undemocratic. Acting in conjunction with other members of the A. O. U., I forwarded proposed changes in the A. O. U. by-laws, to the last meeting of the Union. I had the support and endorsement of two "Fellows," as required by Article 8. I have not been informed in an official way by any officer of the Union, what action, if any, was taken, nor have we seen any mention of the subject in the columns of the official organ, 'The Auk.'

The A. O. U. was supposed to be an organization for the "Advancement of its members in ornithological science." A large percentage have been taken into the Union merely for the payment of their \$3.00 dues, and not with any idea of strengthening the Club scientifically. There are other societies where this class of members can do more good than in the A. O. U. Some of the most active workers today in the various ornithological branches are not, and will not, become members of the A. O. U. on account of the class distinction, and star chamber methods of conducting the business of the Union. Let us have the needed changes in the by-laws, and let all class of members express their views and desires through the columns of the several ornithological journals. Let us hear from the "Fellows" in a broad-minded way, just how much they have the interests of the A. O. U. at heart. Above all, let us have a democratic organization, equal rights to all, special privileges to none. If, after a fair fight, we cannot get our desired changes, let those who are dissatisfied with the present by-laws and way of management, withdraw from the A. O. U., and give their support to some organization who will offer us the coöperation of their organization.

H. H. BAILEY.

Newport News, Virginia,
November 25th, 1914.

[As Mr. Bailey asks for comment upon his letter and as some of his statements are evidently the result of misinformation or misunderstanding we take this opportunity to state our views on the matter.

As we understand him he presents three claims. 1st, That the A. O. U. offers no inducement to new members. 2nd. That there is no definite standard for the advancement of members and that the results of the elections to advanced classes of membership as presented in the current list of members are unsatisfactory. 3rd, That all classes should be abolished resulting in one grade of membership for all.

Taking up these points seriatim:

1st. The A. O. U. at its annual meetings offers opportunities for orni-

thologists of all classes to meet together on perfect equality to participate in a three days scientific session and to enjoy the hospitality which is generously offered by institutions and local members. It maintains a high class ornithological journal in which papers of merit by any Associate, Member or Fellow may be published and which presents a résumé of the progress of ornithology not only in America but throughout the world. And through its committees, publications and meetings it brings ornithologists in all parts of the country in touch with one another and opens the way for the beginner or the isolated student to acquire, through correspondence with specialists and recognized authorities, the knowledge and advice that he would not otherwise be able to obtain.

We cannot agree with Mr. Bailey that there is no inducement to join the A. O. U. We think on the contrary that the A. O. U. has been responsible for the wonderful development of ornithology in America and that every member who has made use of the opportunities which it offers to him has profited largely thereby.

2nd. Election to any limited society or membership is bound to be unsatisfactory to some. There are always those who think that they or their friends have been unjustly rejected and that those who have been chosen did not merit the honor. Mr. Bailey's list of those eligible for advancement would no doubt differ widely from ours and neither of our lists would suit the views of a third member of the Union. This is inevitable and it should be obvious to all that a vote in this connection as well as for any elective office or position, is based on personal opinion, which varies so widely that in many societies, and the A. O. U. is no exception, it is sometimes impossible to get the necessary majority for any candidate so that a vacancy in advanced membership cannot, for the moment, be filled. If it were possible to establish a definite standard for the different classes of membership no election would be necessary, but the establishment of a definite standard is quite impossible. The points to be considered in any candidate are his eminence in some branch of ornithological science and his service to ornithology, but the relative merits of several candidates can only be decided by a vote, and the majority vote of the Fellows called for in the By-Laws, seems a reasonable requirement for election. We cannot question, as does Mr. Bailey, the qualifications of the Fellows to make a choice, surely they are as well fitted as either the Members or Associates.

We can hardly take Mr. Bailey seriously when he says that "Length of time as a member"; "Field Work"; "Attendance at Meetings"; "Published articles"; "The Amassing of a collection or library," had nothing to do with the advancement of the 40 ornithologists who have been elected Fellows since the A. O. U. was founded or the 75 who have been elected to Membership. Surely he does not mean what he says! At the same time it may be noted that a man might be a regular attendant at meetings, might gather together hundreds of specimens or books and might publish many papers of a certain quality, and yet not reach the

stage of intellectual development, nor display the scientific knowledge, that would entitle him to advancement.

