

Myrtle Warbler	41
Slate-colored Junco	41
Black-capped Chickadee	22
American Goldfinch	19
White-throated Sparrow	14

Net lanes are located along a trail crossing a swampy area plus a small creek. At present this area is mainly alder and dead elm trees. There are maple and black cherry to each side with other second growth deciduous trees. Each year the habitat seems to change as the beaver move in or out. The area may have a number of beaver ponds one year and be waterless the next. Other nets are located near the house and barn in shrubby thorn-apple growth and black cherry. These nets are also near a three acre man made pond. The general elevation is 1750 feet.

Banders interested in more detailed summaries of these stations may obtain reports as follows:

Powdermill Nature Reserve - Carnegie Museum - Carnegie Institute -
Pittsburgh, Pennsylvania 15213

Allegheny Front - Mr. George Hall - Department of
Chemistry - West Virginia University -
Morgantown, W. Va. 26506

Presque Isle - Mr. Ronald Leberman - Meadville, Penn-
sylvania reprint from "The Sandpiper" -
cost 25¢

Farmersville Station - Mr. Donald F. Clark - RD Hicks Road -
Franklinville, New York 14737

--R.D. Hicks Road, Franklinville, N.Y. 14737

EDITOR'S NOTE: We sincerely thank Mrs. Roger W. Foy of Ship Bottom, N.J., for typing the BY-LAWS which follow on the next page. BY-LAWS have to be 100% correct the first time, so typing and proofreading of this section is a very difficult job. The bracketted number at the top of the page is the page number as By-Laws appear in this issue of EBBA News.

By-Laws
of the
Eastern Bird Banding
Association

[27]
Revised: April 1973

ARTICLE I	Name
ARTICLE II	Purpose
ARTICLE III	Seal of Association
ARTICLE IV	Membership & Dues
ARTICLE V	Meetings of Association
ARTICLE VI	Nominations & Elections
ARTICLE VII	Council
ARTICLE VIII	Officers
ARTICLE IX	Committees
ARTICLE X	Memorial Fund
ARTICLE XI	Order of Business
ARTICLE XII	Construction
ARTICLE XIII	Amendments
ARTICLE XIV	Adoption of By-Laws
ARTICLE XV	Parliamentary Authority

ARTICLE I Name

The name of this Association shall be "THE EASTERN BIRD BANDING ASSOCIATION."

ARTICLE II Purpose

The purpose of this Association shall be to effectuate the purposes set forth in the "SECOND" of the Association's Certificate of Incorporation.

Section 1. To encourage investigations into the biology and migration of birds by the banding thereof under the license and permission of the Department of the Interior, Bureau of Sport Fisheries & Wildlife, Fish & Wildlife Service of the United States of America.

Section 2. To encourage its members and other interested persons in other ornithological studies.

Section 3. To encourage the cooperation of its members in the pursuit of such purposes.

ARTICLE III Seal of Association

The "Seal" or "Emblem" of the Association shall be a bird facing right, bi-colored, bearing the names of twelve (12) Eastern States and two (2) Canadian provinces on the wing at the left (which is uncolored). The lower portion of the bird is encircled by a ring, symbolizing a bird band.

Section 1. This emblem shall be used on the official principle stationary.

ARTICLE IV Membership & Dues

Section 1. Any person interested in the purpose of the Association may become a member

Section 2. Classes of membership are as follows;

- a) Active Members
- b) Sustaining Members
- c) Honorary Members - any person, who, in the opinion of the Council has accomplished outstanding achievement in bird banding may be elected to Honorary membership by the Council. No dues shall be required of Honorary Members
- d) Life Members - persons who have made a single payment or payments in not more than four (4) consecutive annual payments
- e) Student Members - this classification ends with the student receiving a Bachelor's Degree

Section 3. All dues are payable on January first of each year. Second notices are to be sent to those who are in arrears on April 1st. A member whose dues are six (6) months in arrears is no longer a "member in good standing" and automatically forfeits his membership.

