

BY-LAWS AND RULES OF THE AMERICAN
ORNITHOLOGISTS' UNION.

BY-LAWS.

Article I. Of Members.

Section 1. The membership of the Union shall consist of the following Classes: (1) Fellows, (2) Retired Fellows, (3) Honorary Fellows, (4) Corresponding Fellows, (5) Members, (6) Associates and (7) Patrons.

Section 2. Fellows shall be residents of the United States or Canada, and shall be limited to fifty in number.

Section 3. Retired Fellows shall be persons who, by their own desire and by vote of the Council, have been transferred to this Class from the Class of Fellows.

Section 4. Honorary Fellows shall be limited to twenty-five in number. They shall be chosen for their eminence in Ornithology, and may be residents of any country.

Section 5. Corresponding Fellows shall be limited to one hundred in number, and may be residents of any country.

Section 6. Members shall be residents of the United States or Canada, and shall be limited to one hundred and twenty-five in number.

Section 7. Associates shall be residents of America, and shall not be limited in number.

Article II. Of Officers.

Section 1. The Officers of the Union shall be a President, two Vice-Presidents, a Secretary, a Treasurer, and seven Councilors. These officers, together with the Ex-Presidents, shall constitute the Board of Management or Council of the Union, for the transaction of such business as may be assigned to it by the By-Laws or by the Union.

Section 2. The President or, in case of his absence or inability to act, one of the Vice-Presidents shall preside at the meetings of the Union and of the Council, and shall appoint all Committees except such as are otherwise provided for.

Section 3. The Secretary shall keep a record of the meetings of the Union and of the Council; shall give at least three weeks' notice to the Fellows, Retired Fellows, Members and Associates of the time and place of meetings, shall report to the Council all nominations for membership received by him, and, at least three weeks before each Stated Meeting, shall send to each Fellow a list of the nominees for the classes of Fellows and Members, and to each Member a list of the nominees for the Class of Members, with a statement of the residence of each nominee and the names of the Fellows or Members signing his nomination; and also shall notify the Fellows of all proposed changes in the By-Laws; shall notify all members-elect of their election, and Committees of their appointment; shall acknowledge all donations to the Union, and report the same at the next Stated Meeting; and he shall have charge of the corporate seal of the Union.

Section 4. The Treasurer shall receive all moneys due or payable to the Union, and shall pay all accounts against it when the same have been approved by the President. He shall receive officially all moneys given or bequeathed to the Union, and shall transmit all principal to the Trustees. He shall make a report of receipts and disbursements to the Union at each Stated Meeting.

Section 5. Vacancies occurring in any office may be filled by the Council until the next annual election.

Article III. Of Meetings.

Section 1. Stated Meetings of the Union shall be held annually, at such time and place as the Union may determine. The time and the place for any Stated Meeting, appointed by the Union, may be changed by the Council by a two-thirds vote of its members. Special meetings shall be called by the Council as occasion may require, due notice thereof being given by the Secretary.

Section 2. In meetings of the Fellows a quorum for the transaction of business shall consist of ten Fellows; in meetings of the

Fellows and Members it shall consist of fifteen Fellows and Members.

Section 3. Five members of the Council shall constitute a quorum for the transaction of business.

Section 4. The scientific meetings of the Union shall be open to the public, unless otherwise ordered by a majority of the Fellows and Members present.

Section 5. A Stated Meeting of the Council shall immediately precede each Stated Meeting of the Union. Special meetings of the Council may be called by the President and Secretary, or by any four members of the Council.

Article IV. Of Elections, Resignations, and Expulsions.

Section 1. All elections shall be by ballot. Officers, Fellows, Honorary Fellows and Members shall be elected individually.

Section 2. All Officers shall be elected annually; the term of office shall begin immediately after the election, and the Officers shall continue in office until their successors are elected.

Section 3. Elections of Officers are to be held as follows: In each case nominations shall be made by means of an informal ballot, the result of which shall be announced by the Secretary; after which the first formal ballot shall be taken.