3rd. As to abolishing the classes and having but one grade of membership much may be said. The establishment of an advanced class of Fellows, membership in which is based upon scientific eminence, is an almost universal custom in scientific societies and the value placed upon such distinction seems proof enough of its desirability. The enlargement of such a class immediately detracts from its significance. The 'Fellows' of the A. O. U. represent the fifty leading ornithologists of America; standards may become higher and higher but at any given time the Fellows may always be so characterized.

The class of Members was established some years ago, to meet just such criticism as is contained in part in Mr. Bailey's letter, and represents another grade of distinction, a stepping stone as it were to Fellowship. This class was not originally provided for and the By-Laws have therefore not remained stationary as Mr. Bailey states.

The question of entrusting the business of the Union entirely to the Fellows is a matter quite apart from the establishment of "advanced classes," and it is here and here only, we think, that Mr. Bailey's views may find support.

This matter of enlarging the business body has as a matter of fact been under consideration by the A. O. U. Council for some time and has the general approval of the members. As the Union moreover is not a secret society, and has no desire or intention of concealing its actions, it may we think, be stated in this connection that there is every probability of the adoption at the next meeting of a suggested plan whereby the Members will be allowed to share with the Fellows the business management of the society, thus bringing about the desired result.

The entrusting of the business affairs to a small body of members was never intended to create a "star chamber" as Mr. Bailey infers but to relieve the general membership of a burden and to permit of the entire open session each year being devoted to ornithological matters.

Whatever changes may be made in the way of enlarging the business body of the Union we feel sure that the opening of business discussion to the entire membership would be strongly opposed by Associates and Members at large. The A. O. U. is not a political body and the details of its business are not of very serious moment to the membership. Those who attend meetings, come, in large part, from considerable distances; their time is limited and the desire to enjoy the scientific and social features of the gatherings, not to waste valuable time in prolonged discussions of minor matters which would inevitably result from open business meetings. The present plan of a preliminary business session before a relatively small body leaves three whole days for the discussion of ornithology, for which the A. O. U. was organized.

In regard to Mr. Bailey's proposed changes in the By-Laws, his statement is a little misleading, and it is only fair to say that his communication was sent to the Editor of 'The Auk' for presentation at the last meeting of

the Union. It was however mailed so late that it was not received until after the meeting had adjourned. Mr. Bailey was of course, so informed; but has received no "official" report of action for the simple reason that his communication cannot be even presented to the Union for consideration, until the 1915 meeting. It is needless to say that any properly prepared proposal to amend the By-Laws, received prior to any meeting of the Union, will be given, as it always has been given, careful and courteous consideration.

Mr. Bailey says of the Associates "a large percentage have been taken into the Union merely for the payment of their \$3. dues and not with any idea of strengthening the Club scientifically." He would we think have a different conception of the Associate membership if he glanced at the early history of the Union. The society was of course started with but one grade and could readily have limited its membership strictly to ornithologists of high scientific attainments as has been done by many similar organizations, leaving the rank and file of the subscribers to its publications entirely outside of the society. It was thought better however to take in these subscribers as "Associates" without any additional fee, and to open to them all the social and scientific privileges of membership. The Union has thus helped to develop many an ornithologist who would not otherwise have taken up the study seriously, and we have reason to think that the vast majority of Associates are in entire agreement with the plan.

In conclusion we must take exception to Mr. Bailey's statement that dissatisfaction with the A. O. U. By-Laws when expressed in 'The Auk' has been "sidetracked" and dropped with but small notice and courtesy. We think he made this statement without due consideration since the only expression of the kind that we have found (Auk, 1908, p. 494) was considered and answered with the greatest courtesy by the Editors.—WITMER STONE.]

NOTES AND NEWS.

DR. THEODORE NICHOLAS GILL, a retired fellow of the American Ornithologists' Union, died in Washington, D. C., on September 25, 1914. Dr. Gill was born in New York City on March 21, 1837, and after completing his education came to Washington in 1860 to fill a position in the Columbian (now George Washington) University, with which institution he was connected for fifty years as professor, successively, of physics, natural history, and zoölogy. He was also assistant librarian of the Congressional Library, 1867 to 1875, and one of the past presidents of the American Association for the Advancement of Science.

It was however, in connection with the Smithsonian Institution that Dr. Gill is best known and here he conducted the studies and investigations that made his name familiar in scientific circles throughout the world.