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

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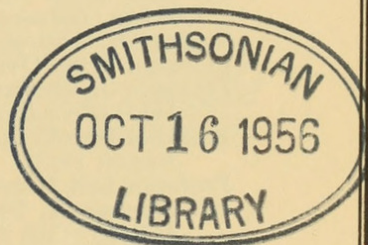
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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DIRECTION 39

Substitution of *Gallinago* Brisson, 1760, for *Gallinago* Koch, 1816 (Class Aves) on the *Official List of Generic Names in Zoology* (correction of an error in the Ruling given in *Opinion* 67)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*) (16th December 1954)

DIRECTION 39

SUBSTITUTION OF "GALLINAGO" BRISSON, 1760, FOR "GALLINAGO" KOCH, 1816 (CLASS AVES) ON THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY" (CORRECTION OF AN ERROR IN THE RULING GIVEN IN "OPINION" 67)

RULING :—(1) The following entry is to be inserted in the *Official List of Generic Names in Zoology* in place of the name *Gallinago* Koch, 1816, made by the Ruling given in *Opinion* 67 :—

Gallinago Brisson, 1760 (gender : feminine) (type species, by absolute tautonymy : *Scolopax gallinago* Linnaeus, 1758) (Name No. 58).

(2) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 945 : *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago* (specific name of type species of *Gallinago* Brisson, 1760).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Names Numbers 521 to 523 respectively :—

(a) *Gallinago* Koch, 1816 (a junior homonym of, and a junior objective synonym of, *Gallinago* Brisson, 1760) ;

(b) *Capella* Frenzel, 1801 (a name published in synonymy without an independent description and rejected by its author) ;

(c) *Capella* Keyserling & Blasius, 1840 (a junior objective synonym of *Rupicapra* Blainville, 1816).

(4) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Number 341 : *media* Koch, 1816, as published in the combination *Gallinago media* (a junior objective synonym of *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago*).

I.—THE SUBJECT MATTER OF THE PRESENT “ DIRECTION ”

On 23rd August 1952 Mr. Francis Hemming, as Secretary, submitted the following paper to the Commission in which he drew attention to an erroneous entry regarding the generic name *Gallinago* Koch, 1816 (Class Aves) made in the *Official List of Generic Names in Zoology* by the Ruling given in *Opinion* 67 published in 1916 :—

**Proposed use of the Plenary Powers to suppress the name “ *Gallinago* ”
Brisson, 1760 (Class Aves), and proposed substitution of “ *Capella* ”
Frenzel, 1801, for “ *Gallinago* ” Koch, 1816, on the “ *Official*
List of Generic Names in Zoology ” (proposed correction
of an Erroneous Entry in “ *Opinion* ” 67)**

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

(*Secretary to the International Commission on Zoological Nomenclature*)

The subject matter of the present application came to notice in the course of the checking of the entries on the *Official List of Generic Names in Zoology* in connection with the projected publication of the *Official List* in book form and is concerned with the generic name *Gallinago* Koch, 1816 (*Syst. baier. Zool.* 1 : 312) which was placed on the *Official List* in *Opinion* 67 published in 1916 (*Smithson. Publ.* 2409 : 180).

2. The generic name *Gallinago* Koch, 1816, was stated in *Opinion* 67 to have as its type species, *Scolopax gallinago* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 147) by absolute tautonymy, through the "*media* of Koch" (i.e. *Gallinago media* Koch, 1816, *loc. cit.* 1 : 314). This name was therefore a generic name applied to the Common Snipe.

3. When checking this part of *Opinion* 67, I observed that Hartert, after using the generic name *Gallinago* Koch for the Snipe in the main portion of his work relating to the genus concerned (Hartert, 1916, *Vögel paläarkt. Fauna* (2) : 1655), had later in the same work (1921, *ibid.* (3) : 2213) published a correction pointing out that *Gallinago*, Koch was a junior synonym of *Capella* Frenzel, 1801 (*Beschr. Vögel Wittenberg* : 58), the type species of which was the nominal species *Capella coelestis* Frenzel, 1801 (*ibid.* : 58), a nominal species which represented the same taxonomic species as did the nominal species *Scolopax gallinago* Linnaeus. I noted also that my colleague Commissioner James L. Peters (1934, *Check List Birds World* 2 : 274) accepted the name *Capella* Frenzel, sinking *Gallinago* Koch as a synonym.

4. As it was clearly not possible in these circumstances to leave the name *Gallinago* Koch on the *Official List* without prior re-submission to the International Commission, I wrote a letter (on 14th October 1945) to Dr. Peters asking for his views as to the action which it was desirable should be taken. Dr. Peters in his reply (of 6th December 1945) wrote : "After *Capella* Frenzel was shown to be an earlier name than *Gallinago* Koch and of equal applicability, it was immediately adopted and is now in current use for the different species of Snipe. For this reason I believe the *Gallinago* should be expunged from the *Official List* and *Capella* substituted in its place. No useful purpose would be served by reinstating *Gallinago* Koch under suspension of the rules and suppressing *Capella*".

5. Quite recently I was led, for the reasons which I have explained in Application Z.N.(S.) 701 (relating to the generic names *Bubo*, *Coturnix*, *Egretta*, and *Oriolus*)¹ to examine carefully M. J. Brisson's *Ornithologie* published in 1760, for I had already discovered that one name (*Egretta* Forster, 1817) that was already on the *Official List of Generic Names in Zoology* was an invalid junior homonym of a totally overlooked name published in Brisson's *Ornithologie*. This search brought to light the existence of the name *Gallinago* Brisson, 1760 (*Ornithologie* 5 : 298—310), which thus greatly antedates, the name *Capella* Frenzel, 1801. The name *Gallinago* was used by Brisson as the name for a subdivision of the genus *Scolopax*; he placed in it all except the first of the five species which he referred to *Scolopax*. All the species described in the *Ornithologie* are described

¹ The decision regarding these names has since been taken by the Commission and incorporated in *Direction* 21 (*Ops. Decls. int. Comm. Zool. Nomencl.* 1, Section C : 161—178).

initially under a French name, followed by a Latin diagnosis, at the end of which is given, in different type, the Latin name accepted by Brisson for the species in question, this in turn being followed, in the case of previously described species, by a detailed synonymy. The first of the species placed by Brisson in his *Gallinago* was cited under the French name "La Beccassine", the scientific name at the end of the Latin diagnosis being given simply as "*Gallinago*" (not because Brisson was a mononominalist, but because he customarily cited in this way the names of species when the "species" portion of the name consisted of the same word (i.e. was a single word) tautonymous with the generic name). In the synonymy of this species Brisson quoted the diagnosis given by Linnaeus in 1758 for his *Scolopax gallinago*, finishing this quotation as follows: "*Gallinago*. Linn. *Syst. Nat.* ed. 10 Gen. 77 sp. 11" (*Scolopax* being the 77th genus of birds in the 10th edition of the *Syst. Nat.* and *Scolopax gallinago* being the eleventh of the species referred by Linnaeus to this genus). Thus, we see clearly that this species is *Scolopax gallinago* Linnaeus, 1758 (: 147) and that, as its trivial name is tautonymous with the generic name selected by Brisson, it is the type species of *Gallinago* Brisson by absolute tautonymy. Accordingly, the name *Gallinago* Brisson, 1760, is not only a senior homonym of *Gallinago* Koch, 1816, but in addition is a senior synonym of Koch's generic name, Brisson's and Koch's nominal genera each having the same nominal species as its type species. The position so established created a new situation and one under which the entry on the *Official List* relating to *Gallinago* Koch was not only (as previously) subjectively defective (because of the subjective identification of the nominal species which are respectively the type species of *Capella* Frenzel, 1801, and of *Gallinago* Koch, 1816), but also objectively incorrect (through *Gallinago* Koch, being both an objective junior homonym, and an objective junior synonym, of *Gallinago* Brisson, 1760). Faced with this situation, it seemed to me that, since (as Dr. Peters had explained) the name *Capella* Frenzel had by now completely replaced the name *Gallinago* Koch, it would be confusing if now that transition had to be reversed, the name *Capella* Frenzel being displaced by *Gallinago* Brisson.

