

pleasant and remain quiet at the same time, so I was obliged to engage Mr. Conklin as chief entertainer, while I worked the machine. The presence of two young rabbits in the nest spoke well for the parent owls as providers, and their close scrutiny of all our movements indicated a keen interest in the welfare of their offspring.

We slept that night under the open sky, on a bed of needles of the Torrey pines, and bright and early the next day we made our way down to the so-called shack of the Sorrento Fishing Club, on the beach just below the cliffs, where we found T. W. Coates, the architect and builder of the Club house, fishing in the surf.

On the return trip we came through the Las Pensequitas ranch where we lunched at the spring house and collected two sets of red-tailed hawk's eggs, from nests about sixty-five feet from the ground in sycamore trees.—F. W. KELSEY, *San Diego, California*.

Spring Notes From Bay Counties.—While on a ramble in the foothills south of Novato, Marin county, on March 31, 1902, two white-tailed kites (*Elanus leucurus*) attracted my attention by their tireless energy in driving away California crows, which are extremely numerous in this section, from a certain oak tree in a grain field. As I approached the spot I perceived in another oak nearby what I took to be the nest. As I ascended the tree the kites began flying in an injured manner to draw me away. The nest proved to be but a few twigs and as one of the birds flew above the tree with a twig in its beak I concluded they were building. On closely examining the other oak a nest about the size of a jay's, caught my eye, thirty-five feet up. Imagine my surprise when I found it to contain three richly marked eggs of this rare hawk, the first to be recorded from the country. The nest, a small, flat, frail structure of twigs and lined with grass, measured eight inches over all, the cavity being six and one-half inches across. It is a striking contrast to a nest found in June, 1899, near Geyserville, which was as large as a crow's nest (cf. *Osprey*, Volume 4, No. 4). The set was almost fresh and measure as follows, 1.74 by 1.28, 1.69 by 1.31, 1.69 by 1.31. While I was in the tree with the nest the kites retired to a dead tree some distance away, but on leaving they returned and proceeded to drive the ever-present crows away with renewed vigor. On a second visit on April 20 I searched another group of oaks in the field, the old nest being empty. While in one of the oaks the kites became very pugnacious, and starting from a point twenty yards or so away would sail rapidly in a bee-line towards me swerving upward when within a few yards. When I ascended another oak it was a noticeable fact that the kites retired to the dead tree as in the first instance. Although no nest could be seen from the ground I decided to climb the tree and near the top, forty feet up, I found the nest, similar in construction to the first and containing five eggs with incubation just begun. This set gives the following measurements, 1.73 by 1.25, 1.68 by 1.26, 1.62 by 1.25, 1.61 by 1.31, 1.61 by 1.27.

Last year in this region I was rather surprised to find a set of four white eggs, in an old crow's nest in an oak six feet up, on April 6. The nest was lined with feathers, evidently some owl's, and after waiting some hours for the parent I left, as the eggs were cold. This year, on April 6, I found a similar nest thirty-five feet up in an oak with five eggs and the parent proved to be the common *Nyctalops wilsonianus*. On April 20 I found two more eggs in this nest.

On April 13 I took a trip into the San Mateo county foot-hills. Here I came across a strange nest of the western red-tailed hawk (*Buteo borealis calurus*) in an oak forty feet above the ground. It was a long delapidated structure, scarcely wide enough to hold the single egg it contained and which was far advanced in incubation. Another nest about two miles distant in an oak only twenty-five feet up held two fresh eggs. This female was far more demonstrative than the average and with outstretched wings screamed at me from an adjacent oak.—MILTON S. RAY, *San Francisco, California*.

The Roseate Spoonbill in California—Dr. Gambel states that the roseate spoonbill (*Ajaja ajaja*) occurred on the Californian coast in 1849, though I do not understand that he obtained specimens. Nor do I know of the later actual capture of this species in California. Mr. R. B. Heron tells me that he saw a roseate spoonbill standing in a pond about four miles south of San Bernardino on June 20, 1903. It was feeding in the pond near the road and paid no attention as he drove past within gunshot. At first he thought it was a wood ibis (*Tantalus loculator*) but on coming near he saw the pink tinge of the plumage and the spatulate bill. On his return the next morning he brought a gun, but the bird was gone. On mentioning the matter to Mr. H. E. Wilder he told me that about a year previously (1902) when in Riverside he saw a bird fly over that he felt sure was a roseate spoonbill.—FRANK STEPHENS, *San Diego, Cal.*

The Snowy Plover.—The following are a few field notes on the nesting of snowy plover (*Ægialitis nivosa*) as observed in the vicinity of Santa Monica on Ballona Beach during the seasons of 1895 to 1901. I find on looking over my field notes of this species that the earliest set taken was on May 24, 1899, eggs unincubated, and the latest set July 1, 1900, incubation slight.

