

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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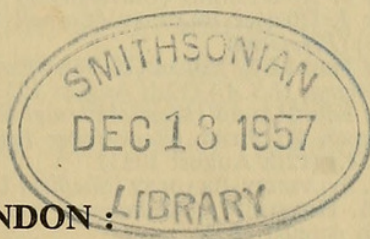
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 490

Action under the Plenary Powers to preserve for use in
its accustomed sense the generic name *Elaphe* Fitzinger,
1833 (Class Reptilia)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 490

ACTION UNDER THE PLENARY POWERS TO PRESERVE FOR USE IN ITS ACCUSTOMED SENSE THE GENERIC NAME "ELAPHE" FITZINGER, 1833 (CLASS REPTILIA)

RULING :—(1) Under the Plenary Powers it is hereby directed that the generic name *Elaphe* Fitzinger, 1833 (Class Reptilia), is not to be rejected in favour of the older name *Gonyosoma* Wagler, 1828, by any specialist who on taxonomic grounds may take the view that the respective type species of these genera are congeneric with one another.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Numbers severally specified below :—

(a) *Elaphe* Fitzinger, 1833, a name taking precedence by the direction given under the Plenary Powers in (1) above over the name *Gonyosoma* Wagler, 1828 (gender : feminine) (type species, by monotypy : *Elaphe parreyssii* Wagler, 1832) (Name No. 1229) ;

(b) *Gonyosoma* Wagler, 1828 (gender : neuter) (type species, by monotypy : *Gonyosoma viride* Wagler, 1828) (for use only by any specialist who on taxonomic grounds may take the view that the type species of this genus is not congeneric with the type species of *Elaphe* Fitzinger, 1833) (Name No. 1230).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Numbers severally specified below :—

- (a) *oxycephalus* Boie, 1827, as published in the combination *Coluber oxycephalus* (Name No. 1435) ;
- (b) *quatuorlineatus* Lacépède, 1789, as published in the combination *Coluber quatuorlineatus* (Name No. 1436) ;
- (c) *sauromates* Pallas, [1814], as published in the combination *Coluber sauromates* (Name No. 1437).

I. THE STATEMENT OF THE CASE

On 12th March 1954, Professor Robert Mertens (*Natur-Museum und Forschungs-Institut Senckenberg, Frankfurt a. Main, Germany*) submitted to the International Commission on Zoological Nomenclature a preliminary application for the preservation under the Plenary Powers of the generic name *Elaphe* Fitzinger, 1833 (Class Reptilia). As a result of correspondence between Professor Mertens and the Secretary, the following revised application was submitted on 20th July 1955 :—

Proposed use of the Plenary Powers to preserve the generic name “ *Elaphe* ” Fitzinger, 1833 (Class Reptilia)

By ROBERT MERTENS

(*Natur-Museum und Forschungs-Institut Senckenberg,
Frankfurt a. Main, Germany*)

The object of the present application is to ask the International Commission to use its Plenary Powers to prevent the well-known generic name *Elaphe* Fitzinger, 1833 (Class Reptilia) from disappearing

as a junior subjective synonym of the generic name *Gonyosoma* Wagler, 1828. The facts of this case are set out in the following paragraphs.

2. Attention was drawn to this problem by Malcolm Smith in 1943 (*Fauna Brit. Ind. Ceylon, Burma, Rept. & Amph.* 3 : 139, 141), who, when dealing with the Indian species of the genus *Elaphe* Fitzinger, 1833, wrote as follows :—" I cannot find any morphological characters by which to distinguish *Gonyosoma* Wagler, 1828, type *viride*=*oxycephala*, from the species usually placed under *Elaphe* Fitzinger, 1833. *Gonyosoma* therefore should stand as the name of the genus ". In view, however, of the disturbance in current practice which this change of name would have caused, Malcolm Smith retained the generic name *Elaphe* Fitzinger.