6. At this stage I consulted Colonel Richard Meinertzhagen, Chairman of the Standing Committee on Ornithological Nomenclature who in his reply (dated 12th September 1952) wrote as follows: "If, as at first appeared, the question to be considered in the case of the name *Gallinago* had been whether the name *Gallinago* Koch, 1816, should be replaced on the *Official List* by its senior subjective synonym *Capella* Frenzel, 1801, I should have been strongly in favour of that course, for now that *Gallinago* Koch has been completely replaced by the name *Capella* Frenzel, I should have thought it most unfortunate if, through *Gallinago* Koch being already on the *Official List*, it had been necessary to abandon current practice by reverting to the use of the name *Gallinago* Koch. Now that it appears that the oldest generic name for the Common Snipe is *Gallinago* Brisson, 1760, I hold the

same view for the same reason. I accordingly consider that the best course will be for the International Commission to suppress Brisson's *Gallinago*, to remove Koch's *Gallinago* from the *Official List* and to insert in its place the name *Capella* Frenzel. The trivial name *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago*, should, I agree, now be placed on the *Official List of Specific Trivial Names*. Naturally, however, the trivial name *coelestis* Frenzel, 1801 (the trivial name of the type species of *Capella* Frenzel) ought not to be placed on that *Official List*, for, although nomenclatorially it is an available name, it is only a junior synonym of *gallinago* Linnaeus and therefore can never be needed".

7. A settlement of this case is urgently required, for at present the problem presented by the name *Gallinago* Koch represents one of the obstacles which is holding up the publication of the *Official List of Generic Names in Zoology* in book form. In view of the advice received in this case—as set out in paragraphs 4 and 6 above—I recommend that the International Commission on Zoological Nomenclature should :—

- (1) use its Plenary Powers to suppress the generic name *Gallinago* Brisson, 1760, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) delete the name *Gallinago* Koch, 1816, from the *Official List of Generic Names in Zoology*, at the same time correcting *Opinion* 67 to the extent necessary ;
- (3) substitute on the foregoing *Official List* the name *Capella* Frenzel, 1801 (type species, by monotypy : *Capella coelestis* Frenzel, 1801) for the name proposed, under (2) above, to be removed therefrom ;
- (4) place the trivial name *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago*, on the *Official List of Specific Trivial Names in Zoology* ;
- (5) place the under-mentioned names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—
 - (a) *Gallinago* Brisson, 1760, as proposed, under (1) above, to be suppressed under the Plenary Powers ;
 - (b) *Gallinago* Koch, 1816 (junior homonym of *Gallinago* Brisson, 1760) ;
 - (c) *Capella* Keyserling & Blasius, 1840, *Wirbelth. Europas* 1 : 9 (junior homonym of *Capella* Frenzel, 1801).

II.—THE SUBSEQUENT HISTORY OF THE PRESENT CASE

2. Registration of the present application : When in 1951 Mr. Hemming deposited with the Office of the Commission certain preliminary notes regarding the generic name *Gallinago Koch*, the question of the rectification of the entry on the *Official List of Generic Names in Zoology* in regard to the foregoing name was allotted the Registered Number Z.N.(S.) 575.

3. Publication of the present application : The present application was sent to the printer on 24th August 1952 and was published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* on 15th October of the same year (Hemming, 1952, *Bull. zool. Nomencl.* 9 : 93—95).

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 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)² 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.

5. 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 nomen-

² *Opinion* 401 has been published as Part 1 of volume 13 of the *Opinions and Declarations* Series.

clature 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)*,³ 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.

6. Comments directly related to the present application : Six communications directly concerned with the present application were received in the Office of the Commission. Of these communications one was signed by six specialists. Seven of the specialists who commented on this case supported the action recommended, while four were opposed to that action. The communications so received are reproduced in the following paragraphs.

7. Support received from Colonel Richard Meinertzhagen (London) : On 5th December 1952 Colonel Richard Meinertzhagen (*London*) addressed a letter to the Commission commenting upon a number of applications relating to the names of birds then recently published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. The portion of Colonel Meinertzhagen's letter relating to the present case was as follows : "I wish to register my whole-hearted agreement with Recommendations Nos. . . . 17⁴ [*Gallinago*] ”.

8. Support 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-

³ See Footnote 2 above.

⁴ The number here cited is that which was allotted to the present case in the list of papers published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* which was printed on the back wrapper of that Part (cover).

mentioned specialists addressed a letter to the Commission in support of the present application:—(a) Robert W. Storer (*Museum of Zoology, University of Michigan, Ann Arbor, 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. 12⁵ (concerning *Capella* Frenzel) published on page 3 of vol. 9 of the *Bulletin of Zoological Nomenclature*. We hope that your Commission will take favorable action on it.

9. Objection received from Dr. Ernst Mayr (then of the American Museum of Natural History, New York) : On 8th January 1953 Dr. Ernst Mayr (then of the *American Museum of Natural History, New York*, and now of the *Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) addressed a letter to the Office of the Commission commenting upon certain of the applications relating to the names of birds published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* and as regards the present application raising objection to the action proposed. The following is the portion of Dr. Mayr's letter relating to the present case :—

The present point concerns the generic name *Gallinago* (Z.N.(S.) 575). It seems to me that in the statement contained on page 93 [of volume 9 of the *Bulletin of Zoological Nomenclature*] there are several inaccuracies. To begin with, as pointed out by you, the name *Gallinago*, with Brisson as author, has priority over *Capella*, and Peters' reasons for supporting *Capella* are therefore invalid. Equally erroneous is the assertion that *Capella* is now the name in universal use. It is true that Dr. Peters had overlooked that the name *Gallinago* was on the *Official List* when he published volume 2 of his checklist. I am guilty of the same negligence when publishing my list of New Guinea birds (1941 : 32). However, several correspondents brought this error to my attention and in the *Birds of the Southwest Pacific* and *Birds of*

⁵ The number here cited is that which was allotted to the present case in the Public Notice of cases involving the possible use of the Commission's Plenary Powers given at the beginning of Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*.

the Philippines, I have used the name *Gallinago*, as have other authors working in the Australian, Papuan, Malayan and India region. For instance it is the name used in Delacour's *Birds of Malaysia* and his recent publications on Indo-Chinese birds.

10. Objection received from Dr. John T. Zimmer (The American Museum of Natural History, New York) : On 9th January 1953 Dr. John T. Zimmer (*American Museum of Natural History, New York*) addressed a letter to the Office of the Commission commenting upon certain of the applications relating to the names of birds which had been published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* and in the present case raising objection to the action proposed. After stressing the importance of maintaining the principle of permanency for entries made in the *Official List of Generic Names in Zoology*, Dr. Zimmer proceeded as follows :—

The principle of permanency is completely upset, however, by the proposal to remove *Gallinago* from the *List* and replace it by *Capella*. It would be less objectionable to alter the authority for, and reference to, *Gallinago* and credit Brisson with the name, although I am not convinced that this is not also an infraction of the authority of the *List*, but to supplant it by *Capella* destroys all faith in the *Official List* as a permanent standard.

11. Objection received from M. Noël Mayaud (Faculté des Sciences de Paris) : Under cover of a letter dated 17th March 1953 M. Noël Mayaud (*Faculté des Sciences de Paris*) furnished the following comment amounting to an objection to the action proposed in the present case : “ *Gallinago* Brisson, 1760, est un nom d'espèce, qui n'invalide pas *Capella* Frenzel⁶ ”.

12. Objection received from Dr. D. L. Serventy (Commonwealth Scientific and Industrial Research Organisation, Wildlife Survey Section, Perth, Western Australia) : On 22nd April 1953 Dr. D. L. Serventy (*Commonwealth Scientific and Industrial*

⁶ For a full account of the usage of the generic name *Gallinago* by Brisson in 1760 see paragraph 5 of the application reproduced in the first paragraph of the present *Direction*.

Research Organisation, Wildlife Survey Section, Perth, Western Australia) addressed the following letter to the Office of the Commission objecting to the action proposed in the present case :—

I was interested in your article in *The Emu*, 53(1), 1953 : 71,⁷ concerning certain applications relating to the names of birds submitted to the International Commission.

I would like to offer some comments on the case cited above. It would be a very retrograde step in my opinion to remove any name from the *Official List of Generic Names* merely because, after the acceptance of such a *List*, a prior name is subsequently discovered. Such a *List* is surely prepared and authorised to preserve names *in perpetuity* and, to quote the late Joseph Grinnell (*Condor*, xli, 1939 : 118) to place them “ permanently beyond the reach of name-shifters ”.

It must be confessed that in the *Gallinago* case, the majority of ornithologists followed Gregory Mathews in defying the Commission in this matter and used *Capella*. The Royal Australasian Ornithologists Union was an exception and Australian publications have almost invariably continued to use *Gallinago*. It is pleasing to find that some overseas ornithologists, after having used *Capella*, are now reverting to *Gallinago*. I may quote Ernst Mayr (*Birds of the Southwest Pacific*, 1945, p. 44), Jean Delacour and Ernst Mayr (*Birds of the Philippines*, 1946, p. 72) and Jean Delacour (*Birds of Malaysia*, 1947, p. 87).