In the ballot for Vice-Presidents, and for members of the Council, each voter may write on one ballot as many names as there are Officers to be elected, viz., two on the first ballot for Vice-President, and seven on the first ballot for members of the Council; and on each subsequent ballot as many names as there are persons yet to be elected; and those persons who receive the votes of a majority of the Fellows and Members voting shall be declared elected, provided that the number of persons receiving such majority does not exceed the number of persons to be elected, in which case the vacancies shall be filled by the candidates receiving the highest majorities.

If in any case the informal ballot result in giving a majority for any of the candidates, it may be declared formal by a majority vote.

Section 4. Nominations to the classes of Fellows and Members

shall be made in writing; each nomination for Fellow or Member shall be signed by three Fellows or Members; shall state the candidate's name in full, and his residence; and shall be delivered to the Secretary at least three months prior to the Stated Meeting at which it is to be voted on.

The Secretary, in sending Fellows the names of nominees to the Class of Fellows, shall inclose a printed Australian ballot bearing the names of the nominees, an inner unmarked envelope, and a return envelope addressed to himself. From the names in nomination each Fellow shall indicate his choice for not to exceed five nominees, and shall return the same to the Secretary in the envelopes provided for the purpose (his name to be inscribed on the outer envelope, the inner envelope to be sealed but not marked). At the next Stated Meeting of the Union the ballots so received by the Secretary shall be delivered by him, in the original sealed envelopes, to the tellers appointed by the President; said tellers shall open and count the ballots, and only such names as have received fifteen or more votes on the preliminary ballot shall be balloted for by the Fellows present at said Meeting.

Section 5. Elections to the classes of Fellows shall be held in the following manner: The number to be elected shall be first decided by a majority vote of the Fellows present at the Stated Meeting at which the election is to be held, but not more than five Fellows shall be elected in any one year.

At each ballot each Fellow present may vote for nominees not exceeding the full number of vacancies to be filled, and the person receiving the highest number of votes shall be declared elected, provided that he receives the votes of at least three-fourths of the Fellows present, and so on until all the vacancies are filled. Any candidate who, in each of ten successive ballots, fails to receive the votes of half of the Fellows present shall cease to be a candidate during the remainder of the Stated Meeting.

The election may be suspended at any time by a majority vote of the Fellows present.

During election a discussion of the merits of nominees will be in order.

Section 6. Elections to the class of Members shall be held in the following manner: The number to be elected shall be first

decided by a majority vote of the Fellows and Members present at the Stated Meeting at which the election is to be held, but not more than five members shall be elected in any one year.

At each ballot each Fellow and Member present may vote for nominees not exceeding the full number of vacancies to be filled, and the person receiving the highest number of votes shall be declared elected, provided that he receive the votes of at least three-fourths of the Fellows and Members present, and so on until all the vacancies are filled. Any candidate who, in each of ten successive ballots, fails to receive the votes of half the Fellows and Members present, shall cease to be a candidate during the remainder of the Stated Meeting.

The election of Members may be suspended at any time by a majority vote of the Fellows and Members present.

During election a discussion of the merits of nominees will be in order.

Section 7. The nomination of Honorary Fellows, Corresponding Fellows, and Associates shall be made by the Council to the Union, and such members shall be elected by ballot, and the affirmative votes of three-fourths of the Fellows and Members present shall be necessary to a choice. Honorary and Corresponding Fellows shall be enrolled upon signifying acceptance of membership.

Proposals for the class of Associates may be made to the Council through the Secretary by any Fellow or Member.

Section 8. Fellows only shall be eligible to office. Members shall share with Fellows the right to vote and to take part in the business of the Union, except that Members shall not take part in the election of Fellows, nor in the amendment of By-Laws.

Retired, Honorary and Corresponding Fellows, Members, and Associates may attend meetings, present papers, and take part in the scientific proceedings of the Union.