3. According to current taxonomic views *Elaphe parreyssii* Wagler 1833, the type species of *Elaphe* Fitzinger, 1833, by monotypy, is a junior subjective synonym of *Coluber sauromates* Pallas, [1814], which is currently treated as being a subspecies of *Coluber quatuorlineatus* Lacépède, 1789, and *Gonyosoma viride* Wagler, 1828, the type species, by monotypy, of *Gonyosoma* Wagler, 1828, is a junior subjective synonym of *Coluber oxycephalus* Boie, 1827. Further it is currently considered that *Coluber quatuorlineatus* Lacépède and *Coluber oxycephalus* are congeneric with one another. Thus, as observed by Malcolm Smith, the name *Elaphe* Fitzinger, 1833, is a junior subjective synonym of *Gonyosoma* Wagler, 1828.

4. The substitution of the name *Gonyosoma* for *Elaphe* would be very troublesome and confusing in view of the large number of *Elaphe* forms, including nine in Europe alone, thirty-three in Asia and sixteen in North and Central America. The disturbance which would be caused by this change in name would affect check lists and numerous taxonomic and faunistic works.

5. In order to prevent the undesirable results indicated above, it is proposed that the International Commission should use its Plenary Powers to suppress the name *Gonyosoma* Wagler, thus providing the name *Elaphe* Fitzinger with an unchallengeable position.

6. The following are the original references for the names cited in the present application :—

Elaphe Fitzinger, 1833, in Wagler, *Descr. Icon. Amph.* (3) : expl. pl. 27
Gonyosoma Wagler, 1828, *Descr. Icon. Amph.* (1) : expl. pl. 9
oxycephalus, *Coluber*, Boie, 1827, *Isis* (Oken) 1827 : 537

parreyssii, *Elaphe*, Wagler, 1833, *Descr. Icon. Amph.* (3) : expl. pl. 27
quatuorlineatus, *Coluber*, Lacépède, 1789, *Hist. nat. Quadруп. ovip. Serpens* 2 : 82

sauromates, *Coluber*, Pallas, [1814], *Zoographia rosso-asiat.* 3 : 42
viride, *Gonyosoma*, Wagler, 1828, *Descr. Icon. Amph.* (3) : expl. pl. 9

7. The genus *Elaphe* Fitzinger is not the type genus of a taxon belonging to any category in the family-group.

8. In the application now submitted the International Commission is asked :—

- (1) to use its Plenary Powers to suppress the generic name *Gonyosoma* Wagler, 1828, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) to place the under-mentioned generic name on the *Official List of Generic Names in Zoology* :—*Elaphe* Fitzinger, 1833 (gender : feminine) (type species, by monotypy : *Elaphe parreyssii* Wagler, 1832) ;
- (3) to place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—
 - (a) *oxycephalus* Boie, 1827, as published in the combination *Coluber oxycephalus* ;
 - (b) *quatuorlineatus* Lacépède, 1789, as published in the combination *Coluber quatuorlineatus* ;
 - (c) *sauromates* Pallas, [1814], as published in the combination *Coluber sauromates* ;
- (4) to place the under-mentioned generic name on the *Official Index of Rejected and Invalid Generic Names in Zoology* : *Gonyosoma* Wagler, 1828, as suppressed under the Plenary Powers under (1) above.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Professor Mertens' preliminary application the question of the preservation of the generic name *Elaphe* Fitzinger, 1833, was allotted the Registered Number Z.N.(S.) 824.

3. Publication of the present application : The present application was sent to the printer on 30th November 1955 and was published on 9th May 1956 in Part 11 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Mertens, 1956, *Bull. zool. Nomencl.* **11** : 347—348).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 9th May 1956 (a) in Part 11 of Volume 11 of the *Bulletin of Zoological Nomenclature* (the Part in which Professor Mertens' application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given to two herpetological serials in Europe and America. Finally, this case was brought to the attention of the Committee on Zoological Nomenclature of the American Society of Ichthyologists and Herpetologists.

5. Comments received : During the Prescribed Six-Month Waiting Period following the publication of the present application in the *Bulletin of Zoological Nomenclature* comments were received from five specialists. Of these, two were members of the Committee on Zoological Nomenclature of the American Society of Ichthyologists and Herpetologists whose views were communicated to the Office of the Commission in a single document by the Chairman of that Committee. The four communications received in regard to the present case are reproduced in the immediately following paragraphs.

