

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

Edited by

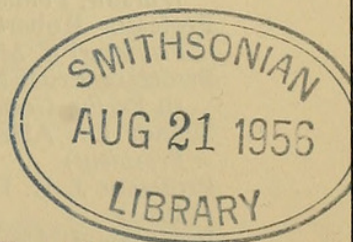
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 410

Suppression under the Plenary Powers of three specific names proposed for birds by Forster (J.R.) in 1794 and of one such name proposed by Latham in 1790



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

OPINION 410

SUPPRESSION UNDER THE PLENARY POWERS OF THREE SPECIFIC NAMES PROPOSED FOR BIRDS BY FORSTER (J.R.) IN 1794 AND OF ONE SUCH NAME PROPOSED BY LATHAM IN 1790

RULING.—(1) The under-mentioned action is hereby taken under the Plenary Powers :—

- (a) The under-mentioned specific name is hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy :—*elegans* Forster, 1794, as published in the combination *Motacilla elegans* ;
- (b) The under-mentioned specific names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy :—
 - (i) *phaeus* Forster, 1794, as published in the combination *Turdus phaeus* ;
 - (ii) *chlorotis* Forster, 1794, as published in the combination *Muscicapa chlorotis* ;
 - (iii) *novaehollandiae* Latham, 1790, as published in the combination *Muscicapa novae-hollandiae*.

(2) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 718 to 720 respectively :—

- (i) *harmonicus* Latham, 1801, as published in the combination *Turdus harmonicus* ;
- (ii) *elegans* Gould, 1837, as published in the combination *Malurus elegans* ;
- (iii) *chrysops* Latham, 1801, as published in the combination *Sylvia chrysops*.

(3) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Nos. severally specified below :—

- (a) *elegans* Forster, 1794, as published in the combination *Motacilla elegans*, as suppressed under the Plenary Powers under (1)(a) above (Name No. 285) ;
- (b) the three specific names specified in (1)(b) above, as there suppressed under the Plenary Powers (Name Nos. 286 to 288 respectively).

I.—THE STATEMENT OF THE CASE

Application submitted by the Checklist Committee of the Royal Australian Ornithologists' Union : On 1st March 1948 Major H. M. Whittell, O.B.E. (*Bridgetown, Western Australia*) submitted to the International Commission, on behalf of the Checklist Committee of the Royal Australasian Ornithologists' Union, the following request for the use by the Commission of its Plenary Powers to suppress the specific name *elegans* Forster,

1794, as published in the combination *Motacilla elegans*, in order thereby to validate the well-known specific name *elegans* Gould, 1837, as published in the combination *Malurus elegans* :—

Proposed use of the Plenary Powers to validate the trivial name “*elegans*” Gould, 1837, as published in the binominal combination “*Malurus elegans*” (Class Aves)

By H. M. WHITTELL, O.B.E.

(*On behalf of the Checklist Committee of the Royal Australasian Ornithologists' Union.*)

The Checklist Committee of the Royal Australasian Ornithologists' Union petitions the International Commission on Zoological Nomenclature to use its Plenary Powers to suppress the trivial name *elegans* Forster (J.R.), 1794, *Mag. merkwürd. neuen Reise Beschr.* 5 : 128, as published in the combination *Motacilla elegans*, and thereby to validate the trivial name *elegans* Gould (J.), 1837, *Birds Australia and adj. Islands* (1) : pl. 2, as published in the combination *Malurus elegans*, on the ground that the strict application of the *Règles* in this case would lead to confusion rather than stability.

2. In 1837, John Gould introduced the name *Malurus elegans* for a Western Australian bird, for which this name has been in use ever since—for a period of over 110 years.

3. In 1937, however, Mr. T. Iredale pointed out (*The Emu* 37 : 95—99) that in 1794, J. R. Forster, in his *Magazin von merkwürdigen neuen Reise Beschreibungen* applied the name *Motacilla elegans* to a different bird, namely that to which in 1783 (*Gen. syn. Birds* 2(2) : 581) Latham had applied the name *Motacilla cyanea*.