If the Commission gives way on this point an unfortunate precedent will have been established and one which will undermine one's faith in the security of any other name on the *Official List*.

13. Supplementary Report submitted by the Secretary in October 1955 : In May 1954 there was issued to the Members of the Commission a Voting Paper (V.P.(54)78) in which particulars were given of the comments received in the present case and a decision invited on the action recommended in the application submitted in 1952. From comments received from certain of the Members of the Commission during the Prescribed Voting

⁷ The article here referred to is the Public Notice regarding the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case referred to in paragraph 4 of the present *Direction* which was issued to, and published in, *The Emu* and other ornithological serial publications.

Period on the foregoing Voting Paper it was evident that, having regard to the fact that this was not a case where the only action possible was a straight choice between two opposing alternatives, the Commissioners concerned found it difficult to decide how to record their vote. Accordingly, at the close of the Prescribed Voting Period the Secretary took the view that the best course would be to resubmit this case to the Commission for a fresh vote, the Revised Voting Paper so to be issued to be prepared in such a way that instead of being asked to vote affirmatively or negatively on a single proposal Commissioners would have before them alternative proposals of an affirmative character from which they could choose whichever seemed to them best calculated to serve the general interest. In pursuance of this decision Mr. Hemming on 4th August 1954 executed a Minute of Direction withdrawing the proposals submitted on the Voting Paper referred to above. In the ensuing period, Mr. Hemming carried out, as opportunity offered, a survey of the extent to which during the years 1916 to 1954 the names *Gallinago* and *Capella* respectively had been used as the generic name for the Common Snipe. On 27th October 1955 Mr. Hemming submitted to the Commission the following Supplementary Report in which he summarised the history of the present case, gave particulars of the information which he had collected regarding the relative usage of the foregoing generic names during the last forty years and submitted alternative proposals for arriving at a decision on the action to be taken in this matter :—

Request for a Ruling on the question whether the generic name
“ *Gallinago* ” or the name “ *Capella* ” shall be the generic name
correctly applicable to the Common Snipe (Class Aves)
(proposed review of an erroneous Ruling given in
“ Opinion ” 67)

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

(Secretary to the International Commission on Zoological Nomenclature)

In the present note I re-submit with additional considerations the problem whether the name *Gallinago* or the name *Capella* should be accepted as the generic name for the Common Snipe, a question which I submitted to the Commission in 1952 but on which no decision has as yet been promulgated.

2. The main features of this case were set out in a paper of mine which was published in Triple Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* (Hemming, *Bull. zool. Nomencl.* 9 : 93—95), and it is necessary here to recapitulate only the following points :—

- (a) In 1916 by the Ruling given in *Opinion* 67 the generic name *Gallinago* Koch, 1816 (type species : *Scolopax gallinago* Linnaeus, 1758) was placed on the *Official List of Generic Names in Zoology*.
- (b) In the process of checking against recent monographs, catalogues, etc., the entries made in the *Official List* in the pre-Lisbon (1935) period, I observed that, whereas in 1916 Hartert in the main portion of his *Vögel pal. Faun.* had used the generic name *Gallinago* Koch for the Common Snipe, he had replaced that name by the name *Capella* Frenzel, 1801 in the supplementary volume published in 1921.
- (c) The nominal genus *Capella* Frenzel, 1801, has as its type species by monotypy the nominal species *Capella coelestis* Frenzel, 1801, which species is subjectively identified by ornithologists with *Scolopax gallinago* Linnaeus, 1758, the type species of *Gallinago* Koch, 1816. The latter generic name is therefore a junior subjective synonym of *Capella* Frenzel, 1801.
- (d) On becoming aware of the substitution by Hartert of the name *Capella* Frenzel, 1801, for the name *Gallinago* Koch, 1816, I made further enquiries as to current usage. This showed that Peters (in vol. 2 of his *Checklist*) has used the name *Capella* Frenzel and that he had been widely followed by later authors. Since my paper of 1952 I have ascertained, however, that several important authors have continued to use the name *Gallinago* Koch, despite the priority of *Capella* Frenzel. I attach as Appendix 1 to this note particulars of recent and comparatively recent usage of the names *Capella* and *Gallinago* respectively which have been gleaned from a search of standard works and from a study of the annual volumes of the *Zoological Record* undertaken by this Office. Though doubtless not complete, the list so given is, I believe, representative in the picture which it gives.
- (e) In 1951/52 I undertook for quite a different purpose a survey of the names used in Brisson's *Ornithologia* of 1760, a work which, considering its early date, its intrinsic importance and the large numbers of well-known names which it contains, has been surprisingly neglected by ornithologists in many respects. This survey disclosed amongst many other things the existence of a generic name *Gallinago* Brisson (type species by absolute tautonymy : *Scolopax gallinago* Linnaeus, 1758). The name *Gallinago* Brisson, 1760, is therefore a senior subjective synonym of *Capella* Frenzel, 1801, and a senior

objective synonym of *Gallinago* Koch, 1816. Moreover, the name *Gallinago* Koch is not merely (as previously thought) a junior subjective synonym of *Capella* Frenzel but is also an objectively invalid name, being a junior homonym of *Gallinago* Brisson.

3. In my paper of 1952 I suggested, after consultation with Colonel Richard Meinertzhagen, at that time Chairman of the Standing Committee of Ornithological Nomenclature established by the Tenth International Ornithological Congress, Uppsala, 1950, that the situation discussed in the preceding paragraph should be resolved by the use by the Commission of its Plenary Powers for the purpose of suppressing the name *Gallinago* Brisson, 1760, thereby validating the name *Capella* Frenzel. I submitted this recommendation because on the evidence then available it seemed to be the one best calculated to promote stability in the nomenclature of the group concerned.

4. In the period following the publication in October 1952 of Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*, the Part which contained a large number of applications relating to ornithological nomenclature, including the application relating to the present case, communications intimating general support for the action proposed in all these applications were received from thirty-six institutions, groups of ornithologists and individual specialists. In addition, communications specifically concerned with the present problem were received from nine ornithologists, of whom eight were Americans and one was an Australian. Of these specialists six favoured the suppression of *Gallinago* Brisson and the consequent validation of *Capella* Frenzel, while three favoured the retention of the name *Gallinago*.

5. The following are the names of the six American ornithologists who supported the proposal to validate the name *Capella* Frenzel, for which they expressed their "strong approval" and intimated their hope that the Commission would "take favorable action on it":—Josselyn Van Tyne (*Ann Arbor, Michigan*); Robert W. Storer (*Ann Arbor*); Andrew J. Berger (*Ann Arbor*); Olin Sewall Pettingill, Jr. (*Northfield, Minnesota*); Frank A. Pitelka (*Berkeley, California*); John Davis (*Los Angeles, California*).

6. The three ornithologists who objected to the substitution of *Capella* for *Gallinago* on the *Official List* were: Ernst Mayr (then of *New York*); John T. Zimmer (*New York*); D. L. Serventy (*Perth, Western Australia*). All three of these specialists made the point that the name *Gallinago* had been placed on the *Official List* and that it would be wrong in principle to remove it therefrom (in favour of *Capella*), for the utility of the *Official List* would be seriously impaired if names were to be removed from it if later they were found to be

technically defective in some nomenclatorial respect. Mayr pointed out that the change-over from *Gallinago* to *Capella* had not been so complete as had been suggested in my 1952 paper, and in this connection he wrote : " In the *Birds of the Southwest Pacific* and *Birds of the Philippines* I have used the name *Gallinago*, as have other authors working on the Australian, Papuan, Malayan and India region. For instance, it is the name used in Delacour's *Birds of Malaysia* and in his recent publications on Indo-Chinese birds ". Serventy wrote : " It must be confessed that in the *Gallinago* case, the majority of ornithologists followed Gregory Mathews in defying the Commission in this matter and used *Capella*. The Royal Australasian Ornithologists' Union was an exception and Australian publications have almost invariably continued to use *Gallinago* ". As regards the name *Capella* Mayr pointed out that it " was published in an ornithologically worthless publication which has been wisely ignored for 150 years and of which, to my knowledge, only a single copy is extant—that in the Library of Cambridge University ".