6. Support received from Hobart M. Smith (Department of Zoology, University of Illinois, Urbana, Illinois, U.S.A.) : On 1st June 1956, Professor Hobart M. Smith (*Department of Zoology, University of Illinois, Urbana, Illinois, U.S.A.*) addressed the following letter to the Office of the Commission in support of the present case (Smith, 1956, *Bull. zool. Nomencl.* **12** : 142) :—

In my opinion the requests to the Commission embodied in the application by Robert Mertens relative to *Elaphe* Fitzinger, 1833, unquestionably merit approval.

7. Comments by Norman J. Wilimovsky (Standard University, California, U.S.A.) and Jay M. Savage (University of Southern California, Los Angeles, California, U.S.A.) : On 17th September 1956 a report was received from Dr. W. I. Follett (*California Academy of Sciences, San Francisco, California, U.S.A.*) giving particulars of the views on the present case expressed to him as Chairman on Zoological Nomenclature of the American Society of Ichthyologists and Herpetologists by two members of that Committee, namely, (i) Dr. Norman J. Wilimovsky (*Stanford University, Stanford, California, U.S.A.*) and (ii) Dr. Jay M. Savage (*University of Southern California, Los Angeles, California, U.S.A.*). The comments so received were as follows :—

(a) Comment by Norman Wilimovsky

(Stanford University, Stanford, California, U.S.A.)

I feel that the evidence presented by Dr. Mertens is insufficient to vote in the affirmative for the proposal to employ Plenary Powers in preserving the name *Elaphe*. For example, item 2 of Dr. Mertens' application indicates that Smith (1943) employed the name *Elaphe* in spite of the fact that he realized that another name (*Gonyosoma*) had priority and validity. Actually, Smith (1943 : 141) stated as follows :

I cannot find any morphological characters by which to distinguish *Gonyosoma* Wagler, 1828, type *viride* = *oxycephala*, from the species usually placed under *Elaphe* Fitzinger, 1833. *Gonyosoma* therefore should stand as the name of the genus. Its limits, however, are not yet clearly defined, and fresh work upon it will probably result in further changes in nomenclature. Rather than add to the confusion, I leave *Elaphe* for the present as it stands.

Thus, Smith himself regarded the problems as zoological rather than nomenclatural.

(b) Comment by Jay M. Savage**(University of Southern California, Los Angeles, California, U.S.A.)**

In the case of *Elaphe*, I would also tend to favor Dr. Mertens' application. However, there remains some possibility that the type of *Gonyosoma* and *Elaphe* are members of different generic groups. For this reason I would suggest that our Committee request the opinion of Dr. Herndon Dowling, Department of Zoology, University of Arkansas, Fayetteville, Arkansas, the leading American authority on the genus *Elaphe*, for his reaction to the Mertens' application. If no cogent arguments can be produced against this petition I would vote in favor of conserving *Elaphe*.

8. Comment by James A. Peters (Brown University, Department of Biology, Providence, Rhode Island, U.S.A.) : On 18th September 1956, Dr. James A. Peters (*Brown University, Department of Biology, Providence, Rhode Island, U.S.A.*) addressed a letter to the Office of the Commission, covering a paper in which he criticised certain aspects of the proposal submitted by Professor Mertens in the present case. This document, as slightly revised by Dr. Peters in a further communication dated 23rd October 1956, was as follows :—

Comment on the proposed validation of “*Elaphe*” Fitzinger, 1833 (Class Reptilia), as presented by Dr. Robert Mertens

While the proposal by Dr. Robert Mertens (1956, *Bull. zool. Nomencl.* 11(11) : 325—326, 347—348) for conservation of the generic name *Elaphe* Fitzinger, 1833, currently before the International Commission for Nomenclature (Z.N.(S.) 824), is of considerable merit and is based upon the best of intentions, there are several facts in addition to those presented that should be available to the commission prior to the date of final arbitration.