Section 9. Every Honorary and Corresponding Fellow-elect shall notify the Secretary of his acceptance of membership within one year, and every Fellow-elect, Member-elect and Associate-elect within six months, from the date of election; in default of which notification, his name shall not be entered on the roll of members.

Section 10. Resignations shall be addressed to the President and acted on by the Council.

Section 11. Any member may be expelled from the Union on satisfactory evidence that said member is an improper person to be connected with the Union, or has made improper use of his membership; such expulsion shall be by a two-thirds vote of the Fellows present at a Stated Meeting, three months previous notice of such proposed action having been given by the Secretary to each Fellow and to the member accused.

Article V. Of Fees and Assessments.

Section 1. The annual dues shall be for Fellows five dollars, for Members four dollars and for Associates three dollars.

No dues shall be required of Retired, Honorary, or Corresponding Fellows.

Section 2. The annual assessment for the ensuing year shall fall due on the first day of each Stated Meeting, and shall be in arrears if not paid in ninety days thereafter.

Section 3. No Fellow, nor Member, in arrears for dues, shall be entitled to vote or take part in the business of any meeting.

Section 4. The name of any member one year in arrears for dues shall be removed from the roll of membership; provided that two notices of indebtedness shall have been given him by the Treasurer, at intervals of three months.

Section 5. Fellows, Members and Associates not in arrears for dues, and Retired Fellows, shall receive the regular serial publication of the Union, entitled 'The Auk,' gratis. All the publications of the Union shall be sent gratis to Honorary Fellows.

Section 6. Life membership, exempting the holder from all further fees or assessments, may be obtained by a Fellow on payment of one hundred dollars, by a Member on payment of seventy-five dollars, or by an Associate on payment of fifty dollars. But any Member or Associate, in event of his election to a higher class of membership, must then pay such additional sum as will make his total payments for life membership equal to the amount required for the class to which he is elected. In default of such payment his life membership lapses; but in that event there shall

be credited toward his future annual assessments, any excess there may be in the amount he has already paid for life membership over that which he otherwise would have paid as annual assessments during the time he has held life membership.

Section 7. Any person desirous of furthering the aims of the Union may become a Patron thereof on payment of the sum of one thousand dollars, and his name shall be perpetually inscribed upon the records of the Union.

Article VI. Of Scientific Communications and Publications.

Section 1. The Union may publish, under the direction of the Council, a serial journal of Ornithology, called 'The Auk,' and such reports, proceedings, memoirs, and other works on Ornithology as the Council may authorize.

Section 2. Communications on Ornithology may be read at the Stated Meetings of the Union, by any member, or for him by any other member, notice of the same having been previously given to the Secretary.

Section 3. Any member may read a paper for a person who is not a member, and shall not be considered responsible for the facts or opinions expressed by the author, but shall be held responsible for the appropriateness of the paper. Persons who are not members may read papers on invitation of the President, and with the approval of the Committee of Arrangements.

Section 4. The Secretary shall receive at any time scientific papers for presentation at the Stated Meetings, and shall report the date of their reception at the next Stated Meeting. But such papers shall date, in the records of the Union, from the date of their presentation to the Union; their order of presentation shall be that in which they were registered, unless changed by the Council.

Article VII. Of the Property of the Union.

Section 1. A board of three Trustees elected by the Council at each Annual Meeting shall hold all the funded property of the Union in trust with power to sell and to reinvest according to their judgment.

Section 2. No contract shall be binding upon the Union which has not been authorized by the Council. No liability exceeding one thousand dollars, nor total debt exceeding two thousand dollars, shall be incurred by the Council without the formal consent of the Union as expressed by a majority vote at a Stated Meeting.

Section 3. Bequests and trusts having for their object the advancement of Ornithology, may be accepted and administered by the Union. Such devices, bequests, donations, or gifts having for their object the promotion of science or the welfare of the Union, may be accepted by the Council for the Union. Before acceptance of any such trust the Council shall consider the object of the trust and all conditions or specifications attached thereto, and shall make a report of its action to the Union. Unless otherwise provided by the deed of gift, the income of each trust fund shall be applied to the objects of that trust by the action of the Union on the recommendation of a standing committee of that fund.