4. The two birds discussed above are currently regarded as belonging to the same genus, and in consequence the name *elegans* Gould, 1837, is invalid, being a junior secondary homonym of the name *elegans* Forster, 1794. The strict applications of the *Règles* in the present case would cause great confusion, for it would not only mean that the Western Australian bird would be deprived of the name by which it has been universally known since 1837 but would also involve the transfer of the name *elegans* to another species in the same genus.

This would be a very high price to pay for the sake of bringing into use the name *elegans* Forster, 1794, which has never had any currency, virtually the only reference to it in the literature being in the account given in Iredale in 1937.

5. It is for the foregoing reasons that the International Commission is asked to take the action specified in the first paragraph of the present application. The Commission is asked at the same time (1) to place the trivial name *elegans* Gould, 1837, as published in the combination *Malurus elegans*, on the *Official List of Specific Names in Zoology*, and (2) to place the trivial name *elegans* Forster, 1794, as published in the combination *Motacilla elegans*, on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

2. Expanded application submitted in 1950 by four American and three Australian ornithologists : It had not been found possible to make any progress with the application by the Checklist Committee (paragraph 1 above) by the time that four months later the Thirteenth International Congress of Zoology met in Paris in July 1948. The procedural decisions taken by that Congress involved a certain amount of redrafting of all proposals at that time outstanding but this could not be undertaken until after the Official Record of the decisions taken in Paris had been settled, which was not until January 1950. Almost immediately after the necessary revisions had been made in the application submitted by the Checklist Committee Colonel Richard Meinertzhagen, as Chairman of the Standing Committee on Ornithological Nomenclature appointed by the Tenth International Ornithological Congress, Uppsala, 1950, transmitted to the Office of the Commission (on 19th October 1950) an application for the suppression under the Plenary Powers of three long-forgotten specific names for Australian birds published by Forster in 1794. One of the names concerned was the specific name *elegans* Forster, 1794, originally published in the combination *Motacilla elegans*, a request for the suppression of which had already been received from the Checklist Committee of the Royal Australian Ornithological Union (paragraph 1 above). The present application was signed by seven ornithologists, of whom four were American citizens and three were Australians. The first of these groups was headed by Dr. Ernest Mayr (then of the *American Museum of Natural History, New York*). Included in the second group was Major H. M. Whittell, by whom the earlier application

had been submitted on behalf of the Checklist Committee. The following is the application so submitted :—

**Proposed use of the Plenary Powers to suppress for nomenclatorial purposes a paper by Forster (J.R.) containing new names for certain Australian birds published in 1794 in volume 5 of the
“ Magazin von merkwürdigen neuen Reise
Beschreibungen ”**

By

ERNST MAYR

(The American Museum of Natural History, New York),

DEAN AMADON

(The American Museum of Natural History, New York),

JEAN DELACOUR

(The American Museum of Natural History, New York),

L. GLAVERT

(Natural History Museum, Perth, Western Australia),

ROBERT CUSHMAN MURPHY

(The American Museum of Natural History, New York),

D. L. SERVENTY

(Nedlands, Western Australia),

H. M. WHITTELL, O.B.E.

(Bridgetown, Western Australia)

(Communicated on 19th October 1950 by Colonel R. Meinertzhagen, Chairman of the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress)

The occasional discovery of long-forgotten scientific names has been exceedingly unsettling for scientific nomenclature. To correct this evil, the International Zoological Congress at Monaco adopted in 1913 the so-called Monaco Resolution which permits the setting aside of the Rule of Priority whenever its application results clearly in greater confusion than uniformity. Even though this opportunity to save well-established names has been available since 1913, ornithologists have only rarely taken advantage of it. The International Ornithological Congress at Uppsala, 1950, appointed a committee of bird taxonomists to collaborate with the International Commission of Zoological Nomenclature and, in particular, to call attention to names which are in need of preservation in accordance with the Monaco Resolution.