In his petition, Mertens has interpreted comments by Malcolm Smith (1943, *Fauna British India* 3 : 141) to state that the two genera, *Elaphe* and *Gonyosoma* Wagler, 1828 could not be separated, and that, although *Gonyosoma* is the senior synonym, it was wiser to retain *Elaphe* as the name of the genus. From this statement the conclusion is easily drawn that Smith considered the two type species to be congeneric, but this is not quite the case. It should be understood that Smith had reference primarily to oriental species. He says, “I cannot

find any morphological characters by which to distinguish *Gonyosoma* Wagler, 1828, type *viride* = *oxycephala*, from the species usually placed under *Elaphe* Fitzinger, 1833. *Gonyosoma* therefore should stand as the name of the genus. Its limits, however, are not yet clearly defined, and fresh work upon it will probably result in further changes in nomenclature. Rather than add to the confusion, I leave *Elaphe*, for the present as it stands". While it is entirely possible that all oriental species which have been referred to either *Elaphe* or *Gonyosoma* are congeneric, it has not been proven that the type species of these two genera are also congeneric. The type species of *Gonyosoma* occurs in the region covered by Smith's work and was mentioned by him. The type species of *Elaphe* is European, and Smith mentioned only "the species usually placed under *Elaphe* . . ." Smith indicated only that all oriental species formerly assigned to *Elaphe* should be transferred to *Gonyosoma*, without specific reference to or action concerning the species of *Elaphe* found elsewhere in the world. He did not make the change even for the Indian species, however, due to the lack of adequate work on the problem. Since Smith is the only author quoted by Mertens in his petition, the remarks above concerning Smith's position are of some consequence in aiding the Commission to reach its decision.

Mertens felt that use of the *Gonyosoma* would result in confusion due to the extensive use of the name *Elaphe* in checklists, faunal studies, and so on, and that many species in Asia, Europe and North America would be affected by any change in status of *Elaphe*. *Gonyosoma* is not, however, an old and forgotten name, unused by herpetologists. On the contrary, since 1900 it has appeared in the literature many times, used by such authors as Lorenz Müller, Thomas Barbour, Edward H. Taylor, Leonhard Stejneger, Emmet R. Dunn, Karl P. Schmidt (who described a species novum in the genus in 1925), René Bourret, Clifford Pope, Alice Boring, Fernand Angel, L. D. Brongersma, and others. Mertens himself used the genus in 1927, 1929, 1930 and 1934. The status of the genera *Gonyosoma* and *Elaphe* was discussed in detail by Fejervary in 1923 (*Zool. Anz.* for 1923 : 169). He wrote, "Das Genus *Coluber* autorum (non Linné) muss also umgetauft werden, und diesbezüglich ist Art. 28 der Nomenklaturregeln massgebend. Laut diesem Art. kann aber der von nun an anzuwendende Name nicht *Elaphe* Fitzinger, 1833, sein, . . . sondern *Gonyosoma* Wagl., 1828, da dieser Name 'den ältesten gültigen Namen der Gattungen und Untergattungen' darstellt, welche die Gattung *Coluber* (non Linné) 'zusammensetzen'." It is evident that both the demonstration of the priority of the name *Gonyosoma* and its accepted usage by herpetologists antedate Smith's paper by several years. There has been little, if any, use of *Gonyosoma* since the book by Smith was published in 1943. There has been no major review of the situation since then, however.