Section 4. Active, Sustaining and Life Membership shall each have the right to vote and shall have all the duties and privileges of the Association.

ARTICLE V Meetings of the Association

There shall be an Annual Meeting of the members of the Association, which shall be held at such time and place as the Council shall determine. Special meetings may be called by the Council, or when request is made to the President in writing by fifteen (15) members of the Association. Fifty (50) members shall constitute a QUORUM.

ARTICLE VI Nominations & Elections

Section 1. The Officers and such of the Councilors (except the Editor) whose terms expire shall be elected annually from, and by, the members in good standing, by a majority vote of the members voting, at the Annual Meeting, or if no Annual Meeting is held then by a vote by mail ballot, if approved by the Council. Officers shall be deemed elected if they receive a majority vote of the members voting.

Section 2. The President shall appoint a Nominating Committee, at least ninety (90) days prior to the next Annual Meeting, consisting of three (3) members in good standing, who shall present a report to the next Annual Meeting, nominating a candidate for each of the offices of President, First Vice-President, Second Vice-President, Third Vice-President, Secretary, Treasurer and members of the Council.

Additional nominations for Officers and Councilors may also be made from the floor at the Annual Meeting by the members, but such nominations shall not be valid unless the nominees shall be approved by a vote of not less than twenty-five per cent (25%) of the members present at such meeting. No member shall be nominated or elected to any office (or to the Council) unless he is in good standing and is not delinquent in the payment of dues for the current year.

Section 3. The Editor shall be elected by the Council for a term of one (1) year, and shall be a voting member of the Council.

ARTICLE VII Council

Section 1. There shall be a Council of the Association, who shall act as Trustees or as a Board of Governors of the Association, consisting of; (1) the Officers of the Association; (2) the immediate Past President as provided in Article VIII, Section 3, and (3) members in good standing, who shall be elected for three (3) year terms, in three (3) classes of four (4) Councilors each.

A meeting of the Council shall be held at the time of the Annual Meeting of the Association, at an hour when the greatest number of members of the Council can be present. Special meetings of the Council may be called by the President or by the Secretary at the written request of four (4) Councilors. Eight (8) members of the Council shall constitute a QUORUM for the transaction of all business.

ARTICLE VII Council (continued)

Section 2. The management and control of the affairs of the Association shall be vested in the Council, who shall be charged with the duty and vested with the power to carry out the purposes of this Association as stated in the Certificate of Incorporation and to enforce these By-Laws.

Section 3. The Council shall be vested at all times with full authority to speak for the Association on all questions of policy. If any question of policy shall be, in the first instance, brought up at a meeting of the membership of the Association, it shall be referred to the Councilors for consideration and recommendation, and no action whatever shall be taken by the membership of the Association thereon until adequate opportunity shall have been given to the Councilors to consider the same and communicate their recommendations to the Association.

Section 4. In the absence of the President and all of the Vice-Presidents, the Council shall be empowered to elect one of their number to act as Chairman pro-tempore.

Section 5. The Council may, from time to time, increase or decrease the annual dues for each class of membership.

Section 6. It shall have the power to fill vacancies in the Office of Secretary, Treasurer, Editor or Councilors that may occur by death or resignation, or otherwise. Such appointees shall serve until the next annual meeting.

Section 7. Any member of the Council who without being duly excused by the President or Acting President of the Association, is absent from two (2) consecutive meetings of the Council, may be dropped from the Council by the affirmative vote of the majority of the Councilors present, at any meeting thereof.

If a Council member finds it impossible to attend a meeting he may give a proxy in writing to a Councilor or Officer. This proxy shall be exhibited to the Secretary at the beginning of the meeting and the fact recorded in the Minutes.

ARTICLE VIII Officers

Section 1. The Officers of the Association shall be a President, First Vice-President, Second Vice-President, Third Vice-President, Secretary, Treasurer and Editor. No Officers except the Secretary, Treasurer and Editor shall hold the same office for more than two (2) consecutive one year terms. After a lapse of at least one (1) term he/she will again be eligible for the same office. As far as possible, a new Secretary should not take office in the same year as a new President.