2. The names of some Australian birds seem to require action under the Monaco Resolution. In 1937 (*Emu* 37 : 95—99) Tom Iredale called attention to an overlooked paper by J. R. Forster published in 1794 in German as an appendix to a description of the new British colonies in Australia (*Magazin von merkwürdigen neuen Reise Beschreibungen* 5 : 128). This publication contains fifteen new scientific names which were analysed by Iredale who found that only four have priority over names now in use. Furthermore, one of them, namely *Alcedo collaris* Forster, 1794, is a homonym of *Alcedo collaris* Scopoli, 1786 (*Deliciae Florae Faunae insubricae* 2 : 90) and was therefore stillborn at the time of its publication.

3. Iredale analysed in detail the status of the other three names with the following results :—

(1) *Turdus phaeus* Forster, 1794, has seven years' priority over *Turdus harmonicus* Latham, 1801 (*Index Orn.*, Supp. : xii), the well-known name of the Grey Shrikethrush called *Colluricincla harmonica* for over 130 years. To replace this well-established name at the present time would clearly be most unfortunate, and we request therefore the International Commission to make use of its Plenary Powers to place the name *Turdus harmonicus* Latham, 1801, on the list of *nomina conservanda* and the name *Turdus phaeus* Forster, 1794, on the list of *nomina rejecta*.

(2) Action in the second case is even more important. Forster gives the name *Motacilla elegans* to the bird called *Malurus cynaneus australis* North, 1904. If Forster's name is accepted this bird would receive the name *Malurus cynaneus elegans* Forster. However, Gould proposed the name *Malurus elegans* in 1837 for a Western Australian bird for which it has been in use for more than 100 years. A transfer of the name *elegans* from the Western Australian species to the eastern one would cause severe confusion. We request therefore the International Commission on Zoological Nomenclature to make use of its Plenary Powers and place *Malurus elegans* Gould, 1837 (*Birds Austr.* (1) : pl. 2) on the list of *nomina conservanda* and *Motacilla elegans* Forster, 1794, on the list of *nomina rejecta*.

(3) The third name is *Muscicapa chlorotis* Forster, 1794, for a bird generally called *Muscicapa* [= *Meliphaga*] *chrysops* (Latham, 1801) (= *Sylvia chrysops* Latham, 1801, *Index Ornith.*, Supp. : liv), but which Iredale states to be antedated by *Muscicapa novaehollandiae* Latham, 1790 (*Index Orn.* : 478).

4. **Recommendation :** The publication in which Forster proposed these names is apparently exceedingly rare. It does not appear to be in the library of the British Museum (Natural History), and these scientific names are not included in Sherborn's *Index Animalium*. The simplest way to deal with this publication would be to classify

all the names published in this volume as *nomina rejecta*. The ornithologists whose names appear at the head of this application suggest this action to the International Commission.

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. Registration of the application relating to the proposed suppression under the Plenary Powers of certain specific names for birds proposed by Forster in 1794 : Upon the receipt in 1948 of the application of the Checklist Committee of the Royal Australasian Ornithologists' Union the question of the possible use of the Commission's Plenary Powers to suppress the specific name *elegans* Forster, 1794, as published in the combination *Motacilla elegans*, was allotted the Registered Number Z.N.(S.) 341. The wider application later received in 1950 was allotted the Registered Number Z.N.(S.) 494. When in 1954 these proposals were submitted to the Commission for decision by Postal Vote (paragraph 11 below), they were combined under the later of the two foregoing Registered Numbers.