I have looked carefully to find nests before and after these dates but have failed. Thus I would define their breeding time as the month of June, as most of my sets were found during that month and the majority during the first three weeks. During the six years of my observing this species I have collected forty-four sets of which eleven had two eggs each and thirty-three three eggs. The greater part of the sets of two were found at the end of the season, indicating a second set although I have been unable to prove this. A peculiarity was noticed in 1901, as the eight sets I collected all contained three eggs each. In all the above cases where only two eggs were collected the nests were always left long enough to complete the set; thus I am positive that the sets of two were complete. Several plover's nests were found before the eggs had been deposited and the nests carefully watched. The eggs are laid about three days apart.

The nesting ground is a white sandy cape or narrow strip of land between Ballona Swamp and the ocean about two miles long and two hundred yards wide. This place during the fall high tides is completely flooded and deposits of small rocks and broken shells are left there. Among these the plovers place their nests. On approaching it one may be attracted by noticing the little fellows running about on the sand in front of him, or occasionally flying in low wide circles uttering a pleading whistle so characteristic of this species. This whistle I have learned is a danger signal that I am near their nests, and on looking over the ground carefully I may be able to notice fine bird tracks in the white sand or in the patches of white sand between the shells and rocks.

In going over the ground carefully where the tracks are the thickest a nest will generally be found. Sometimes the birds will build among the small rocks where the tracks cannot be seen and here the eggs are safe as their coloration protects them, for they look exactly like small rocks. The nests are, as a rule, found by a mark of some kind, a bone of some animal, a small dead weed, or a bit of drift-wood and are slight depressions in the sand. Some are completely lined with broken shells or fish bones with the eggs pointed towards the center, very close together and about half buried in the nest lining. A pair of birds will build several nests during a season and only use one; for I have found nests all fixed up and completely surrounded with tracks. This I noticed especially in 1901 for I found about three times as many unused nests as used ones. During this season I visited Ballona about three times a week and gave the birds careful study.—W. LEE CHAMBERS, *Santa Monica, California.*

NOTES AND NEWS

On November 8, the following amendment to Article IX of the Constitution of California is to be voted upon by the people. "Section 12. All property now or hereafter belonging to the 'California Academy of Sciences,' an institution for the advancement of science and maintenance of a free museum, and chiefly endowed by the late James Lick, and incorporated under the laws of the State of California, January sixteenth, eighteen hundred and seventy-one, having its buildings located in the city and county of San Francisco, shall be exempt from taxation. The trustees of said institution must annually report their proceedings and financial accounts to the governor. The legislature may modify, suspend, and revive at will the exemption from taxation herein given."

The California Academy of Sciences is a museum similar in scope to the United States National Museum in Washington and the American Museum in New York City; it maintains collections for popular instruction, which are open six days of the week and are free to the public; it maintains scientific collections and a scientific library, which are free to students; it publishes scientific papers without pecuniary profit; it sends out expeditions in search of new facts and new specimens; it gives free public lectures every month in the year; its staff answers inquiries relating to scientific matters, free of charge. The property of the academy consists chiefly of a building, fronting on Market Street, San Francisco, rented for stores and offices, and a building back of this front building used for the library and the collections of animals, plants, and minerals. The income from the front building supports the back building; without this income the work of the Academy could not be carried on. The Academy pays over \$7000 a year in taxes, of this amount less than one-third goes to the state at large, the rest to the city and county of San Francisco. This tax impoverishes the Academy, the balance of its income being insufficient to do its work. Similar institutions in other states, such as the Academy of Natural Sciences of Philadelphia and the Boston Society of Natural History are exempt from taxation. The attention of all Cooper Club members, who may reside in California, is called to the amendment. Everyone who is interested in the advancement of science in California should do his or her little toward influencing a favorable vote. It is suggested that those who receive printed