While the generic name *Elaphe* has been used consistently for North American species since 1907, when Stejneger (*Bull. U.S. nat. Mus.* 58 : 307) established it as a world wide taxon, there is room for doubt as to the validity of the usage. Thus, Pope (1935, *Reptiles of China* : 227) said "Although without doubt the species of *Elaphe* as generally understood are too varied to included in a single genus, the problem of properly dividing them is a major task because there are apparently no sharp lines of demarcation. I believe, however, that a collation of hemipenes will give results. There is certainly no objection to recognising the genus *Gonyosoma* Wagler (type, *G. viride* = *Coluber oxycephalus* (Boie) and placing *frenata* and *prasina* in it. I have not done so simply because of the generally conservative treatment of genera followed in this work. In the case of a genus as large as *Elaphe*, it may be just as well, or even best to leave the splitting off of small groups of species to a future reviser who one hopes, will clear the matter up once and for all". While the study suggested by Pope has not yet been done, the North American species of the genus *Elaphe* have been thoroughly reviewed by Dowling within the past few years. The full results of his work have not as yet been published, but an abstract is available (Dissertation Abstracts, Ann Arbor, Mich., vol. 12, no. 4, 1952, p. 400). In this abstract Dowling said, "It is indicated that resemblances in scutellation, form, and pattern should not be used as indicators of relationships in non-interbreeding forms since these characters tend to converge in distantly related species. Thus, the supposed relationship of American to Eurasian forms (including the genotype) is open to question". Contrary to Mertens' petition, therefore it appears that regardless of any decision made by the Commission at this time, there is some likelihood that the North American species will eventually be removed from the genus *Elaphe*, and one of the North American synonyms revived for the redefined taxon. Although the name *Elaphe* has been most thoroughly attached to these species for many years, under no circumstances could the name be permanently affixed to them, since the genotype is European.

There is, in addition, reasonable doubt that *Gonyosoma* and *Elaphe* are congeneric, even if North American species are not considered, and the problem restricted to Eurasia. This doubt is clearly indicated in the statements of Pope and Malcolm Smith, quoted above. In addition, Taylor (1922, *Snakes of the Philippine Islands* : 152), referring to the genus *Gonyosoma*, said, "The genus is not a large one and has frequently been regarded as belonging to the genus *Elaphe*. This association, however, is not warranted. One species, *Gonyosoma oxycephalum* (Boie), enters the Philippines." Taylor differentiated between the two genera on the basis of scale counts. Both Taylor and Pope have indicated that *Gonyosoma* is a comparatively small genus, with restricted distribution. This would indicate that, if the Commission were to act as petitioned, there is every likelihood that a future reviser would find it necessary either to find an old synonym

or to erect a new generic name to replace *Gonyosoma*, which would have been declared unavailable. This unnecessary state of affairs can be avoided by leaving *Gonyosoma* as a valid, available name.

It would be most undesirable to use the powers of the Commission in order to give the surface appearance of solution to a problem that is essentially biological in nature. By taking the suggested course of action the Commission would in effect be validating a biological conclusion that is as yet unproven. The number of authors who have either recognized *Gonyosoma* as a valid genus or discussed the possibly composite nature of the genus *Elaphe* would indicate that current conclusions are tentative and unsatisfactory. It would seem to be an inopportune time for invalidation of an available name by Commission action.

It is suggested, therefore, that the Commission might act in the following manner with regard to this petition :

(1) recommend continued use of *Elaphe* in its current, broadest sense as a world-wide genus until such a time as the biological limits of the genera *Gonyosoma* and *Elaphe* are better established.

(2) decline the petition that the name *Gonyosoma* be placed on the *List of Rejected Names in Zoology*.

(3) suggest that arbitration of the assignment of the names in question be postponed until such a time when all biological aspects of the problem have been more thoroughly investigated.

9. Comment by Herndon D. Dowling (University of Florida, Gainesville, Florida, U.S.A.) : On 29th October 1956, Dr. Herndon D. Dowling (*Department of Zoology, University of Arkansas, Fayetteville, and Postdoctoral Research Fellow, University of Florida, Gainesville, Florida, U.S.A.*) addressed the following letter to the Office of the Commission in which he criticised Professor Mertens' application on lines similar to those advanced by Dr. James A. Peters (paragraph 8 above) :—

Robert Mertens has requested that the generic name *Gonyosoma* Wagler (1828) be suppressed by the Commission in order to avoid its substitution for the well-known name *Elaphe* Fitzinger (1833). Peters has opposed Mertens proposal and would instead, recommend the usage of standard procedures in determination of the proper name to be used for the genus *Elaphe* as currently defined.

However, neither *Gonyosoma* nor *Elaphe* currently have adequate definitions on non-regional bases. The absence of such information and the lack of knowledge as to the actual relationships of the animals involved suggest that the biological approach might offer a better solution to this nomenclatural problem. A study of the type species of the two genera and a comparison of their characteristics with those of other European and North American species currently referred to the genus *Elaphe* has been made. The full results of the study, which are summarized here, are being published elsewhere (Dowling, *Copeia*, 1957 : in press).