Section 2. The term of office of the Officers and newly elected Councilors shall begin immediately following their installation (see Article XI, Order of Business), at the meeting which they are elected, and continue until their successors are elected and installed.

Section 3. **THE PRESIDENT:** The President shall preside at all meetings of the Association and of the Councilors. He shall be ex-officio member of all committees of the Association, but shall not vote as such a member of the committee except in the event of a tie vote, when he may cast the deciding vote. He shall call special meetings, or meetings of the Council, whenever it shall be deemed necessary, or when requested to do so in writing by fifteen (15) members of the Association. He shall have power to appoint all committees of the Association. The term of office of all members of the committees appointed by the President shall terminate on the date of the termination of the term of office of the out-going president. The incoming President shall have power to appoint the members of all committees appointive by the President - including any committee recently authorized by the Council, or at the Annual or a special meeting. The out-going President shall continue to be a member of the Council for a period of two (2) years from the date of the termination of his term of office.

Section 4. **THE VICE-PRESIDENTS:** It shall be the duty of the **FIRST VICE-PRESIDENT** to perform the duties of the President in the case of death, resignation, absence or disability of the President. He shall be responsible for arranging the program of the forth-coming Annual Meeting.

It shall be the duty of the **SECOND VICE-PRESIDENT** to perform the duties of the First Vice-President in the case of death, resignation, absence or disability of the First Vice President. He shall be Chairman of a committee of three (3) members, responsible for selecting the date, finding a suitable location and making arrangements for the next Annual Meeting.

ARTICLE VIII Officers (continued)

It shall be the duty of the **THIRD VICE-PRESIDENT** to perform the duties of the Second Vice-President in the case of death, resignation, absence or disability of the Second Vice-President. He shall be Chairman of a Finance Committee, consisting of three (3) members, responsible for investigating scientific projects and advising the Council which are worthy of donations by EBBA. The President or the Council may assign to the Finance Committee such other duties as may be deemed advisable.

Section 5. **SECRETARY:** It shall be the duty of the Secretary to keep the minutes of all meetings of the Association and to take charge of all books, documents and papers belonging to the Association properly coming under the care of the office, and shall also perform such other duties as may be prescribed by the Council.

The Secretary shall keep in the minute book a separate, complete and chronological record of all amendments to this Constitution and By-Laws. In the absence of the Secretary from any meeting of the Association, the President shall appoint one of the Council members to serve as Secretary pro-tempore. In the event of the death, permanent removal or resignation of the Secretary, the Council may declare the office vacant and appoint a Secretary to fill the unexpired term.

Section 6. **TREASURER:** It shall be the duty of the Treasurer to receive all funds of every nature collected by the Association or by any officers or committee thereof, and deposit same to the credit of the Association in any bank or trust company approved by the Council; to keep correct accounts thereof, as well as all other moneys belonging to the Association. He shall issue checks authorized by the President or Acting President. He shall present to the Council at stated meetings, and to the Association at its Annual Meeting, or at any time upon the request of the President, a statement of receipts, expenditures and condition of the finances of the Association. He shall at, the expiration of his term of office, removal or resignation, tender all funds, books, papers and all other property of the Association, to his duly elected successor in office, or to other persons designated by the Council.

Section 7. **THE EDITOR:** The Editor shall be responsible for the form and content of the Association's publications, including the EBBA News.

The Editor may appoint such assistants as he may find necessary and expedient, such assistants to be responsible to the Editor in the performance of their duties.

ARTICLE IX Committees

The President shall appoint the following Standing Committees, and they shall meet at any time upon the call of the President, the Council, or the Chairman of the Committee. A majority of the members of the Committee shall constitute a QUORUM thereof.

