

between the San Francisco Ferry Building and the Key Route terminal on the east shore. This has resulted in an accumulation of data of some interest and of possible value in the mass, but rarely is any single observation worthy of separate record. The subject of the present note, however, is distinctly of the exceptional sort that deserves some emphasis.

On May 14, about 3 p. m., as I sat on the upper front deck, my usual post of observation, the boat still in the San Francisco slip, a large, dark-colored bird swept past, headed southward, to disappear behind the projecting piling while my benumbed senses were still struggling to register and recognize the impossible apparition. As we emerged from the slip a few moments later the bird returned, skimming low over the water, at one time not more than one hundred yards distant—unmistakably a Black-footed Albatross (*Diomedea nigripes*). It circled about in plain sight for some time and then disappeared toward the Golden Gate, attended by a cloud of gulls and giving a distant impression as of a blue-bottle fly in a swarm of gnats. There was a brisk north wind blowing at the time but nothing approaching stormy weather; the bird itself did not act or appear otherwise than normal.

Years ago, on different occasions, I have seen Black-footed Albatrosses not uncommonly on the open sea between Puget Sound and Los Angeles, and the species is known of course as of regular occurrence along this coast. This is the first time, though, that I have seen one in sheltered waters. Along the "inside passage" between Seattle and Skagway, for example, shearwaters may be counted upon to appear in abundance at certain places and at certain seasons, but an albatross never, in my experience, although there are sounds where this passage is not sheltered from the ocean swell.

Our authoritative "Directory to the Bird-Life of the San Francisco Bay Region" lists three species of albatross. The Black-footed Albatross "comes occasionally within sight of land;" the Short-tailed Albatross was "observed once near Goat Island, March 10 (year unknown);" while of the Yellow-nosed Albatross "a skull was found on the ocean beach near San Francisco some time previous to 1868." The moral of my own observation may be that even an ancient picked-up skull is not deserving of scorn as circumstantial evidence apparently indicating what would really be a not impossible occurrence.—H. S. SWARTH, *California Academy of Sciences, San Francisco, May 19, 1931.*

Concern Exhibited by Wild Birds in the Troubles of Others.—My house is on the top of a spur running due west from the hills in the higher part of Piedmont, Alameda County, California; a bench mark at the highest part of the garden is 504.97 feet above whatever datum is the basis of Oakland city surveys. Except for the house and garden, the spur is covered with live oaks and pines, the latter being Monterey pines planted probably about thirty years ago. The natural undergrowth is hazel, toyon, blackberry, gooseberry, currant, California sage, etc. I have also planted quite a lot of shrubbery of various kinds, fruit trees, small fruits, etc., have plenty of water for the birds, kill the cats and certain hawks, and when I catch the snakes around the nests I escort them to other fields of activity. Hence the birds seem to like it here and I have counted twenty different kinds (July 4, 1930) at one time without moving from one spot, and several kinds nest here.

A Spotted Towhee has been rearing its second brood of the season among some nasturtiums underneath an oak. This morning on inspecting the nest I found the young had left, and the parents expressed great concern at my presence, much more than usual. I first suspected a snake but could find none.

Within five minutes there were gathered within six to forty feet of me the following birds, some in the branches over my head and some in nearby trees, all either watching and sitting quietly or else hopping about near the parent birds: 2 Spotted Towhees; 4 or 5 California Towhees; 2 Juncos (Point Pinos?—they nest here); 2 Robins, with angle-worms in their bills; 4 Hummingbirds, some Anna and some Allen; 5 or 6 Purple Finches; 1 Plain Titmouse; several Bush-tits; 1 Wren-tit; 1 Vigors Wren; 1 Lazuli Bunting; 1 Song Sparrow; 2 Quail; 1 Russet-backed Thrush. There may have been more individuals and more species, but this is all I am sure of having seen definitely at this one time.

About five hours afterward I went to have another look and the towhees started complaining again. This time there appeared almost immediately: 4 Goldfinches (Willow?); 2 Robins, still with angle-worms; several Anna and Allen hummers; 2 Juncos; 2 Wrens; 2 Purple Finches; several California Towhees.

The hummingbirds, juncos, wrens and goldfinches made the most protest. The robins and quail seemed very placid and little concerned, more curious than anything else. The attention of all seemed to be concentrated more on the parent birds than on me, yet none of them, including the parents, in the midst of all of the excitement, appeared to overlook a chance to capture a bug when opportunity offered. These towhees have, in season, been mewing at me and suspecting me of having my pockets full of their young for four years; but this is the first time they have managed to get together an audience, and I am still wondering if there was not a snake in the grass after all. I pulled one out of their nest last year after he had swallowed one youngster.—ERNEST I. DYER, *Piedmont, California, June 9, 1931.*

Cryptoglaux funerea in New Mexico.—Among the bird remains found by the Los Angeles Museum in Shelter Cave, Dona Ana County New Mexico, are a rostrum and tarsometatarsus of a small owl. These bones in all respects resemble specimens of *Cryptoglaux funerea richardsoni* kindly loaned by Dr. Wetmore from the United States National Museum collections.

The occurrence of *C. funerea* in the southwestern part of New Mexico is noteworthy in view of our present records of its distribution. Of the two subspecies known to North America, *C. funerea magna* is recorded only from the extreme north of Alaska, and *C. funerea richardsoni* has never been recorded south of Crested Butte, Gunnison County, Colorado (Cooke, Bull. 44, Col. Agric. Exp. Sta., 1898, p. 160, as cited in Ridgway, Bull. 50, U. S. Nat. Mus., pt. 6, 1914, p. 627).

In view of the exact correspondence of the cave bones with those of *C. funerea richardsoni*, as well as the present distribution of the two subspecies known in North America, one naturally supposes that the cave specimens are of *richardsoni*, though to make a definite statement with regard to subspecies is scarcely the paleontologist's prerogative.

The bones of this owl are perfectly preserved in their natural state. They were embedded in a light colored, unconsolidated matrix of fine texture and were closely associated with bones of the extinct *Geococcyx conklingi* described in this issue of the *Condor*. Mammalian remains of this cave deposit include bones of the extinct ground sloth, horse, and antelope (*Tetrameryx*).—HILDEGARDE HOWARD, *Los Angeles Museum, July 2, 1931.*

Odd Nesting Site of Ash-throated Flycatcher.—On July 3, 1930, an infertile egg of the Ash-throated Flycatcher (*Myiarchus cinerascens cinerascens*) was brought to me by Rex Parker with the statement that it had been taken on June 19, from a nest containing three young birds and that the nest was in the boom of a gasoline engine shovel which had been in operation almost every day in loading clay. I visited the site, about four miles southeast of Colton, California, where the Triangle Rock and Gravel Company was busy digging clay, and Gerald Mathews, who was in charge of the shovel, showed me the nest (fig. 52).

It was of usual construction with heavy lining of fur and hair and was down three feet in a cavity on the underside of the boom and well out toward the end. The boom made the usual turn after every dipper full of clay and the shovel moved on caterpillars along the face of the clay bank, covering as much as 200 feet in a single day. Mathews told me that the last young bird had just left the nest and that he was forced to shut the machinery down to keep the youngster from injury.

It seemed to me that this most unusual nesting site must have been selected on some day when the shovel was not in operation and that nest building advanced so far that the birds would not desert. I thus looked forward with much interest to see if the birds, after the 1930 nesting season with noise, jar, and ever changing location, would return in 1931, after their migration to the South.

In May, 1931, the birds were working on the nest in the old site (except that the old hole had become so filled with clay that the nest was down only a foot from the entrance). The shovel was busy digging clay on June 6 and Mr. Mathews told