Article VIII. Of Additions and Amendments to the By-Laws.

Notice of proposed Additions or Amendments to the By-Laws must be in writing, signed by two Fellows, and must be given at a session of the Fellows in a Stated Meeting of the Union. All such propositions shall be referred to the Council, which may amend the propositions, and shall report thereon to the Fellows at the same session. Its report shall be considered by the Fellows in committee of the whole for amendment. The proposition, as amended, if adopted in committee of the whole, shall be voted on by the Fellows at the next Stated Meeting, and if it receive two-thirds of the votes cast it shall be declared adopted.

Absent Fellows may send their vote on pending changes in the By-Laws to the Secretary in writing, and such votes shall be counted as if the Fellows were present.

RULES.

I. In the absence of any officer at a Stated Meeting a Fellow shall be chosen to perform his duties *pro tempore* by a plurality of *viva voce* votes, upon open nomination.

II. The order of business at Stated Meetings shall be as follows:—

First Day's Session.

The first session of each Stated Meeting shall be a meeting of the Fellows, for the election of Fellows, and the amendment of By-Laws.

The second session of each Stated Meeting shall be the annual business session, for the reception of the reports of the Secretary and Treasurer, the election of officers and members, and action on business reported from the Council, or such other business as may be brought before it, to which session only Fellows and Members shall be admitted. When not otherwise ordered, the annual business session shall be held on the day preceding the first public session.

1. Chair taken by the President, or, in his absence, by one of the Vice-Presidents.
2. Roll-call of Fellows and Members by the Secretary.
3. Reading and approval of the minutes of the previous meeting.
4. Selection of time and place of next Stated Meeting.
5. Report of the Secretary.
6. Report of the Treasurer.
7. Report of the Council, including nominations for membership and other business or recommendations.
8. Election of officers for the ensuing year.
9. Election of members.
 - a. Honorary Fellows.
 - b. Corresponding Fellows.
 - c. Members.
 - d. Associates.
10. Action on business reported from the Council.
11. Appointment by the President of a Committee of three to audit the accounts of the Treasurer.
12. Appointment by the President of a Committee on Resolutions.
13. Reports of Committees.

14. Miscellaneous business.
15. Adjournment.

Second and Third Days' Sessions.

1. Chair taken by the President, or, in his absence, by one of the Vice-Presidents.
2. Roll-call of Fellows and Members by the Secretary.
3. Reading and approval of minutes of previous day's session.
4. Report of the Auditing Committee.
5. Report of the Council.
6. Action on business reported from the Council.
7. Reports from Committees.
8. Miscellaneous business.
9. Presentation and discussion of scientific papers, or remarks.
10. Adjournment.

Last Day's Session.

1. Chair taken by the President, or, in his absence, by one of the Vice-Presidents.
2. Roll-call of Fellows and Members by the Secretary.
3. Reading and approval of minutes of previous day's session.
4. Appointment by the President of a Committee, consisting of three Fellows or Members, to co-operate with the President and Secretary as a Committee of Arrangements for the next Stated Meeting.
5. Report from the Council.
6. Action on business reported from the Council.
7. Reports of Committees.
8. Miscellaneous business.
9. Presentation and discussion of scientific papers, or remarks.
10. Reading and correction of the minutes of the day's session.
11. Adjournment.

III. The business portion of each day's session shall be open to Fellows and Members only.

IV. The Rules of Order of the Union shall be those of the United States Senate, unless suspended by unanimous consent.

V. The order of business at any session of the Union may be varied from the above, by a two-thirds vote of the Fellows and Members present.

VI. The claims and qualifications of nominees for membership may be discussed before the Union, but such discussions shall be held as strictly confidential.

VII. There shall be a Committee on Publications, consisting of the President, Secretary, Treasurer, Editor, and Assistant Editor, who shall have charge of the printing of the Union, under the direction of the Council.