4. Supplementary Note submitted in 1951 by Mr. Francis Hemming, Secretary to the Commission : When the proposals discussed above were examined in detail by Mr. Hemming, as Secretary to the Commission, he formed the conclusion that the third of the objects sought in the later received of these applications, namely the validation of the specific name *chrysops* Latham, 1801, as published in the combination *Sylvia chrysops*, could not be secured so long as the name *novaehollandiae* Latham, 1790, as published in the combination *Muscicapa novae-hollandiae*, retained

its existing status of availability. Accordingly, on 28th April 1951 Mr. Hemming, with the approval of Colonel Meinertzhagen, submitted to the Commission the following paper setting out the results of the consultations which he had held with specialists and outlining the action which he recommended should be taken :—

On the question whether it is necessary that the Plenary Powers should be used to suppress the trivial name “novaehollandiae”

Latham, 1790, as published in the combination “Muscicapa novae-hollandiae”, in order to make available the trivial name “chrysops” Latham, 1801, as published in the combination “Sylvia chrysops” (Class Aves)

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

(Secretary to the International Commission on Zoological Nomenclature)

When I received the application submitted to the International Commission for the use of the Plenary Powers to suppress three trivial names published for Australian birds by Forster (J.R.) in 1794, it seemed to me that further clarification was needed as regards the third of the cases submitted, for it was not clear that the action recommended would be sufficient to secure the purpose of the applicants, namely to ensure that the trivial name *chrysops* Latham, 1801, as published in the combination *Sylvia chrysops*, should be the oldest trivial name available (both objectively and subjectively) for the bird to which it is currently applied. For the applicants pointed out that the nominal species *Sylvia chrysops* Latham, 1801, had been subjectively identified by Iredale not only with the nominal species *Muscicapa chlorotis* Forster, 1794, but also with the older nominal species *Muscicapa novaehollandiae* Latham, 1790. The suppression (as proposed) of the trivial name *chlorotis* Forster, 1794, would, therefore, not suffice to provide availability for the trivial name *chrysops* Latham, 1801.

2. With the approval of Colonel R. Meinertzhagen (through whom this application had been submitted to the Commission), I accordingly decided to raise this question with Dr. Ernst Mayr (*American Museum of Natural History, New York*), the first of the signatories to the application submitted to the International Commission. When my letter reached New York, Dr. Mayr had left on a visit to Europe. On receiving my letter, he answered direct from Europe and at the same time sent my letter back to Dr. Dean Amadon at the American Museum. A little later Dr. Amadon wrote me a letter quoting the views expressed on this subject by Dr. D. L. Serventy (*Nedlands, Western Australia*) in

a letter to Dr. Mayr and at the same time adding a note of his own views on the question at issue. The views of these specialists are set out in the following paragraphs.

3. *View of Dr. Ernst Mayr (letter dated 7th April 1951) : Dr. Mayr wrote :—*

What a pity your letter did not reach me before I left New York . . . Most authors considered *novaehollandiae* Latham, 1790, up to now as unidentifiable (a *nomen dubium*) and there are indeed some outright contradictions in the description, if the name really applies to *chrysops*. However, Serventy wrote me recently that the name was based on some paintings and that these paintings represent *chrysops* undoubtedly. You are therefore entirely correct that it would be wiser to outlaw also the name *novaehollandiae*. This is indeed what Serventy proposed to me by letter. You have my full authority to act along the line of your suggestion.

4. *View of Dr. D. L. Serventy, expressed in a letter to Dr. Ernst Mayr (communicated by Dr. Dean Amadon in a letter dated 11th April 1951) : In a letter dated 11th April 1951 Dr. Dean Amadon quoted the following passage from a letter previously received by Dr. Ernst Mayr from Dr. D. L. Serventy :—*

Your paragraph on the name *Muscicapa novaehollandiae* is strictly logical if one can confine oneself to the written word. Unfortunately, the name is based also on the coloured plate and a textual description in a work by John White "Journal of a Voyage to New South Wales", an extract from which I enclose.

You will see that certain portions of White's original description are omitted by Latham. The plate, which is in colour, is not a very good one but I think it can be accepted to represent the bird we now know as *Meliphaga chrysops*. In the plate the bill is shown as being down-curved and is black at the base and tip. The most striking discrepancy between the plate and the actual bird is the absence of the black lines at the side of the head but this may have been due to the fact that the head on the plate is very dark except for the yellow ear coverts.

