

the bird described and figured in the 'Fauna Boreali-Americana' with its emarginate tail was *E. minimus*! Under this uncertainty we think it much better to use Audubon's later name *E. trailli* for this species; and as we wholly fail to distinguish between the eastern and western races called *E. trailli* and *E. trailli pusillus* by recent American writers, we use the term *E. trailli* to include the whole series. As a rule it is a larger bird than *E. minimus*, and has the wing-bands of a brownish grey, the tail is even or slightly rounded, not emarginate as in *E. minimus*. *E. trailli* appears to be a very common bird during the summer months in North America; but we have not hitherto observed it in any numbers in Mexico or Central America, though specimens obtained as far south as Panama and even Ecuador seem referable to it.

Our Mexican localities for this species include places near the sea-level and up to an elevation of 4000 or 5000 feet above the sea; but Sumichrast says it is a bird of the temperate region, where it is resident, being common around Orizaba in June and July¹⁷. The eggs of *E. trailli* are creamy white spotted with deep rusty brown.

5. *Empidonax minimus*.

Tyrannula minima, W. M. & S. F. Baird, Pr. Ac. Phil. 1843, p. 284¹.

Empidonax minimus, Baird, Mex. Bound. Surv., Zool., Birds, p. 9²; B. N. Am. p. 193³; Sci. P. Z. S. 1859, p. 384⁴; Cat. Birds Brit. Mus. xiv. p. 227⁵; Sci. & Salv. Ibis, 1859, p. 122⁶; P. Z. S. 1870, p. 837⁷; Dresser, Ibis, 1865, p. 474⁸; Baird, Brew., & Ridgw. N. Am. B. ii. p. 372⁹; Lawr. Bull. U. S. Nat. Mus. no. 4, p. 27¹⁰; Sennett, Bull. U. S. Geol. Surv. v. p. 405¹¹; Coues, Birds N. W. p. 254¹²; Key N. Am. B. ed. 2, p. 442¹³; Ridgw. Ibis, 1886, p. 465¹⁴; Man. N. Am. B. p. 343¹⁵.

Tyrannula pusilla, Sw. Faun. Bor.-Am. ii. p. 144, t. 46¹⁶?

Empidonax pectoralis, Lawr. Ann. Lyc. N. Y. viii. p. 402¹⁷.

Empidonax gracilis, Ridgw. Pr. Biol. Soc. Wash. iii. p. 23¹⁸; Pr. U. S. Nat. Mus. viii. p. 571¹⁹.

Præcedenti similis et vix diversus, sed paulo minor, fasciis alarum albicantioribus et cauda sensim furcata distinguendus.

Hab. EASTERN NORTH AMERICA.—MEXICO (*Boucard*), Sierra Madre above Ciudad Victoria, Xicotencal and Tampico in Tamaulipas, Aguas Calientes and Plains of San Luis Potosi (*W. B. Richardson*), Venta de Zopilote, Acaguasotla, Tepetlapa, Rincon and Tierra Colorada in Guerrero (*Mrs. H. H. Smith*), Orizaba (*Botteri*, *F. D. G.*), Atoyac (*Mrs. H. H. Smith*), Vera Cruz (*F. D. G.*, *Richardson*), Playa Vicente (*Boucard*⁴), Chihuitan, Sta. Efigenia, Tapaná, Guichicovi, Gineta Mts. (*Sumichrast*¹⁰), Peto in Yucatan (*G. F. Gaumer*), Merida, Tabi (*F. D. G.*), Holbox Mujeres and Cozumel Is. (*G. F. Gaumer*); BRITISH HONDURAS, Orange Walk (*G. F. Gaumer*), Belize (*O. S.*⁶); GUATEMALA, Cobán, Dueñas⁶, Escuintla, Retalhuleu (*O. S.* & *F. D. G.*); HONDURAS, San Pedro (*G. M. Whitely*⁷); PANAMA (*M. Leannan*¹⁷).

It is exceedingly difficult from skins always to distinguish this species from *E. trailli*. Though the characters are laid down with considerable precision by the most recent writers on the subject, experience shows that they cannot always be depended upon to