

John Cummins and Lonnie Mettler assisted in the field. We thank W. J. Bleier and J. F. Cassel and anonymous reviewers for helpful comments on this note. This research was part of Project 14-16-0009-79-037 from the U.S. Fish and Wildlife Service to the North Dakota Agriculture Experiment Station (R. B. Carlson, Principal Investigator).—GEORGE M. LINZ, Dept. Zoology, Stevens Hall, North Dakota State Univ., Fargo, North Dakota 58105 AND SUSAN B. BOLIN, Dept. Biology, Foster Hall, New Mexico State Univ., Las Cruces, New Mexico 88003. Accepted 11 Feb. 1981.

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**Western Kingbird nests in abandoned woodpecker cavity.**—Most nests of the Western Kingbird (*Tyrannus verticalis*) are in trees against the trunk, in a crotch, or on a horizontal branch (Harrison, *A Field Guide to Western Birds' Nests*, Houghton Mifflin Co., Boston, Massachusetts, 1979). Some Western Kingbird nests are placed on towers, buildings, or utility poles (Bent, U.S. Natl. Mus. Bull. 179, 1942). Eastern Kingbirds (*T. tyrannus*) occasionally nest on hollowed tops of fence posts or dead stubs (Pettingill, Jack-pine Warbler



FIG. 1. Adult Western Kingbird at its nest in an abandoned woodpecker cavity, Dunn County, North Dakota.

51:124–126, 1973; Hamas, Jack-pine Warbler 57:26–27, 1979), and there is at least one report of a Western Kingbird placing a nest atop a hollow tree stump (Bent 1942).

On 6 July 1980, I found a Western Kingbird nest in an abandoned woodpecker cavity in Dunn County, North Dakota (Fig. 1). The nest was in a dead plains cottonwood (*Populus sargentii*) in the floodplain of the Little Missouri River, where a dense forest of mature cottonwood and green ash (*Fraxinus pennsylvanica*) trees had been killed several years earlier by high water resulting from an impoundment. Dominant living vegetation around the nest tree consisted mostly of willow (*Salix* spp.) shrubs, especially sandbar willow (*S. interior*) and heart-leaved willow (*S. cordata*). Both Western and Eastern kingbirds were abundant in this habitat, which was apparently ideal for both species because of the numerous dead trees that served as foraging perches.

I observed at least two kingbird nestlings in the nest cavity on 6 July and several dates thereafter. The adults fed the young and removed excreta by perching at the cavity entrance and leaning into or entering the cavity. The cavity entrance was 2.3 m above ground, measured 12 cm high and 8 cm wide, and faced SSW. The interior of the cavity was 10 × 12 cm and the outside diameter of the tree at the height of the nest was 19 cm. The cavity extended 5 cm below the bottom of the entrance, though much of this space was filled with nesting material so that the nest contents were level with the bottom of the entrance. The cavity was probably excavated by a Common Flicker (*Colaptes auratus*), the most common woodpecker in the area.

I have not been able to locate any other records of Western Kingbirds nesting in abandoned woodpecker cavities.—BENEDICT C. PINKOWSKI, *Fort Berthold College Center, New Town, North Dakota 58763. Accepted 23 Feb. 1981.*

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**Piracy by a Great Black-backed Gull on a shark.**—Avian piracy or kleptoparasitism has been extensively reviewed by Brockmann and Barnard (*Anim. Behav.* 27:487–513, 1979). Piracy by gulls on other bird species is common but piracy on other animals has seldom been reported. On 7 August 1977, a Great Black-backed Gull (*Larus marinus*) was seen robbing a shark about 60 m west of Eastern Egg Rock, Muscongus Bay, Maine. Three sharks were observed for 30 min in calm seas swimming slowly at the surface with both their dorsal and caudal fins visible. I used lobster pot buoys and cormorants (*Phalacrocorax auritus*) as scales, to estimate that the sharks were 1.7–1.8 m long. One shark splashed the surface with its caudal fin as it turned sharply entering a school of pollock (*Pollachius virens*). Three Great Black-backed Gulls immediately flew to the area. During one sharp turn the shark lifted its head out of the water revealing a 25 cm pollock. A gull dropped to the water in front of the shark, pulled the pollock from the shark's mouth and flew off. The shark then resumed its sluggish swimming. The locality, size, shape, manner of surface swimming and food suggested a mackerel shark or porbeagle (*Lamna nasus*).

These observations were made while working for the Fratercula Fund of the National Audubon Society under the direction of S. W. Kress.—THOMAS W. FRENCH, *New York Cooperative Wildlife Research Unit, U.S. Fish and Wildlife Service, Cornell Univ., Ithaca, New York 14853. Accepted 20 Feb. 1981.*