My copy of White was bought some years ago from Tom Iredale who told me that it was one of the original copies owned by Mathews. There are several annotations in pencil by Mathews in

it and the plate of the Yellow-eared Flycatcher is labelled in Mathews' hand-writing as *M. ornata*. This is the view which Mathews also held in his "Birds of Australia", vol. 2, but in the 1931 list he used *novaehollandiae* as the prior name for *M. chrysops*.

It is quite impossible that the bird figured by White might have been *M. ornata* which is an inland bird in New South Wales. The only two possibilities are *M. fusca* or *M. chrysops*, and the bird represented to me appears to be the latter.

I think that the only thing to do now is to endeavour to place the name *Muscicapa novaehollandiae* on the list of *nomina rejecta*.

5. *Comment by Dr. Dean Amadon (letter dated 11th April 1951)* : In the letter containing the foregoing extract from the letter from Dr. Serventy quoted in the preceding paragraph, Dr. Amadon added the following comment :

You will see from this that Serventy believes that this name *Muscicapa novaehollandiae* Latham, 1790, applies to the bird now known as *Meliphaga chrysops* and thinks that the name *novaehollandiae*, as well as *chlorotis*, should be declared *nomina rejecta*. It may be emphasised that there is some doubt still as to whether the name *novaehollandiae* actually does refer to the species in question.

6. **Conclusion** : It is evident from the foregoing statements that, although there is still room for difference of opinion regarding the identity of the species represented by the name *Muscicapa novaehollandiae* Latham, 1790, the likelihood of the species in question being the same as that represented by the nominal species *Sylvia chrysops* Latham, 1801, is so great that, so long as the first of these names remains available nomenclatorially, it will never be possible to secure the object sought by the applicants, namely that the trivial name *chrysops* Latham shall be unquestionably the oldest available trivial name for the bird now known as *Meliphaga chrysops* (Latham, 1801).

5. **Support for the action proposed received from the Standing Committee on Ornithological Nomenclature prior to the publication of the present applications** : On 4th April 1952 Colonel Meinertzhagen, as Chairman of the Standing Committee on Ornithological Nomenclature, addressed the following letter to the Commission notifying the support of the Committee for the action proposed

in the present case, including the supplementary action recommended in Mr. Hemming's Note of 28th April 1951 (paragraph 4 above) :—

Support by the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress for the proposals submitted by Dr. Ernst Mayr and others for the use of the Plenary Powers to suppress for nomenclatorial purposes a paper containing new names for certain Australian birds published by Forster in 1794

Communication received from the
Standing Committee on Ornithological Nomenclature of the
International Ornithological Congress

Letter dated 4th April 1952 from Colonel R. Meinertzhagen,
Chairman of the Standing Committee on Ornithological
Nomenclature of the International Ornithological Congress

On 19th October 1950 I forwarded to you, for favour of decision by the International Commission on Zoological Nomenclature, an application which had been sent to me, as Chairman of the Standing Committee on Ornithological Nomenclature, by Dr. Ernst Mayr and others, asking the International Commission to use its Plenary Powers for the purpose of suppressing, for nomenclatorial purposes, a paper containing new names by J. R. Forster for certain Australian birds published in 1794 in volume 5 of the *Magazin von merkwürdigen neuen Reise Beschreibungen*.

I have now to inform you that the proposals drawn up by Dr. Mayr have since been examined by the Standing Committee on Ornithological Nomenclature, each member of which has signed the attached copy of Dr. Mayr's application. In the name of the Standing Committee (Professor Berlioz, Dr. Stresemann, Dr. Zimmer and myself) I accordingly beg to ask you to inform the International Commission on Zoological Nomenclature that the foregoing application has the full support of the Standing Committee.