7. It is very unfortunate that, when the name *Capella* Frenzel, 1801, was unearthed as a senior subjective synonym of the name *Gallinago* Koch, 1816, the matter was not at once brought to the attention of the Commission, for there would have been the strongest grounds for the use by the Commission of its Plenary Powers for the purpose of promoting stability in the nomenclature of the group of birds concerned, having regard to the fact (1) that the generic name *Gallinago* Koch was extremely well-known and had been in use for well over one hundred years, (2) that this generic name had already been placed on the *Official List of Generic Names in Zoology*, (3) that the name *Capella* Frenzel, 1801, had been totally ignored for upwards of one hundred and twenty years, and (4) that it was published in a work of (as Mayr explains) no ornithological value of which only one copy survives and which therefore has not been seen and will never be seen by any but a very few ornithologists. The failure by ornithologists to bring this matter before the Commission at the time when the name *Capella* Frenzel first came to light has, however, created a difficult situation, for a return to the name *Gallinago* would mean a reversal of much modern practice. On the other hand, the use of *Capella* in place of *Gallinago* in recent decades has not been so unanimous as I had supposed in 1952, and from this point of view the substitution of *Capella* for *Gallinago* would be a hardship for those workers who have throughout continued to use the name *Gallinago* in the belief that this was the correct course, having regard to the fact that the name *Gallinago* had been placed on the *Official List* before the rival claims of *Capella* were advanced. If such a case were to arise today, the rejection of *Gallinago* Koch in favour of the older name *Capella* Frenzel by individual workers without resort to the Commission, would in fact be contrary to the *Règles*, for in 1948 (1950, *Bull. zool. Nomencl.* 4 : 268, Point (c)) the Thirteenth International Congress of Zoology adopted a provision protecting generic names which had

been placed on the *Official List* from attacks of this kind until the matter had been brought before, and decided by, the International Commission.

8. It is essential that the Commission should now take a decision in this matter, for the entry on the *Official List* of the name *Gallinago* Koch must be regularised in one way or another before the *Official List* can be published in book-form. For the reasons explained above it seems certain that some inconvenience will be inevitable, for whatever the decision now taken by the Commission some ornithologists will need to change the generic name which they are currently using for the Common Snipe. When in 1954 the stage was reached for asking the Commission to vote on the present case, I prepared for its consideration a Voting Paper (V.P.(54)78) in which the Members of the Commission were invited to vote on the proposal submitted in 1952, namely that *Gallinago* Brisson, 1760, should be suppressed under the Plenary Powers and that its junior subjective synonym *Capella* Frenzel, 1801, thus validated, should be placed on the *Official List* in place of the objectively invalid name *Gallinago* Koch. From communications received from certain of the Members of the Commission it was evident that, having regard to the fact that this was not a case where the only action possible was a straight choice between two opposing alternatives, some Commissioners had found it difficult to decide how to record their vote. Accordingly, at the close of the Prescribed Voting Period I took the view, as Secretary, that the best course would be to re-submit this case to the Commission for a fresh vote, the Revised Voting Paper so to be issued to be prepared in such a way that instead of being asked to vote affirmatively or negatively on a single proposal Commissioners would have before them alternative proposals of an affirmative character from which they could choose whichever seemed to them best calculated to serve the general interest.

**Alternative Proposals on which it is proposed
that the Commission now be asked to vote**

9. There are two issues of substance on which it is now proposed that Members of the Commission should be asked to vote. The *first* issue of substance is whether the generic name properly applicable to the Common Snipe shall be *Gallinago* or *Capella*. On this question two alternatives are now submitted for decision, namely *Alternative "A"* (acceptance of *Gallinago*) and *Alternative "B"* (acceptance of *Capella*). The *second* issue of substance is whether, if *Gallinago* is to be accepted, that name shall rank from Brisson, 1760 (as it does at present) or whether it shall be credited to Koch, 1816, the author and date to which it has always been attributed in the literature. This question is submitted because it is clear that some specialists (e.g. Zimmer) are of the opinion not only that the name *Gallinago* should be accepted but also that it should be attributed to the author and date by which it has always been known and not to Brisson, 1760, whose

prior responsibility for this name has only come to light in the course of the last year or so. On this question also two alternatives are now submitted, namely *Alternative "X"* (acceptance of Koch, 1816, as the author and date of the name *Gallinago*) and *Alternative "Y"* (acceptance of Brisson, 1760, as the author and date of the name *Gallinago*). It is particularly hoped that all members of the Commission will vote on the foregoing question and not merely those who favour the acceptance of the name *Gallinago*, for, if the proposal in favour of that name (*Alternative "A"* above) is adopted by a majority of the Commission, it is desired to have on record the views of all Commissioners on the question of the authorship and date to be attributed to it.

10. While the simplified titles given above for the various alternatives now submitted will, it is hoped, be of convenience to the Members of the Commission in deciding how to cast their votes in the present case, I feel that it is desirable also to set out in full the Ruling which would be given by the Commission according to whichever of the alternative Rulings it decides to adopt. These particulars are given in Appendix 2 to the present paper and it is only necessary to note here that the broad effect of the adoption of each of the alternative decisions now submitted for consideration would be as follows :—

- (1) An affirmative vote on *Alternative "A"* (acceptance of the name *Gallinago* as against *Capella Frenzel*), on Part 1 of the annexed Voting Paper, if coupled with an affirmative vote on *Alternative "X"* (acceptance of *Gallinago* as from Koch, 1816) in Part 2 of the annexed Voting Paper, would lead to the adoption of the Ruling given as Draft Ruling No. 1 in Appendix 2 to the present paper.
- (2) An affirmative vote on *Alternative "A"* (acceptance of the name *Gallinago* as against *Capella Frenzel*, 1801) on Part 1 of the annexed Voting Paper, if coupled with an affirmative vote on *Alternative "Y"* (acceptance of *Gallinago* as from Brisson, 1760) in Part 2 of the annexed Voting Paper would lead to the adoption of the Ruling given as Draft Ruling No. 2 in Appendix 2 to the present paper.
- (3) An affirmative vote on *Alternative "B"* (acceptance of *Capella Frenzel*, 1801, as against the name *Gallinago*) on Part 1 of the annexed Voting Paper would lead to the adoption of the Ruling given as Draft Ruling No. 3 in Appendix 2 to the present paper.

A Proposal on Procedure which Members of the Commission are invited to approve

11. The method of voting by way of a series of alternative affirmative proposals, which has been adopted in the present case, is well adapted

for securing decisions from the Commission when the issue involved is one where a direct vote on a single proposition would not necessarily exhaust the possible courses of action which might be taken. This procedure, however, does not fit in very readily with the procedure prescribed for dealing with cases where the proposal submitted involves the use of the Commission's Plenary Powers. The required Public Notices have been duly given in the present case and no difficulty arises under that head. However, in order to secure a decision under the Plenary Powers procedure, it is now necessary not only that there should be a majority of votes in the Commission in favour of the action proposed, but also that that majority shall consist of not less than two out of every three votes cast (1950, *Bull. zool. Nomencl.* 4 : 51, Point (b)). This creates a procedural problem in the present case which must be faced, for under the foregoing rule a vote by the majority of the Commission could be negated by a vote of a minority of only just over one-third of the total number of votes cast. Moreover, the fact that some of the alternatives do not involve the use of the Plenary Powers (and therefore can be approved by a simple majority), while others do involve the use of those Powers (and therefore require for their adoption a two-thirds majority) might result in the adoption, on the separate Parts of the Voting Paper now submitted, of decisions which were irreconcilable with one another. Leaving aside the question whether the two-thirds rule for Plenary Powers cases represents the most suitable procedure for new applications, it will, I think, be agreed that it is not necessarily appropriate in a case such as the present which is concerned with the regularisation in one manner or another of an erroneous decision already taken. Although it is desirable that cases of all types should be handled as expeditiously as possible, there is an element of urgency attaching to the correction of former errors which does not normally arise in the case of new applications. For it is particularly important that errors of the past should be corrected as quickly as possible, so that specialists in the groups concerned may be relieved without delay of the uncertainties created by those errors. In cases such as the present which are concerned with correcting former errors in entries made in the *Official List* there is at the present time a further element of special urgency, for all such errors must be regularised by the Commission in one way or another before arrangements can be made for the publication in book-form of the instalments so far placed on the *Official Lists*. The preparations for the publication of this volume are now well advanced and it is of the highest importance that the completion of this task should not be impeded by any failure to provide decisions on outstanding questions. Accordingly I recommend that, in order to ensure the adoption of a definitive decision in the present case, a twofold procedure should be adopted, namely (i) that the Commission should vote first on the nomenclatorial issues involved in the present case, and (ii) that, having done so, it should vote on a procedure designed to ensure that the decisions so taken shall be effectively binding as decisions of the Commission as a body, irrespective of whether, if in

the case of any of the proposals which involve the use of the Plenary Powers there is a majority in favour of the use of those Powers, the majority of votes cast is a two-thirds majority. The Voting Paper now submitted consists therefore of three separate Parts. As already explained (paragraph 10 above), Parts 1 and 2 each deal with alternative decisions on the nomenclatorial issues involved in the present case as between which the Commission is invited to make a choice. Part 3 is concerned with a proposal designed to secure that decisions taken on Parts 1 and 2 shall not be upset by the operation of the technical conditions attaching to the use of the Plenary Powers procedure. In this Part a proposal is submitted that, if a majority of the Members of the Commission vote in favour of a course involving the use of the Plenary Powers either on Part 1 or on Part 2 of the annexed Voting Paper but the majority of votes so cast does not amount to a majority of two out of every three votes cast, this fact shall nevertheless not render ineffective the majority vote taken on the earlier Part or Parts of the Voting Paper. The procedure recommended above is in full conformity with the provisions prescribed by the International Congress of Zoology regarding the procedure to be observed in voting upon applications involving the use of the Plenary Powers, for the two-thirds majority rule prescribed by the Congress will apply to the vote on Part 3 of the Voting Paper. All that in effect the proposal submitted in Part 3 does is to transfer the application of the two-thirds majority rule from the votes on Parts 1 and 2 to the vote on Part 3, thus leaving the questions specified in Parts 1 and 2 to be dealt with by a simple majority if the proposal submitted in Part 3 is approved by at least two votes out of every three cast.