Section 1. LOCATION: A Location Committee consisting of three (3) members with the Second Vice-President as Chairman, shall be responsible for selecting the date, finding a suitable location and making arrangements for future Annual Meetings.

Section 2. FINANCE: A Finance Committee consisting of three (3) members with the Third Vice-President as Chairman, shall be responsible for investigating scientific projects and advising the Council which are worthy of donations by EBBA. The President of the Council may assign to the Finance Committee such other duties as may be deemed advisable.

Section 3. PROGRAM: A Program Committee consisting of three (3) members with the First Vice-President as Chairman, shall be responsible for arranging the program of the forthcoming Annual Meeting.

Section 4. PUBLICATION: A Publication Committee, consisting of four (4) members, shall cooperate with the Editor in the preparation and publication of such matters as may be authorized by the Council.

Section 5. NOMINATING: A Nominating Committee, consisting of three (3) members, shall be appointed by the President at least ninety (90) days prior to the next Annual Meeting and present nominations for Officers and Councilors to all Council members at least fifteen (15) days prior to the election of the Annual Meeting, or when election is held by mail (see also Article VI, Section 2.).

Section 6. CONSERVATION: A Conservation Committee, consisting of three (3) members shall be appointed by the President, with such duties as may be assigned to it by the President or Council, including the investigating of banding locations on the East Coast, and attempting to interest Conservation groups in acquiring these areas.

ARTICLE IX Committees (continued)

Section 7. AUDITING: An Auditing Committee, consisting of three (3) members, shall be appointed each year by the President. This Committee shall examine the Treasurer's accounts, and make a report thereon at the Annual Meeting of the Association.

Section 8. MEMORIAL GRANT: A Memorial Grant Committee, consisting of three (3) members, shall be appointed by the President, with the duties of, 1) publicizing the Memorial Grant; 2) selecting the award winner or winners, and 3) notifying such winner or winners in advance of the Annual Meeting.

Section 9. NET: A Net Committee, consisting of one to three (1 to 3) members shall be appointed by the President, with the duty of purchasing and selling nets to qualified persons or institutions, at such prices that will insure no loss to the Association.

Section 10. EDUCATION: An Education Committee, consisting of three (3) members, shall be appointed by the President with such duties as may be assigned to it by the President or Council.

Section 11. MEMBERSHIP: A Membership Committee, consisting of three (3) members, shall be appointed by the President. This Committee shall have the responsibility of gaining new members for the Association at the direction of the President or Council.

The Chairman of the Membership Committee shall be responsible for reporting membership data at each Annual Meeting.

Section 12. SPECIAL COMMITTEES: The President, from time to time, shall appoint such other Committees and assign to each of them such duties as he may deem advisable, or as shall be from time to time directed by the Council.

ARTICLE X Memorial Fund

Section 1. There is hereby established a separate Fund known as the MEMORIAL FUND, in memory of all deceased EBBA Members, which shall consist of, 1) all life membership dues; 2) all donations, unless otherwise restricted, and 3) all such other moneys as the Council shall, from time to time, add thereto. The moneys of the Fund shall be invested in an interest-bearing account and no part of the principal of which shall be used or transferred except by a two-thirds (2/3) vote of the Council. The income from this Fund shall be used for "Grants-In-Aid" or for such other purposes as the Council may direct.

Section 2. PURPOSE: To stimulate research in the field of Ornithology through the use of bird banding techniques.

Section 3. AWARD: The Grant Committee shall award grants that shall total \$250.00 or such other amount as the Council may authorize, but no grant need be made in a given year, if, in the judgement of the Committee, no applications of adequate merit are received.

Section 4. ELIGIBILITY: Preference shall be given to persons who are graduate or under-graduate students in a recognized college or university in the Western Hemisphere. The proposed study shall use bird banding techniques or bird banding data.

Section 5. ANNOUNCEMENT: The Committee will determine from time to time the best method of announcing the availability of the grants and the date on which applications must be received by the Chairman of the Committee.