The study shows *G. oxycephalum* Boie, the type species of *Gonyosoma* from south-eastern Asia to be completely distinct from the European *E. quatuorlineata* Lacépède, the type species of *Elaphe*, in characters of scutellation, hemipenis, and skeleton. It also differs in these same characters, and to the same degree, from other European and North American species which are currently allocated to *Elaphe*. These northern species, although differing from one another in many respects, have a large number of characteristics in common which they do not share with *G. oxycephalum*. The latter may be distinguished from these more northern species on the basis of any one of these characteristics. It appears evident, therefore, that the relations of *Gonyosoma oxycephalum* Boie are not with these northern species of *Elaphe*, and that two different genera are concerned.

Although this study is not of the comprehensive type needed to illuminate all of the complex relationships between the European, Asian, and North American snakes which have been allocated to *Elaphe* in the past, it does demonstrate the presence of at least two distinct and relatively unrelated groups in Eurasia which have long been considered indistinguishable. It also makes possible the retention of both generic names without necessitating a temporary allocation of the name *Gonyosoma* to all species. Abbreviated diagnoses of the two genera follow.

***Gonyosoma* Wagler**

Gonyosoma Wagler, 1828, *Descriptiones et Icones Amphibiorum*, (1) : Text to pl. 9 (type species, by monotypy, *G. viride* Wagler [= *Coluber oxycephala* Boie, 1827]).

Diagnosis.—A genus of colubrine snakes (*sensu* Dunn, 1928, *Bull. Antivenin Inst. Amer.* 2(1) : 18) differing from *Elaphe* Fitzinger in having dorsal scales with elongate apical pits, several paravertebral

reductions in the scale rows, and a loreal at least twice as long as high ; hemipenis with a patch of elongate spines opposite sulcus and proximal to a short spinose calyculate area (*vide* Cope, 1900 ; *Rep. U.S. nat. Mus.* 1898 : pl. 15, fig. 4) ; squamosal with an external tubercle ; haemal keel of midthoracic vertebrae extending posteriorly over neck of condylus.

Elaphe Fitzinger

Elaphe Fitzinger, in Wagler, 1833, *Descriptiones et Icones Amphibiorum*, (3) : test to pl. 27 (type species, by monotypy, *E. parreyssii* Wagler [= *Coluber quatuorlineatus* Lacépède, 1789]).

Diagnosis.—A genus of colubrine snakes differing from *Gonyosoma* Wagler in having dorsal scales with rounded apical pits, midlateral reductions of the scale rows, and a loreal (when present) little longer than high ; hemipenis with a complete band of spines proximal to an extensive nonspinose calyculate area (*vide* Cope, *ibid* : pl. 14, fig. 2) ; squamosal smooth, without tubercle ; haemal keel of midthoracic vertebrae ending anterior to neck of condylus.

Since these two genera are distinguishable on the basis of any one of several apparently unrelated characters, it is here suggested that the Commission decline Robert Mertens' proposal to suppress the name *Gonyosoma* Wagler.

10. Submission of a revised proposal for protecting the generic name "Elaphe" Fitzinger, 1833, without suppressing the name "Gonyosoma" Wagler, 1828, under the Plenary Powers: At the close in November 1956 of the Prescribed Six-Month Waiting Period following the publication in the *Bulletin of Zoological Nomenclature* of the application submitted in the present case a review of the comments received in regard to that application was undertaken by the Secretary for the purpose of determining the procedure which the International Commission should be invited to adopt in dealing with this case. Mr. Hemming took note that, while there was general agreement among the specialists concerned that it was desirable that the use of the generic name *Elaphe* Fitzinger should not be disturbed, all but one of those specialists were of the opinion that it was neither necessary nor desirable