In the case of the third of the names dealt with in the foregoing application, the International Commission is asked to treat the application as one for the suppression not only of the trivial name *chlorotis* Forster, 1794, as published in the combination *Muscicapa chlorotis*, but also of the trivial name *novaehollandiae* Latham, 1790, as published in the binominal combination *Muscicapa novae-hollandiae*, since, as explained in the application, the identification by Iredale of Latham's *novaehollandiae* constitutes just as much a threat to the name (*chrysops*) commonly applied to this species as does Forster's name *chlorotis*.

The action which the International Commission on Zoological Nomenclature is asked to take is that it should :—

(1) use its Plenary Powers to suppress :—

- (a) the trivial name *elegans* Forster, 1794, as published in the combination *Motacilla elegans*, for the purposes both of the Law of Priority and of the Law of Homonymy ;
- (b) the under-mentioned trivial names for the purposes of the Law of Priority but not for those of the Law of Homonymy :—
 - (i) *phaeus* Forster, 1794, as published in the combination *Turdus phaeus* ;
 - (ii) *chlorotis* Forster, 1794, as published in the combination *Muscicapa chlorotis* ;
 - (iii) *novae-hollandiae* Latham, 1790, as published in the combination *Muscicapa novae-hollandiae* ;

(2) place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—

- (a) *harmonicus* Latham, 1801, as published in the combination *Turdus harmonicus* ;
- (b) *elegans* Gould, 1837, as published in the combination *Malurus elegans* ;
- (c) *chrysops* Latham, 1801, as published in the combination *Sylvia chrysops* ;

(3) place on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology* the four trivial names specified in (1) above, as there proposed to be suppressed under the Plenary Powers.

6. Publication of the applications submitted in the present case and of the supplementary documents received in regard thereto :

The two applications received in the present case (paragraphs 1 and 2), together with Mr. Hemming's Supplementary Note (paragraph 4), were sent to the printer on 30th January 1952 ; the letter of support received from the Standing Committee on Ornithological Nomenclature (paragraph 5) was similarly despatched immediately upon its receipt. These documents were published on 15th October 1952 in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* (Whittell (for the Checklist Committee of the Royal Australasian Ornithologists' Union), 1952, *Bull. zool. Nomencl.* 9 : 44 ; Mayr (E.), *et al.*, 1952, *ibid.* 9 : 45—46 ; Hemming, 1952, *ibid.* 9 : 47—49 ; Meinertzhagen (for the Standing Committee on Ornithological Nomenclature), 1952, *ibid.* 9 : 50—51).

7. 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 15th October 1952 (a) in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* (the Part in which the application by the Standing Committee on Ornithological Nomenclature was published), (b) to the other prescribed serial publications, and (c) to certain general zoological serials. In addition, such Notice was given also to fourteen serial publications or institutions specially concerned with ornithology. The names of the serials and institutions in question have been given in the *Opinion* (*Opinion* 401)¹ relating to the generic name *Colymbus* Linnaeus, the *Opinion* in which the Commission dealt with the first of the series of applications submitted by the Standing Committee on Ornithological Nomenclature.

8. Comments of a general character : The issue of the Public Notices specified above elicited thirty-seven comments of a general character relating to the cases of ornithological nomenclature published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. These comments came from ornithological institutions, groups of ornithologists and individual specialists. Of these comments, the authors of thirty-six gave general support to the applications published in the foregoing Triple-Part. The single remaining comment was from a specialist who was opposed to any use of the Commission's Plenary Powers. The communications so received have been reproduced in the Appendix annexed to *Opinion* 401 (*Colymbus*)², those supporting the applications referred to above being given in Part 1, the single comment in opposition to the above applications being given in Part 2.

9. Comments directly relating to the present case : In addition to communications of general support referred to in paragraph 8 above, one communication specifically relating to the present case and intimating support for the action proposed was received

¹ *Opinion* 401 has been published as Part 1 of the present volume.