APPENDIX 1

An indication of the extent to which during the years 1916 to 1954 authors used the generic names "*Capella*" and "*Gallinago*" respectively as the generic name for the Common Snipe

Neither the supporters of the generic name *Capella* nor those of the generic name *Gallinago* as the name for the Common Snipe have furnished detailed analyses of the relative usage of these names in recent times such as were furnished in the case of the Decapod names *Crangon* Fabricius, 1798, *Crangon* Weber, 1795, and *Crago* Lamarck, 1801, by Dr. L. B. Holthuis (*Leiden*) and Dr. Fenner A. Chace, Jr. (*Washington, D.C.*) (*Opinion* 334). It appeared to me, however, that it would be useful in the present case to lay before the Commission some particulars as to current usage, even though the list so compiled could not claim to do more than give a general indication of the practice of ornithologists in this matter. The following particulars have therefore been compiled in the Office of the Commission, mainly by consulting well-known recent works but partly also by reference to the annual volumes of the *Zoological Record* and from information supplied by ornithologists who have offered comments as to the action

which it is desirable should be taken by the International Commission. The list which has been compiled has not been prepared in the form of a detailed bibliography, for it has been considered that for the present purposes it would be sufficient to record the name of each author, and the date of the work concerned and to give some indication of the nature of that work.

2. Subject to the foregoing reservations the following particulars are submitted of usage during the period since the publication in 1916 of *Opinion 67* (in which the name *Gallinago* Koch, 1816, was placed on the *Official List of Generic Names in Zoology*) up to the present time :—

- (a) *Works in which the generic name “ Capella ” Frenzel, 1801, has been used in place of “ Gallinago ” Koch, 1816*

American Ornithologists’ Union Checklist, 1931

Peters, *Checklist of Birds of the World, 1934*

Handbook of British Birds, 1940, vol. 4

Gregory Mathews, 1920, *Australian Avian Record* 4 : 131

Jackson, 1926 (Kenya and Uganda)

Belcher, 1930 (Nyasaland)

Bates, 1930 (West Africa)

Friedemann, 1930 (Ethiopia and Kenya)

Wait, 1931 (Ceylon)

Wetmore & Swales, 1931 (Haiti)

Priest, 1934 (Rhodesia)

Taverner, 1934 (Canada)

Roberts, 1940 (South Africa)

Woods, 1943 (Michigan birds)

Moltoni, 1944 (Italian East Africa)

Bond, 1945 (West Indies)

Bailey, 1948 (Alaska)

Bannerman, 1951 (Tropical West Africa)

Glenister, 1951 (Malaya, Singapore and Penang)

Bannerman, 1953 (West and Tropical Africa)

Cave and McDonald, 1955 (Sudan)

Phillips, 1953 (Ceylon)

Salim Ali, 1953 (Travancore and Cochin)

Macleod, 1954 (Key to names of British Birds)

Meinertzhagen, 1954 (Arabia)

(b) *Works in which the generic name "Gallinago" Koch 1816, has been retained*

Royal Australasian Ornithologists' Union

Almost all Australian publications (letter from D. L. Serventy)

Authors working in the Australian, Papuan, Malayan and India Regions (letter from E. Mayr)

Priest, 1929 (Southern Rhodesia)

Mayr, 1945 (Southwest Pacific)

Delacour and Mayr, 1946 (Philippines)

Delacour, 1947 (Malaysia ; also publications by this author on Indo-Chinese birds)

3. It must be emphasised again that the foregoing particulars could no doubt be greatly extended if the literature of the last thirty years were to be carefully examined by ornithologists for this purpose. It is, however, clear that, as stated *in litt.* by Serventy, one of the advocates of the name *Gallinago*, the weight of usage since the time of Gregory Mathews has been on the side of *Capella* rather than on that of *Gallinago*. Against this due regard must, however, be given to the fact that prior to the re-awakening of the name *Capella* some thirty years ago, the name *Gallinago* Koch possessed an undisputed supremacy in the literature, having been used by leading authors for over one hundred years.

4. In judging the particulars of usage given in paragraph 2 above, it must be noted also that those authors who changed over from *Gallinago* Koch, 1816, to *Capella* Frenzel, 1801, did so in the belief that *Capella* was the oldest available generic name subjectively applicable to the Common Snipe and therefore that this was the correct name to be used for the genus containing this species. The authors concerned were not aware that the oldest available name objectively applicable to the Common Snipe was *Gallinago* Brisson, 1760, a name having more than forty years' priority over *Capella* Frenzel. Most of the authors cited in section (a) of paragraph 2 above are well known for their orthodoxy in matters of nomenclature and it cannot be doubted that, if they had been aware of the existence of the name *Gallinago* Brisson, 1760, they would not have taken up the name *Capella* Frenzel but would have continued to use the name *Gallinago*, attributing it, however, to Brisson, 1760, instead of to Koch, 1816. But it was not only those authors who substituted the name *Capella* for that of *Gallinago* who thought that in so doing they were following the strict letter of the law, for some of those who continued to use the name *Gallinago* Koch believed that thereby they also were acting in strict conformity with the *Règles*, having regard to the fact that the name *Gallinago* Koch had been placed on the

Official List of Generic Names in Zoology. For the period since the Paris Congress of 1948 this belief was well-founded, for that Congress laid it down that a name which has been placed on the *Official List*, even if later found to be technically defective, is not to be discarded in favour of some other name without the prior consent of the Commission.

APPENDIX 2

Drafts of Alternative Rulings submitted in relation to the generic names “*Gallinago*” and “*Capella*”

Draft Ruling No. 1

(validation of the generic name “*Gallinago*” as from Koch, 1816
(author and date customarily attributed to this name) and
confirmation of the entry of this name on the “*Official
List*” made in 1916)

(1) Under the Plenary Powers (a) *Gallinago* Brisson, 1760, to be suppressed for the purposes both of the Law of Priority and of the Law of Homonymy and (b) *Capella* Frenzel, 1801, to be suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The entry on the *Official List of Generic Names in Zoology* of the name *Gallinago* Koch, 1816 (gender : feminine) (type species, by absolute tautonymy : *Scolopax gallinago* Linnaeus, 1758) made by the Ruling given in *Opinion* 67 to be confirmed.

(3) The specific name *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago* (specific name of type species of *Gallinago* Koch, 1816) to be placed on the *Official List of Specific Names in Zoology*.

(4) The generic names specified in (1) above as there suppressed under the Plenary Powers, together with *Capella* Keyserling & Blasius, 1840 (a junior homonym of *Capella* Frenzel, 1801), to be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

(5) The specific name *media* Koch, 1816, as published in the combination *Gallinago media* (a junior objective synonym of *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago*, to be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*.

Draft Ruling No. 2

(acceptance of the name “*Gallinago*” Brisson, 1760, and substitution
on the “*Official List*” of that name in place of the name
“*Gallinago*” Koch, 1816)

(1) The following entry to be inserted in the *Official List of Generic Names in Zoology* in place of the entry thereon of the name *Gallinago* Koch, 1816, made by the Ruling given in *Opinion* 67 : *Gallinago*

Brisson, 1760 (gender : feminine) (type species, by absolute tautonymy : *Scolopax gallinago* Linnaeus, 1758).

(2) The specific name *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago* (specific name of type species of *Gallinago* Brisson, 1760) to be placed on the *Official List of Specific Names in Zoology*.

