

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

Edited by

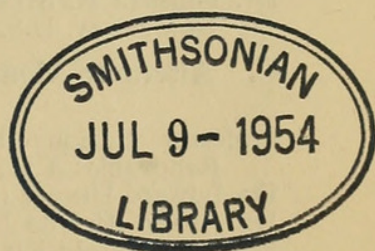
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 241

Rejection for nomenclatorial purposes of Nozeman & Vosmaer, 1758 *Geslachten der Vogelen*, a Dutch translation of Moehring's pre-Linnaean work entitled *Avium Genera* published in 1752



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 241

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C. Alternate Members of the Commission at the Session held in Paris in 1948

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OPINION 241

REJECTION FOR NOMENCLATORIAL PURPOSES OF NOZEMAN & VOSMAER, 1758 "GESLACHTEN DER VOGELEN", A DUTCH TRANSLATION OF MOEHRING'S PRE-LINNAEAN WORK EN- TITLED "AVIUM GENERA" PUBLISHED IN 1752

RULING :—(1) The work published in 1758 under the title *Geslachten der Vogelen*, consisting of a translation into Dutch by Nozeman & Vosmaer of the work entitled *Avium Genera* by Moehring (P.H.G.) originally published in 1752 (i.e. before the starting point of zoological nomenclature, as prescribed by Article 26 of the *Règles*) is not available for nomenclatorial purposes, since Nozeman & Vosmaer did reinforce the names contained therein by adoption or acceptance in the manner first prescribed in *Opinion 5*.

(2) The foregoing work is accordingly hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 6.

I.—THE STATEMENT OF THE CASE

The question of a possible application to the International Commission to rule against the availability of, or to suppress under its Plenary Powers, the generic names in the Dutch translation of Moehring's *Genera Avium* of 1752, prepared by Nozeman & Vosmaer under the title *Geslachten der Vogelen* and published in 1758 was raised by Dr. James L. Peters (*Museum of*

Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.), at that time Assistant Secretary to the International Commission, as follows in a letter dated 23rd October 1937 :—

If you should happen to be able to consult a copy of the 1758 edition of Moehring and find that the generic names in it are available, I think that the Commission should publish an *Opinion* outlawing these names, since the wildest sort of confusion would ensue, were they to be adopted. In this connection I think that it would be a good plan if the Commission should publish a list of approved binary or binominal authors between 1758 and 1800, and then prohibit the use of any authors except those on this list, except where additional names may be added by a subsequent *Opinion*.

2. It was not found possible at that time to prepare material relating to the *Geslachten der Vogelen* for submission to the International Commission, but, following the re-opening of the London Secretariat in 1942 when the records of the Commission, which had been evacuated for safety against air raids at the beginning of the war in Europe in September 1939, were brought back to Headquarters, Mr. Francis Hemming, Secretary to the International Commission, asked Dr. Karl Jordan, then President of the International Commission, to examine the foregoing work, since a copy was available to him in the library of the Zoological Museum at Tring, whereas no copy was at that time available in London, owing to the evacuation of the great scientific libraries to the country for safety. Dr. Jordan kindly undertook this investigation, at the conclusion of which he submitted two Reports, the first dated 19th December 1943, the second, 12th January 1944. These Reports were as follows :—

(i) Report dated 19th December 1943 :

By KARL JORDAN

(British Museum (Natural History), Zoological Museum,
Tring, Herts, England)

I have read the introduction by Vosmaer and the *Bericht van den Vertaaler* (translator) (Nozeman) in order to find out whether there was anything said about nomenclature. Nozeman says : (my free translation from the Dutch) “ to find the right names in our language

as terms for the genera (and geene anderen = and nothing else) which the very learned Moehring has described (aangetekend) has cost me long and sometimes annoying inquiries . . . ”

To judge from what I have translated above, Nozeman wanted Dutch names only, and only for genera. The descriptions of the genera begin on p. 9 and the method is as follows :—

1. WARVOGEL, in't Latyn door den Heere MOEHRING genoemd *Collyrio*. Hy is by den Heer C. LINNAEUS, in *Edit. 6 Syst. Nat. Gen.* 78 gezet by den Beemer, [*Ampelis*]. [The square bracket means the name is added by Nozeman.]
3. GROOTBEK, TOUCAN, in het Latyn *Bucco*.
Hy is de *Ramphastos* van Linn. *Syst. Nat.* het 38ste geslacht.
56. KASUARIS, in't Lat. *Cela*.
Casuaris by Linnaeus gesl. 63.
Emeu. by Clusius. *Exot. L.* v. c. 3.

(Then follows the description in every case.)

As exemplified by 3 and 56 (and others) the principle of priority was not in Nozeman's mind. The Latin names were added to the Dutch ones because Moehring 1752 had them. Neither Nozeman nor Vosmaer indicate anywhere that they accept them as the scientific names of the genera. However, they are certainly published after Linnaeus's 10th edition.

(ii) Supplementary report dated 12th January 1944:

By KARL JORDAN

(British Museum (Natural History), Zoological Museum,
Tring, Herts, England)

I have now compared Moehring, *Avium Genera* 1752, with the translation of 1758, and am perfectly satisfied that the translator has not added any Latin names of his own. All the Latin names are those of 1752 ; the spelling is the same except that the letter i is replaced by y and that there are one or two printing errors or penslips. The additions to Moehring 1752 made in the translated 1758 edition contain some Latin names, but all these are quoted from older authors and are not available.