that for this purpose the generic name *Gonyosoma* Wagler should be suppressed by the Commission under its Plenary Powers, these specialists taking the view that on the next revision of the large genus *Elaphe* Fitzinger it was likely that *Gonyosoma* Wagler would be split off as a distinct genus and consequently that the name *Gonyosoma* would cease to be a threat to the name *Elaphe*. In these circumstances Mr. Hemming suggested to Professor Mertens that the end which he had had in view in submitting his application would be met if the proposal for the suppression under the Plenary Powers of the name *Gonyosoma* Wagler were to be dropped, that recommendation being replaced by a proposal that a direction be given under the same Powers that the above name was "not to be used in preference to the name *Elaphe* by workers who hold that the type species of the two genera are congeneric". Professor Mertens accepted the foregoing proposal, thereby making it possible for Mr. Hemming to recommend to the Commission the adoption of a settlement which had now become unopposed. The foregoing proposal was accordingly embodied by Mr. Hemming in a brief note which was later annexed as Note 4 to the Voting Paper issued in the present case (paragraph 9 below). In this Note Mr. Hemming recommended also that the name *Gonyosoma* Wagler, endorsed as indicated above, be placed on the *Official List of Generic Names in Zoology*.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

11. Issue of Voting Paper V.P.(56)48 : On 30th November 1956 a Voting Paper (V.P.(56)48) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the names *Elaphe* Fitzinger, 1833, and *Gonyosoma* Wagler, 1828, as set out in Points (1) to (3) in para-

graph 8 on page 348 of Volume 11 of the *Bulletin of Zoological Nomenclature* [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*] subject to the modification set out in Note 4 overleaf" [i.e. the Note referred to in paragraph 10 of the present *Opinion*.

12. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 2nd March 1957.

13. Particulars of the Voting on Voting Paper V.P.(56)48 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(56)48 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-three (23) Commissioners (arranged in the order in which Votes were received) :*

Boschma ; Mertens ; Vokes ; Mayr ; Lemche ; Holthuis ; Jaczewski ; Prantl ; Bonnet ; Bradley (J.C.) ; Bodenheimer ; Dymond ; Kühnelt ; Riley ; Key ; Esaki ; Stoll ; do Amaral ; Cabrera ; Sylvester-Bradley ; Torionese ; Hemming ; Hering ;

(b) *Negative Votes :*

None ;

(c) *Prevented from Voting by interruption of postal communications consequent upon political disturbances, one (1) :*

Hankó ;

(d) *Voting Papers not returned, one (1) :*

Miller.

14. Declaration of Result of Vote : On 3rd March 1957, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(56)48, signed a Certificate that the Votes cast were as set out in paragraph 13 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

15. Preparation of the Ruling given in the present " Opinion " : On 4th July 1957, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(56)48.

16. Original References : The following are the original references for the generic and specific names placed on *Official Lists* by the Ruling given in the present *Opinion* :—

Elaphe Fitzinger, 1833, in Wagler, *Descr. Icon. Amph.* (3) : expl. pl. 27

Gonyosoma Wagler, 1828, *Descr. Icon. Amph.* (1) : ex. pl. pl. 9

oxycephalus, *Coluber*, Boie, 1827, *Isis* (Oken) 1827 : 537

quatuorlineatus, *Coluber*, Lacépède, 1789, *Hist. nat. Quadrup. ovip.*

Serpens 2 : 82

sauromates, *Coluber*, Pallas, [1814], *Zoographia rosso-asiat.* 3 : 42

17. Family-Group-Name Problem : As stated in the application submitted in the present case (in paragraph 7 of the paper reproduced in the first paragraph of the present *Opinion*), no nominal family-group taxon has been established with *Elaphe* Fitzinger, 1833, as type genus. The same is true as regards the nominal genus *Gonyosoma* Wagler, 1828.

18. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission

by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

19. The present *Opinion* shall be known as *Opinion* Four Hundred and Ninety (490) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourth day of July, Nineteen Hundred and Fifty-Seven.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING



International Commission on Zoological Nomenclature. 1957. "Opinion 490 Action under the Plenary Powers to Preserve for use in its accustomed sense the generic name *Elaphe* Fitzinger, 1833 (class Reptilia)." *Opinions and declarations rendered by the International Commission on Zoological Nomenclature* 17, 179–196.

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