(3) The names *Gallinago* Koch, 1816 (a junior homonym, and a junior objective synonym, of *Gallinago* Brisson, 1760) and *Capella* Keyserling Blasius, 1840 (a junior homonym of *Capella* Frenzel, 1801) to be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

(4) The name *media* Koch, 1816, as published in the combination *Gallinago media* (a junior objective synonym of *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago*) to be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*.

Draft Ruling No. 3

(validation of the generic name "*Capella*" Frenzel, 1801, and substitution of that name for "*Gallinago*" Koch, 1816, on the "*Official List of Generic Names in Zoology*")

(1) Under the Plenary Powers, the generic name *Gallinago* Brisson, 1760, to be suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The entry on the *Official List of Generic Names in Zoology* of the name *Gallinago* Koch, 1816, to be replaced by the following entry : *Capella* Frenzel, 1801 (gender : feminine) (type species by monotypy : *Capella coelestis* Frenzel, 1801 (see Note below)).

(3) The specific name *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago* to be placed on the *Official List of Specific Names in Zoology*.

(4) The generic name (a) *Gallinago* Brisson, 1760, as suppressed under the Plenary Powers under (1) above, and (b) *Gallinago* Koch, 1816 (a junior homonym of *Gallinago* Brisson, 1760), and (c) *Capella* Keyserling & Blasius, 1840 (a junior homonym of *Capella* Frenzel 1801) to be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

(5) The name *media* Koch, 1816, as published in the combination *Gallinago media* (a junior objective synonym of *gallinago* Linnaeus,

1758, as published in the combination *Scolopax gallinago*), to be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*.

NOTE (to all three Draft Rulings) : I have not yet been able to obtain a photostat copy of the portion of Frenzel's book containing his generic name *Capella*, but I hope to do so at an early date⁸. It seems likely that, just as Koch later gave the substitute name *Gallinago media* to *Scolopax gallinago* Linnaeus, so also earlier Frenzel gave the substitute name *Capella coelestis* to that species. If this proves to be the case, the name *coelestis* Frenzel, 1801 (like *media* Koch, 1816) is a junior objective synonym of *gallinago* Linnaeus, 1758, as published in the combination *Scolopax gallinago*, and the invalid name *coelestis* Frenzel, 1801, should now be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*, as well as *media* Koch, 1816.

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

14. Issue of Voting Paper V.P.(O.M.)(55)36 : On 27th October 1955 a Revised Voting Paper numbered Voting Paper V.P.(O.M.)(55)36 was issued to the Members of the Commission in regard to the present case. This Voting Paper was divided into three Parts on which the Members of the Commission were invited to vote separately. Parts 1 and 2 were each concerned directly with the subject matter of the present case. On each of these Parts the Members of the Commission were asked to vote affirmatively on one or other of alternative affirmative courses. Part 3 was concerned with a question of procedure on which the Members of the Commission were invited to vote either affirmatively or negatively on the proposition submitted. Details of the proposals so submitted in the several Parts of the foregoing Voting Paper are given in paragraphs 16, 17 and 18 below, in which paragraphs are given also particulars of the votes cast thereon by the Members

⁸ For later developments see paragraph 21 of, and the Appendix to, the present *Direction*.

of the Commission. The following explanatory note referring to all three Parts appeared at the end of the Voting Paper :—

IMPORTANT NOTE :—This Voting Paper is divided into Three Parts, on each of which each Member of the Commission is invited to record his vote. For an explanation of the reason for the adoption of this procedure see paragraphs 9, 10 and 11 of the memorandum bearing the same Registered Number as the present Voting Paper submitted by the Secretary simultaneously therewith.⁹

15. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period closed on 27th November 1955.

16. Particulars of the question voted upon in Part 1 of Voting Paper V.P.(O.M)(55)36 and of the votes cast thereon : In Part I of Voting Paper V.P.(O.M)(55)36 the Members of the Commission were invited to vote either “ for Alternative ‘ A ’ (acceptance of name *Gallinago*) or for Alternative ‘ B ’ (acceptance of the name *Capella*) ”. At the close of the Prescribed Voting Period the state of the voting on Part 1 of Voting Paper V.P.(O.M)(55)36 was as follows :—

(a) *In favour of Alternative “ A ” (acceptance of “ Gallinago ”), twenty-two (22) votes :*

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

(b) *In favour of Alternative “ B ” (acceptance of “ Capella ”), three (3) votes :*

Jaczewski ; Prantl ; Miller ;

(c) *Voting Papers not returned :*

None.

⁹ The memorandum here referred to has been reproduced in paragraph 13 of the present *Direction*.

17. Particulars of the question voted upon in Part 2 of Voting Paper V.P.(O.M.)(55)36 and of the votes cast thereon : In Part 2 of Voting Paper V.P.(O.M.)(55)36 the Members of the Commission were invited to vote either “ for Alternative ‘ X ’ (acceptance of *Gallinago* as from Koch, 1816) or for Alternative ‘ Y ’ (acceptance of *Gallinago* as from Brisson, 1760) ”. At the close of the Prescribed Voting Period the state of the Voting on Part 2 of Voting Paper V.P.(O.M.)(55)36 was as follows :—

(a) *In favour of Alternative “ X ” (acceptance of “ Gallinago ” as from Koch, 1816), four (4) votes :*

Hering ; Esaki ; Key ; Miller ;

(b) *In favour of Alternative “ Y ” (acceptance of “ Gallinago ” as from Brisson, 1760), twenty-one (21) votes :*

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

(c) *Voting Papers not returned :*

None.

18. Particulars of the question voted upon in Part 3 of Voting Paper V.P.(O.M.)(55)36 and of the votes cast thereon : In Part 3 of Voting Paper V.P.(O.M.)(55)36 the Members of the Commission were invited to vote either for, or against, “ the proposal set out in paragraph 11 of the paper submitted by the Secretary simultaneously with the present Voting Paper [i.e. in the paragraph numbered as above in the paper reproduced in paragraph 13 of the present *Direction*], that for the reasons there explained, if in the vote either on Part 1 or on Part 2 of the present Voting Paper a majority of votes is cast in favour of the use of the Plenary Powers but that majority is not a two-thirds majority, this fact

shall nevertheless not render ineffective the majority vote or votes so taken on the earlier Parts of the present Voting Paper ". At the close of the Prescribed Voting Period the state of the voting on Part 3 of Voting Paper V.P.(O.M.)(55)36 was as follows :—

- (a) *Affirmative Votes had been given by the following twenty-one (21) Commissioners (arranged in the order in which Votes were received) :*

Riley ; Bonnet ; Hering ; Mertens ; Stoll ; Vokes ; Bodenheimer ; Mayr ; Esaki ; Dymond ; do Amaral ; Hankó ; Cabrera ; Jaczewski ; Kühnelt ; Hemming ; Tortonese ; Prantl ; Sylvester-Bradley ; Miller ; Lemche ;

- (b) *Negative Votes, four (4) :*

Holthuis ; Boschma ; Key ; Bradley (J.C.) ;

- (c) *Voting Papers not returned :*

None.

19. Deferment by the Secretary in November 1955 of the Declaration of the Result of the Vote on Voting Paper V.P.(O.M.)(55)36 : On 28th November 1955, the day following the close of the Prescribed Voting Period, Mr. Hemming, as Secretary, placed a Minute on the Commission's File Z.N.(S.) 575, directing that the Declaration of the Result of the Vote on Voting Paper V.P. (O.M.)(55)36 be deferred until such time as a photostat copy of the relevant portion of Frenzel's *Beschreibung* of 1801 had been obtained and until in consequence it was possible to determine whether the name for the Snipe published in that work was an available name or whether it was invalid and in consequence required under the terms of the vote taken by the Commission on the foregoing Voting Paper to be placed on the appropriate *Official Index of Rejected and Invalid Names*.

20. Addition of the generic name "Capella" Frenzel, 1801, to the "Official Index of Rejected and Invalid Generic Names in Zoology": On 8th February 1956 Mr. Hemming, as Secretary, placed on the Commission's File Z.N.(S.) 575 the following Minute recording the receipt of a photostat copy of the relevant portion of Frenzel's *Beschreibung*, directing that in accordance with the vote taken on Voting Paper V.P.(O.M.)(55)36 the objectively invalid name *Capella* Frenzel, 1801, be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*, and confirming the decision that the generic name *Capella* Keyserling & Blasius, 1840, be entered on the foregoing *Official Index*, subject to an amendment of the explanatory note to be attached to the said entry:—

Addition of the name "Capella" Frenzel, 1801, to the "Official Index of Rejected and Invalid Generic Names in Zoology"

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

(Secretary to the International Commission on Zoological Nomenclature)

At the time of the submission of the proposals in regard to the *Capella/Gallinago* problem, laid before the International Commission with Voting Paper V.P.(O.M.)(55)36, I reported that I was attempting to obtain a photostat copy of the portion of Frenzel's *Beschreibung der Vögel und ihrer Eier in der Gegend von Wittenberg* of 1801 in which the generic name *Capella* was published in order to make sure that *Capella coelestis* was in fact an available name and recommended that, if this proved not to be the case, an addition should be made to the appropriate *Official Index of Rejected and Invalid Names*. This proposal, together with the other proposals then submitted, was approved by the Commission in its vote on the foregoing Voting Paper.

