
JOSEPH A. BLAKE, JR. 1891-1966

Joseph A. Blake Jr. died at his home in Watertown, N.Y. on May 9, Mr. Blake was a charter member and past president of the North Country Bird Club. An ardent conservationist, he was chairman of the Federation's Conservation Committee in 1960 and 1961. He was active in the affairs of the North Country Bird Club and attended a number of Annual Meetings of the Federation.

Mr. Blake was born in New York City, attended the Taft School, Watertown, Connecticut, and graduated from Yale University in 1916. He served as a Captain during the First World War. Moving to Clayton, N.Y. in 1930, he became associated with the Consaul-Hall Company and later with the Northern New York Coal Company. In 1939 he married Agnes Phelps Lansing of Watertown. Mrs. Blake and a son Joseph A. Blake, survive.

Mr. Blake was active in the selection of a sanctuary for the North Country Bird Club, and a tract of 102 acres was recently acquired in the town of Rutland. Following Mr. Blake's death this was designated The Joseph A. Blake, Jr. Wildlife Refuge.

John B. Belknap

CONSERVATION AND STATE SECRETS

MAXWELL C. WHEAT, JR.

Our New York State government is probably one of the most secretive in the world—even the Kremlin would have to padlock every pigeonhole to keep its machinations more in the dark. The essential difference is that we can speak out freely. But we can't always locate the facts on which to exercise our outraged oratory. How a lawmaker votes on a Kingfisher protection bill is, in effect, none of the public's business. Also, you could arrive some spring morning at your favorite wooded stream to look for the Prothonotary Warbler, only to find that bulldozers had already smashed its willows and stumps—the first you or perhaps any resident knew of it.

The massive, Victorian structure burgeoning atop Albany's State Street is really a huge locked closet of legislative votes and debates. Its keys should be dispensed to the public, insisted an unfortunately defeated candidate for the Constitutional Convention, Attorney David K. Kadane of Rockville Centre. Last fall at a meeting of the Huntington Audubon

Society another lawyer, Irving Like of Babylon, was demanding keys to the drafting and conference rooms of the executive agencies before highways, bridges, overhead power lines and other landmarks of progress have become *fait accompli*. Interestingly, both attorneys have been involved in conservation, continents apart — Mr. Like fighting to prevent desecration of Storm King Mountain and Mr. Kadane in Africa. As a lawyer-volunteer in the Peace Corps in Zambia, he drew up for its proposed constitution a 'forever wild' clause for its natural resources modeled after New York State's Forest Preserve protection.

In his campaign last fall Mr. Kadane pointed out that how an assemblyman or state senator votes or what he says in session is probably one of Albany's best kept secrets. It is not the citizen's for the asking, unless the legislator himself releases it. Our Federal government or a village board meeting is more in the open, Mr. Kadane declared. Congressional votes and remarks are fully reported in the Congressional Record found in most public libraries. The citizen can go down to watch his village board — and even the closed door of an executive session is a thinner partition than the formidable walls of the State Capitol Building.

Is it into this unfathomable legislative pool that we wish to toss the great resource protection we have — the constitutional 'forever wild' protection of our Forest Preserve?

One lawmaker has urged disclosure for the public of legislative votes, debates and remarks. Provisions for this would be included in a 17-point legislative reform package that Assemblyman S. William Green of Nantucket announced he was going to introduce this year.

Rod Vandivert, executive director of the Scenic Hudson Preservation Conference, has called for "yea," "nay" and "abstain" buttons on each desk. Automated equipment could make these votes immediately available to the press, this could allow time for conservationists to mount support or opposition on proposals before they go further.

Mr. Like has demanded time to study project plans — time that would be provided through adequate prior notices and public hearings. He asserted that around 200 agencies now have the authority to condemn land with insufficient notices or without public hearings and has listed several examples.

No notice or public hearing on a highway, bridge, tunnel or dredging is required for the Department of Public Works unless the Superintendent himself deems it advisable. According to Mr. Like, the Superintendent files a description and map in his Department office and also in the office of the Department of State. On filing, the Public Works superintendent can then take possession of the property and file a copy of the map and description in the Clerk's office of the particular county involved. At this point title to the property vests in the State. The Super-

intendent then delivers a copy of the map and description to the Attorney General who certifies to him who the owners are, and the Superintendent notifies the owners by serving upon them a notice of appropriation.

If a utility wants to build an overhead power line the Public Service Commission has the sole discretion on whether to hold hearings or give notices prior to condemnation.

Mr. Like said that the Board of Commissioners of the Land Office can grant lands under water to adjacent upland owners for dredging, filling, etc., with only a newspaper notice required once a week for six weeks in a newspaper somewhere in the county involved. No public hearing is required.

This practically unrestrained condemnation power probably has evolved from the eminent domain concept whereby the government—federal, state or local—can acquire property if it is in the interests of the people. But now with our growing appreciation of other values, what is good for the people may well be disputed.

On Long Island a proposed state road widening would not only plough through a salt marsh, but would decimate the historic route over which General George Washington traveled on his journey to thank the people of Long Island for their support in the American Revolution. Which represents the good for the people—a marsh important for fishing and an historic reminder or more traffic accommodation? In the face of conflicting values, some check must be applied to unbridled condemnation on the say-so of a particular agency.

333 Bedell Street, Freeport, N.Y. 11520..

FIELD NOTES

Additional Hybrid Flicker Records: This note supplements two previous notes on the occurrence of hybrid flickers in New York State (Reilly, *Kingbird* 11(2):89, 1961; Wilcox, *Kingbird* 11(4):200, 1961).

A female banded by Frank Clinch on July 20, 1965 was found dead Aug 12, 1965 in Watertown. Two color slides made by Cecil Dake clearly show the following characteristics: red nape, salmon-red primaries, yellow secondaries, salmon-red tail feathers and no mustache.

On September 18, 1966 a presumed immature male was banded by Clinch with the following characteristics: red nape, the two outer primaries yellow on each wing, varying amounts of both salmon-red and yellow on other wing feathers, the outer tail feathers salmon-red, the two central tail feathers yellow, a trace of black mustache.

Another flicker showing some salmon-red was found dead in Watertown by Don Blais about 1965 but no details are available.

The very small number of flickers (19) banded by Clinch in the past nine years is insignificant for comparison but all have been normal yellow-shafted as have been any others that were carefully observed in Region 6 by Clinch or the writer.

David C. Gordon, 1347 Sherman St., Watertown, 13601