Examples :—

1752

36. PARUS. *Linn. gen.* 76., ed. 6, *gen.* 83.

[Then follows description of genus.]

note (a) Variat incisio apicis linguae : in *paro maiore* apex 3 vel 4 setis terminatus ; in *paro caeruleo* apex setis quidem

terminatus, sed setarum una vel altera in quibusdam individuís lacera evadit. *Paro atro* est singula seta in singulo apicis truncati margine, medio spatio fere verticali, integro. (All "v's" are printed "u". K. J.).

37. ORITES.

Parus caudatus Auctorum.

[Then follows description of genus.]

1758

36. MEES, in't Latyn *Parus*.

Linnaeus. *Syst. Nat.* geslacht 83.

then follows description ; words in italics in 1752 here again in italics. Sometimes in the 1758 edition a word or two are added in square brackets.

note (a) De sneede in de punt der Tong is verscheiden : In den *Grooten Mees* eindigt de punt in drie of vier borstelhaairtjes : In den *Blaauwen Mees*, [of *Pimpel*] eindigt de punt mede wel in borsteltjes ; maar het eene of 't andere van deze borstelhaairtjes word in sommige byzondere Meezen meer gefnazeld. De *Zwarte Mees* heft één enkel borstelhaairtje op elken rand der geknotte tongpunt, welke rand halver weg omtrent rechtsstandig [*verticalis*] en gaaf is.

37. STAARTMEES, in' t Latyn *Orites*.

De Langstaart-Mees der Schryveren.

[Then follows description.]

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. At the time of Dr. Jordan's investigation into Nozeman & Vosmaer's *Geslachten der Vogelen*, the issue raised by that work had assumed an immediate practical importance in the current work of the Commission, for at that time the Secretary was engaged in a review of the older *Opinions* of the Commission for the purpose of extracting therefrom the particulars which would be needed for the publication of the *Official List of Generic Names in Zoology* and in two of these this issue had arisen in the most direct form. For in the *Opinions* concerned—*Opinions* 67 and 103—the International Commission had placed on the *Official List*

names—in the former case, the name *Coturnix* Bonnaterre, 1790, and, in the latter case, *Grus* Pallas, 1766—which would be invalid junior homonyms of names consisting of the same words, if the *Geslachten der Vogelen* of 1758 were to be found an acceptable work for the purposes of zoological nomenclature. The immediate anxieties regarding the correctness of the action taken by the Commission in the foregoing *Opinions* were set at rest by the evidence adduced by Dr. Jordan that the names published in the *Geslachten der Vogelen* had been carried over by Nozeman & Vosmaer from the pre-1758 *Avium Genera* of Moehring without having been re-inforced by adoption or acceptance as required under the Commission's *Opinion* 5. At that time a re-issue was being prepared of the last-named *Opinion* and it was judged that it would be convenient in that re-issue to cite the *Geslachten der Vogelen* of Nozeman & Vosmaer as an example of a work, the names in which failed to satisfy the tests laid down in that *Opinion* and accordingly possessed no status of availability by reason of having been so republished after 1st January 1758, the date prescribed in Article 26 of the *Règles* as the starting point of zoological nomenclature. A discussion of this work, together with Dr. Jordan's two Reports, was accordingly included in the notes attached to the re-issue of *Opinion* 5 published in 1944 (*Ops. Decls. int. Comm. zool. Nomencl.* 1 : 120—122).

4. In the summer of 1948 the documents relating to this case, which at that time bore the Registered Number Z.N.(G.) 24 (re-issue of *Opinions* adopted prior to Lisbon, 1935) but which were later re-registered under the Number Z.N.(S.) 367, were prepared by the Secretary for consideration by the International Commission during its then forthcoming Session at Paris. At the same time (10th June 1948) Mr. Hemming added the following note to the file :—

It seems to me that Dr. Jordan's Reports on Nozeman & Vosmaer's *Geslachten der Vogelen* provide conclusive evidence in favour of the rejection of that work, and that as the new generic names in it are not currently used by ornithologists—indeed, Dr. Peters has said that the adoption of these names would give rise to the wildest confusion—no question of the use of the Plenary Powers to validate these names calls for consideration. Accordingly, my recommendation is that the International Commission should render an *Opinion* that the new names in Nozeman & Vosmaer's *Geslachten der Vogelen*, being names carried over from the pre-Linnean period into the period of zoological

nomenclature without being reinforced by adoption or acceptance, as required by *Opinion 5*, possess no status of availability in virtue of having been so published.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 50) (1950, *Bull. zool. Nomencl.* 4 : 566—568) :—

THE COMMISSION agreed :—

- (1) that the work published in 1758 under the title *Geslachten der Vogelen*, consisting of a translation into Dutch by Nozeman & Vosmaer of the work by Moehring (P.H.G.) originally published in 1752 (i.e. before the starting-point of zoological nomenclature, as prescribed by Article 26) was not available under the *Règles*, Nozeman & Vosmaer not having reinforced the names contained therein by adoption or acceptance in the manner prescribed in *Opinion 5*, and therefore that those names possessed no status in zoological nomenclature as from the date of being so published ;
- (2) to render an *Opinion* recording the decision specified in (1) above.

6. The decision in this case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International

Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 120).

7. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

8. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

9. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of Nozeman & Vosmaer's *Geslachten der Vogelen* of 1758.

10. 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.

11. The present *Opinion* shall be known as *Opinion Two Hundred and Forty-One (241)* of the International Commission on Zoological Nomenclature.

DONE in London this Twelfth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING



International Commission on Zoological Nomenclature. 1954. "Opinion 241 Rejection for nomenclatorial Purposes of Nozeman & Vosmaer, 1758 Geslachten der Vogelen, a Dutch Translation of Moehring's Pre-Linnaean work entitled Avium genera published in 1752." *Opinions and declarations rendered by the International Commission on Zoological Nomenclature* 5, 13–22.

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