2. At the time of the submission of the above proposal I had been informed by Dr. Ernst Mayr that, so far as he knew, there was only one copy extant of Frenzel's book and that this copy was at Cambridge. After some enquiry I ascertained that the copy in question was in the Balfour Library in the Department of Zoology at Cambridge University. Through the kindness of the Librarian of that Institution in depositing the copy of Frenzel's book at the University Library in order that it might be photographed, I have now obtained photostats of the relevant pages (pp. 58—59). The grateful thanks of the Commission are due to the Librarians of both these Institutions for the prompt and willing help rendered by them in this matter.

3. The information required is found to be on page 58 of Frenzel's book where his account of the Snipe starts, page 59 containing only a continuation of the description of that bird. Now that at last a copy of the relevant portion of Frenzel's *Beschreibung* is available for study the situation is found to be quite different from that hitherto supposed. The chief points to be noted are :—

- (a) Contrary to the statements in modern works Frenzel did not introduce for the Snipe a new generic name consisting of the word *Capella* and he did not call that bird by the name *Capella coelestis*.
- (b) Frenzel placed the Snipe in the same genus—*Scolopax*—as that in which it had been placed by Linnaeus in 1758 when it was given the name *Scolopax gallinago*.
- (c) Frenzel did use for the Snipe the new specific name *coelestis*. In doing so, he gave no explanation of why he considered that a new name was needed for this species or why he considered the Linnean name *gallinago* unsuitable. Indeed, he made no reference whatever to Linnaeus.
- (d) In the early part of the discussion of this species Frenzel observed that the Snipe was the bird which sportsmen called the "Becasse" and that by some writers it was known as *Capella coelestis*. His actual words were : "Es ist die Schnepfe, welche die Jäger eigentlich 'Becasse' und einige Schriftsteiler *Capella coelestis* nennen". This is the only mention by Frenzel of the word "*Capella*".

4. Frenzel's statement that the name or expression "*Capella coelestis*" had been applied to the Snipe by some writers prompted me to undertake a further investigation of the literature with the object of determining, if possible, who were the authors referred to. So far as concerns the use of this expression as a scientific zoological name in the period from the starting point of zoology (1st January 1758) to the appearance in 1801 of Frenzel's *Beschreibung*, these investigations were completely negative in their results. These investigations did, however, throw some very interesting light on the origin and history of the expression "*Capella coelestis*" as a vernacular (Latin) denomination applied to the Snipe in the XVIIIth century and either to that bird or to some other marsh bird both in the Middle Ages and, in a Greek equivalent, as far back as classical times. Though only of indirect concern to the question of the scientific name to be used for the Snipe, the information so collected is of such antiquarian and historical interest that it should, in my opinion, be placed on permanent record. I have accordingly summarised this information in a separate note which I hereby direct be annexed as an Appendix to the Commission's *Direction* on this case. I am happy to take this opportunity of expressing the grateful thanks of the International

Commission to the two eminent scholars who have taken part in this interesting and unusual investigation, namely: Professor the Rev. L. W. Grensted, M.A., D.D., the Commission's Consulting Classical Adviser, and Professor Charles Singer, M.A., D.Litt., M.D., D.Sc., F.R.C.P. (London), Professor Emeritus of the History of Science in the University of London.

5. As regards the so-called generic name *Capella* Frenzel, 1801, the information provided by the photostat supplied by the Cambridge authorities which has been summarised in paragraph 3 above shows that Frenzel did not publish the above name as a new name nor did he adopt this name from some manuscript source. All that he did was to cite a binomen containing it—the binomen *Capella coelestis*—as a name or term which had been used by some writers to denote the Snipe. He did not suggest even that the writers to whom he was referring were binominal writers of works published subsequent to the appearance in 1758 of the Tenth Edition of the *Systema Naturae* and the investigations since undertaken (paragraph 4 above) confirm the view expressed in modern ornithological works that Frenzel was the first author subsequent to the starting point of zoological nomenclature to include the term "*Capella*" in a work on ornithology. Thus, on the most favourable view of the status of the term *Capella*, that name, if it can be recognised as ranking as a name, could not be rated higher than a manuscript name published by Frenzel in synonymy without an independent description or indication of its own. On the less favourable of the two possible views as to its status—and the view which is almost certainly the correct view—the term "*Capella*" was not used by any binominal author even as a manuscript scientific name and that it owes its origin entirely to usages as an expression to denote the Snipe by authors prior to the starting point of zoological nomenclature, i.e. prior to the year 1758. In this connection we have to take particular note that the Fourteenth International Congress of Zoology, Copenhagen, 1953, decided that a name published in a synonymy and without an independent description, shall, as from a date to be specified, possess no status of availability under the *Règles* (1953, *Copenhagen Decisions zool. Nomencl.*: 63, *Decision* 115). The Congress decided also that none of the decisions on nomenclature taken by it should come into force until the first day of January of the year following that in which the revised text of the *Règles* was promulgated (*ibid.*: 103, *Decision* 196) but that in its day-to-day work the International Commission should guide itself by the decisions taken by that Congress (*ibid.*: 103, *Decision* 199). In these circumstances the Commission is already bound to apply *Decision* 115 where cases of the type covered thereby come up for decision. Thus, even on the most favourable of the possible views which can be taken as to the status of the term *Capella* as published by Frenzel in 1801 (namely, that it is a manuscript generic name rejected by Frenzel and published by him in a synonymy without an independent description) the generic

name *Capella* Frenzel, 1801, would be invalid under *Decision* 115 of the Copenhagen Congress. Accordingly, as Secretary to the International Commission, I hereby direct that, in accordance with the General Directive relating to the recording of objectively invalid names on the appropriate *Official Indexes of Rejected and Invalid Names in Zoology* issued to the Commission by the Thirteenth International Congress of Zoology, Paris, 1948, and in compliance also with the decision taken by the Commission provisionally in its vote on Voting Paper V.P.(O.M.)(55)36 in anticipation of the possibility of its later being found that the name *Capella* Frenzel, 1801, was invalid, the foregoing name, being a name published in synonymy and without an independent description, be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* in the Ruling to be given in the *Direction* embodying the decision taken by the Commission in its vote on the Voting Paper referred to above.

6. The rejection of *Capella* Frenzel, 1801, as a name possessing no status of availability makes it necessary to re-examine the position of the generic name *Capella* Keyserling & Blasius, 1840, a name which by its vote on the Voting Paper specified above the Commission directed should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as being a junior homonym of *Capella* Frenzel, 1801. Now that Frenzel's *Capella* is seen to possess no status of availability the name *Capella* Keyserling & Blasius, 1840, is no longer invalid as being a junior homonym of Frenzel's name and, other things being equal, would become an available name nomenclatorially even though it might not be required for taxonomic purposes. In fact, however, the name *Capella* Keyserling & Blasius is invalid for quite a different reason, for it is a junior objective synonym of *Rupicapra* Blainville, 1816 (*Bull. Soc. Sci. philomat.*, Paris 1816 : 75), both genera having *Capra rupicapra* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 68) as type species. Accordingly, the name *Capella* Keyserling & Blasius, 1840, being an objectively invalid name, remains eligible for admission to the *Official Index of Rejected and Invalid Generic Names in Zoology* and there is therefore no call to modify the decision taken on Voting Paper V.P.(O.M.)(55)36 that it be inscribed on the foregoing *Index*. It will be necessary, however, to revise the note of explanation to be added to this entry, so that instead of stating that this name is a junior homonym of *Capella* Frenzel, 1801, it shall state that it is a junior objective synonym of *Rupicapra* Blainville, 1816. As Secretary, I hereby direct that this change be made.