VIII. A Committee on Communications consisting of three Fellows or Members shall be appointed by the President each year, which shall receive from the Secretary all papers sent to him, from which said Committee shall select those to be read at the next Stated Meeting.

IX. The publication of the Quarterly Journal, 'The Auk,' shall be in charge of the Council, which, at each Stated Meeting of the Union, shall appoint the editorial staff for the ensuing year, and shall authorize the editorial staff to secure a competent publisher, and otherwise provide for the proper publication of the Journal.

X. Any of the above Rules may be amended, suspended, or repealed, on the written motion of two Fellows or Members signed by them, and presented at a Stated Meeting of the Union, in case the same shall be approved by a two-thirds vote of the Fellows and Members present.

CERTIFICATE OF INCORPORATION
OF THE
AMERICAN ORNITHOLOGISTS' UNION.

THIS IS TO CERTIFY that we whose names are hereto subscribed, citizens of the United States, and a majority of whom are citizens of the District of Columbia, have associated ourselves together, pursuant to the provisions of Section 545 to 552 inclusive of the Revised Statutes of the United States relative to the District of Columbia, and under an Act to amend the Revised Statutes of the United States, approved April 23, 1884 (23d Statutes at Large, p. 13), as an Association and body corporate, to be known by the corporate name of THE AMERICAN ORNITHOLOGISTS' UNION, for the term of ninety-nine years.

The particular objects and business of this Association are the advancement of its members in Ornithological Science; the publication of a journal of Ornithology and other works relating to that science; the acquisition of a library; and the care and collection of materials relating to the above objects, under the restrictions and regulations established in its By-Laws.

The affairs, funds, and property of the corporation shall be in the general charge of a Board of Management, the number of whose members for the first year shall be twelve, consisting of a President, two Vice-Presidents, a Secretary, a Treasurer, and seven other members, styled Councilors, all of whom shall be chosen by ballot from among the members, at the annual meeting. The duties of these officers, and of other officers and standing committees, and the terms and manner of their election or appointment, shall be provided for in the By-Laws.

WITNESS OUR HANDS AND SEALS, this fourteenth day of November, Eighteen hundred and eighty-eight:

ROBERT RIDGWAY (Seal)

C. HART MERRIAM (Seal)

HENRY W. HENSHAW (Seal)

LEONHARD STEJNEGER (Seal)

ALBERT K. FISHER (Seal)

Witness to all signatures

JNO. D. MCCHESENEY.

DISTRICT OF COLUMBIA, SS:

I, John D. McChesney, a Notary Public in and for the District aforesaid, DO HEREBY CERTIFY That Robert Ridgway, Henry W. Henshaw, C. Hart Merriam, Leonhard Stejneger, and Albert K. Fisher, parties to a certain Certificate of Incorporation bearing date on the fourteenth day of November, A. D. 1888, and hereunto annexed, personally appeared before me, in the District aforesaid, the said Robert Ridgway, Henry W. Henshaw, C. Hart Merriam, Leonhard Stejneger, and Albert K. Fisher being personally well known to me to be the persons who executed the said Certificate, and acknowledged the same to be their act and deed.

Given under my hand
and notarial seal, this
14th day of November,
A. D. 1888.

JNO. D. MCCHESENEY,

(Seal)

Notary Public.

OFFICE OF RECORDER OF DEEDS,
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Recorder.

THE AUK

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ORGAN OF THE AMERICAN ORNITHOLOGISTS' UNION

Edited by Dr. Witmer Stone

ACADEMY OF NATURAL SCIENCES, LOGAN SQUARE

PHILADELPHIA, PA.

To whom all articles and communications intended for publication and all books and publications for review should be sent.

Manuscripts for leading articles must await their turn for publication if others are already on file, but they must be in the editor's hands at least six weeks before the date of issue of the number for which they are intended, and manuscripts for 'General Notes,' 'Recent Literature,' etc., not later than the first of the month preceding the date of issue of the number in which it is desired they shall appear.

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DR. WITMER STONE

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American Ornithologists' Union

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