Section 6. APPLICATIONS: To be forwarded upon request from the Chairman of the Memorial Grant Committee

ARTICLE XI Order of Business

The Order of Business at the Annual and Council Meetings of the Association shall be:

- a) Reading of the Minutes
- b) Officers' Reports
 - 1) President
 - 2) Secretary
 - 3) Treasurer
 - 4) Editor
- c) Reports of Standing Committees
- d) Reports of Special Committees
- e) Communications
- f) Old Business
- g) New Business
- h) Nominations of Officers and Councilors
- i) Elections of Officers and Councilors
- j) Installation of Officers and Councilors
- k) Scientific Session - the reading of papers
- l) Adjournment

ARTICLE XII Construction

Section 1. Unless contrary to the provisions of the Certificate of Incorporation or these By-Laws, this Association shall operate as a continuation of the un-incorporated Association there-to-fore in existence and known as the Eastern Bird Banding Association.

Section 2. Any question of the construction of these By-Laws shall be within sole jurisdiction of the Council, and their construction thereof shall be final and binding.

ARTICLE XIII Amendments

Section 1. No proposition to amend these By-Laws shall be acted upon unless written notice thereof has been given to the Secretary and President at least thirty (30) days prior to the Annual Meeting. A copy of such a proposition shall be embodied in the call for the next regular meeting of the Council, and a copy sent to every member of the Council at least ten (10) days before the date of the next Council meeting at which the amendment is to be voted upon.

ARTICLE XIII Amendments (continued)

Section 2. Every proposed amendment to these By-Laws, in whole or in part, after being submitted to the Council, and if approved by a majority of the members of the Council, shall then be submitted to a vote of the members at the next Annual Meeting of the Association, or by mail as determined by the Council.

Section 3. The language of the proposed amendment shall be clear and precise, and such amendment shall be adopted only if three-fourths (3/4) of the members voting approved of said amendment.

Section 4. New amendments shall be kept in the Minute Book as a separate, complete and chronological listing of all amendments, beginning with Amendment #1, each with the date said amendment is adopted.

Section 5. Once every five (5) years these new amendments shall be made part of the main body of the By-Laws (by Revision) with the notation "AMENDED TO MAIN BODY OF BY-LAWS," with the date inserted at the end of each amendment

When it is merely a change in wording it is ONLY necessary to add "as amended" in RED INK and the date.

ARTICLE XIV Adoption of By-Laws

These By-Laws shall become effective immediately upon the adoption thereof.

ARTICLE XV Parliamentary Authority

The rules contained in the current edition of ROBERT'S RULES OF ORDER, newly revised (1970) shall govern the Society in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Society may adopt.

Revised: April 1973
Final typing: 8/1/73
djf

BANDING LITERATURE NEWS

By N.J. Cutright & D.L. Wood

"Banding Literature News" is a new service EBBA NEWS offers its readers. Our Review Editors, Noel J. Cutright and Darwin L. Wood, will review recent periodical literature which they feel is of interest to banders. With rising costs, we realize that many of you cannot afford to subscribe to all interesting periodicals. By providing this service, we will give you the opportunity to write the editors of periodicals reviewed, for reprints of individual papers. Addresses of such periodicals will be printed once a year in this column. If you wish to contribute, please feel free to contact our Review Editors. (FSS, Editor)

AUK

American Ornithologists' Union
Museum of Natural History
Smithsonian Institution
Washington, D.C. 20560

BLUE JAY

Saskatchewan Natural History Society
2335 Athol Street
Regina, Sask.
Canada

CHAT

Carolina Bird Club
Shuford Memorial Sanctuary
P.O. Box 1220
Tryon, N.C. 28782

CONDOR

Cooper Ornithological Society
R.J. Raitt
Dept. of Biology
New Mexico State University
Las Cruces, N.M. 88001

DELMARVA ORNITHOLOGIST

Delmarva Ornithological Society
Mrs. Frances H. Beach, Ed.
P.O. Box 213
Unionville, Pa. 19372