² See Footnote 1 above

in the Office of the Commission. This communication, which was signed by six United States ornithologists, is reproduced in the immediately following paragraph. No communication specifically objecting to the action proposed was received from any source.

10. Particular support for the action proposed in the present case received from Dr. Josselyn Van Tyne and five other United States ornithologists : On 18th March 1953 Dr. Josselyn Van Tyne (*Ann Arbor, Michigan, U.S.A.*) and the five under-mentioned specialists addressed to the Commission a joint letter of support for the action proposed in the present case : (a) Robert W. Storer (*Museum of Zoology, University of Michigan, Ann Arbor, Michigan, U.S.A.*) ; (b) Andrew J. Berger (*Ann Arbor, Michigan, U.S.A.*) ; (c) Olin Sewall Pettingill, Jr. (*Northfield, Minnesota, U.S.A.*) ; (d) Frank A. Pitelka (*Berkeley, California, U.S.A.*) ; (e) John Davis (*Los Angeles, California, U.S.A.*). The letter so received was as follows :—

We, the under-signed, wish to express our strong approval of proposal No. 6 (concerning *phaeus* (*Turdus*), etc.) published on page 3³ of vol. 9 of the *Bulletin of Zoological Nomenclature*. We hope that your Commission will take favorable action on it.

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

11. Issue of Voting Paper V.P.(54)67 : On 14th May 1954, a Voting Paper (V.P.(54)67) was issued in which the Members of the Commission were invited to vote either for, or against “ the proposal relating to three names of birds published by Forster (J.R.) in 1794 and matters incidental thereto, as specified in Points (1) to (3) on page 51 of volume 9 of the *Bulletin of Zoological Nomenclature* [i.e. the Points so numbered in the last paragraph of the letter from Colonel Meinertzhagen, dated 4th April 1952, reproduced in paragraph 5 of the present *Opinion*] ”.

³ The page reference here cited is to the page in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*, where the present application appeared as proposal No. 6 in the Prescribed Plenary Powers Notice.

12. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 14th August 1954.

13. Particulars of the Voting on Voting Paper V.P.(54)67 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(54)67 was as follows :—

(a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received) :*

Boschma ; Holthuis ; Lemche ; Dymond ; Hering ; Vokes ; Esaki ; Riley ; Bonnet ; Bradley (J.C.) ; Hemming ; do Amaral ; Pearson ; Hankó ; Mertens ; Sylvester-Bradley ; Cabrera ; Stoll ; Jaczewski ;

(b) *Negative Votes :*

None ;

(c) *Voting Papers not returned :*

None.

14. Declaration of Result of Vote : On 17th August 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)67, 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 14th October 1955 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.(54)67.

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

chlorotis, *Muscicapa*, Forster (J.R.), 1794, *Mag. merkwürdig. neuen Reise Beschreib.* 5 : 128

chrysops, *Sylvia*, Latham, 1801, *Index Ornith.*, Suppl. : liv

elegans, *Motacilla*, Forster (J.R.), 1794, *Mag. merkwürdig. neuen Reise Beschreib.* 5 : 128

elegans, *Malurus*, Gould, 1837, *Birds Austr.* (1) : pl. 2

harmonicus, *Turdus*, Latham, 1801, *Index Ornith.*, Suppl. : xii

novaehollandiae, *Muscicapa*, Latham, 1790, *Index Ornith.* : 478

phaeus, *Turdus*, Forster (J.R.), 1794, *Mag. merkwürdig. neuen Reise Beschreib.* 5 : 128

17. At the time of the submission of the present application the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

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 Ten* (410) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourteenth day of October, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING



International Commission on Zoological Nomenclature. 1956. "Opinion 410 Suppression under the Plenary Powers of three specific names proposed for birds by Forster (J. R.) in 1794 and of one such name proposed by Latham in 1790." *Opinions and declarations rendered by the International Commission on Zoological Nomenclature* 13, 173–190.

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