21. Declaration of the Result of Vote : On 8th February 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Votes taken on Voting Paper V.P.(O.M.)(55)36, signed a Certificate that the Votes cast were as set out in paragraphs 16, 17 and 18 above and declaring

(i) that as regards Part I of the foregoing Voting Paper, the proposal there styled "Alternative 'A' (acceptance of the name *Gallinago*)" had been duly adopted, that (ii) as regards Part 2 of the said Voting Paper, the proposal there styled "Alternative 'Y' (acceptance of *Gallinago* as from Brisson, 1760)" had been similarly adopted, (iii) that the proposal submitted in Part 3 of the said Voting Paper had been likewise adopted, (iv) that the name *Capella* Frenzel, 1801, had been duly placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*, (v) that the decisions so taken were the decisions of the Committee in the matters aforesaid but (vi), having regard to the fact that neither the decision taken on Part 1, nor the decision taken on Part 2 of the foregoing Voting Paper nor that relating to the name *Capella* Frenzel involved the use of the Commission's Plenary Powers, no occasion arose for giving effect to the decision taken in Part 3 of the said Voting Paper, subject to the clarifications specified in the Minute executed by the Secretary on 8th February 1956 (reproduced in paragraph 20 of the present *Direction*).

22. Preparation of the Ruling given in the present "Direction" : On 8th February 1956 Mr. Hemming prepared the Ruling given in the present *Direction* and at the same time signed a Certificate that the terms of that Ruling were in full accord with the decision taken by the International Commission in its Votes on the several portions of Voting Paper V.P.(O.M.)(55)36.

23. 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 *Direction* :—

Capella Frenzel, 1801, *Beschr. Vögel und Eier Wittenberg* : 56

Capella Keyserling & Blasius, 1840, *Wirbelth. Europas* 1 : 9

Gallinago Koch, 1816, *Syst. baier. Zool.* 1 : 312

gallinago, *Scolopax*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 147

media, *Gallinago* Koch, 1816, *Syst. baier. Zool.* 1 : 314

24. Family-Group Names : No family-group-name problem arises in connection with the generic names dealt with in the present *Direction*.

25. 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 *Direction*.

26. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* 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.

27. The present *Direction* shall be known as *Direction* Thirty-Nine (39) of the International Commission on Zoological Nomenclature.

DONE in London, this Eighth day of February, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

APPENDIX

ON THE USE OF THE EXPRESSION “ CAPELLA COELESTIS ” TO DENOTE THE SNIPE

by

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

*Secretary to the International Commission on Zoological
Nomenclature*

On the use of the expression " *Capella coelestis* " to denote
the Snipe

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

(Secretary to the International Commission on
Zoological Nomenclature)

(1 plate)

The object of the present note is to place on record certain information which has been collected regarding the origin of the use of the Latin expression " *Capella coelestis* " to denote the Snipe.

2. By way of introduction it is necessary to recall that for a number of years past an attempt has been made to replace as the generic name for the Snipe the name *Gallinago* Koch, 1816 by the name *Capella* Frenzel, 1801, on the ground that the latter had priority over the former. In an application (Z.N.(S.) 575) which I recently submitted to the Commission in connection with the preparations for the publication of the *Official List of Generic Names in Zoology* in book-form, I recommended that the entry thereon of the name *Gallinago* Koch, 1816, should be removed and that the name *Gallinago* Brisson, 1760, which was undoubtedly the oldest available generic name for the Snipe should be entered on the *Official List* in place of the name *Gallinago* Koch, 1816, which, whatever might be its subjective relationship to the name *Capella* Frenzel, 1801, was invalid as a junior homonym of *Gallinago* Brisson, 1760. This application involved, incidentally, consideration being given to the name *Capella* Frenzel, 1801, and to the binomen *Capella coelestis* which Frenzel was reputed to have published for the Snipe. The book by Frenzel in which these names were reputed to have been published is entitled *Beschreibung der Vögel und ihrer Eier in der Gegend von Wittenberg*. This little work, of which the original (and only) edition was no doubt very small is excessively scarce but ultimately with the assistance of Professor Ernst Mayr I ascertained that there was a copy in the Balfour Library of the Department of Zoology at Cambridge University. The Librarian

of that Institution very kindly made available his Library's copy of Frenzel's book to the Librarian of the University Library who most obligingly had indicated his willingness to arrange for photographs to be made of the relevant pages. Very shortly after this the much desired photographs were received in the Office of the Commission. The warmest thanks of the Commission are due to the great assistance rendered by the Librarians of these Institutions. Examination of the photographs received at once showed that of the pages concerned the page which contained the information of which I was in search was page 58. A facsimile reproduction of this page is given in the plate annexed to the present paper.

3. The receipt of the photograph of page 58 of Frenzel's book made it possible at last to determine what in fact was the action in this matter taken by Frenzel in 1801. This proved to be totally different from that which had been attributed to him in all ornithological works in which his *Beschreibung* had found a notice. Frenzel, we now see, did apply the specific name *coelestis* to the Snipe but he did not introduce a new generic name consisting of the "*Capella*", still less did he use a generic name consisting of this word as the generic name for this bird. On the contrary he placed the Snipe in the genus *Scolopax* as *Scolopax coelestis*, thus assigning it to the same genus as did Linnaeus when forty-three years earlier he gave it the name *Scolopax gallinago* in the Tenth Edition of the *Systema Naturae* of 1758. The word "*Capella*" occurs only once in Frenzel's book, being used as a vernacular (Latin) name for the Snipe and cited as a name comparable with the vernacular (German) name "*Becasse*", which, as Frenzel explained, was the name applied to it by sportsmen ("*die Jäger*"). The sentence in question reads as follows: "*Es ist der Schnepfe, welche die Jäger eigentlich 'Becasse' und einige Schriftsteiler Capella coelestis nennen*".

4. The particulars given above dispose completely of the claims which have been advanced by which Frenzel has been credited with having introduced the generic name *Capella* in his little book of 1801 and with having used this name for the Snipe. This discovery, interesting as it is, has, however, been robbed of the practical significance which it would otherwise have possessed by the other discovery made in this case, namely that Brisson

in 1760 established the nominal genus *Gallinago* for the Snipe and therefore that, even if there had been such a generic name as *Capella* Frenzel, 1801, that name would not have been required, as it would have been a junior subjective synonym of *Gallinago* Brisson, 1760. Nevertheless, it is very satisfactory that the reputed generic name *Capella* Frenzel, 1801, should have been shown up in its true colours as a mere phantom engendered of careless copying.

5. While Frenzel's book is now seen to have contained no new generic name consisting of the word "*Capella*", a subject which proves to be of great antiquarian and historical interest is opened up by Frenzel's statement that the Latin expression "*Capella coelestis*" had been used for the Snipe by several writers. This tantalising observation prompted me to undertake an investigation which, before it had run its course, was to give rise to the most surprising discoveries and was to show that the expression "*Capella coelestis*" applied to the Snipe by Frenzel—or an equivalent Greek expression—was one of the greatest antiquity.

6. As a start of the proposed investigation, I made a search in all likely places in the literature of ornithology in the period from 1758 to 1801 for the purpose of making sure that the binomen *Capella coelestis* or at least the generic name *Capella* had not been used by some obscure author as scientific names for the Snipe. In view of the extent to which the literature of this period had already been combed through by ornithologists, it was no matter for surprise that I was unable to find a trace of any such usage in the period subsequent to the publication in 1758 of the Tenth Edition of the *Systema Naturae* of Linnaeus and prior to the publication of Frenzel's *Beschreibung* in 1801. Concurrently with the above investigation I attempted also to ascertain whether during the same period either of the foregoing expressions had been applied to the Snipe not as scientific zoological names but as vernacular (Latin) designations. This search also proved entirely fruitless. It was just when I was on the point of abandoning the search that light was thrown on this subject from a most unexpected source. For, although no one subsequent to Linnaeus could be found to have used the elusive expression "*Capella coelestis*", it suddenly came to light that in

1758 this expression had been applied to the Snipe by no less a writer than Linnaeus himself (*Syst. Nat.* (ed. 10) 1 : 147). Linnaeus then gave the name *Scolopax gallinago* to the Snipe and, after describing this species, citing some bibliographical references and indicating its distribution, added a brief comment in which he applied the expression "*Capella coelestis*" to this species. Linnaeus's comment was as follows :—

*Haec Capella coelestis cujus mas tam alte celerrimeque
volitat, ut audiri, non vero oculis attingi possit.*

7. Other works of Linnaeus were examined after the astonishing discovery described above but these threw no new light on this subject. In the Twelfth Edition of the *Systema Naturae* published in 1766 (*Syst. Nat.* (ed. 12) 1(1) : 244) the comment quoted above was taken over from the Tenth Edition, though in a slightly amended form. It read as follows : "*haec Capella coelestis, cujus mas tam alte celerrimeque volitat cadendo, ut audiri, vix vero oculis attingi possit, dum femina sedit humi*".

8. On making the surprising discovery described in paragraph 6 above, I at once consulted Professor L. W. Grensted, Consulting Classical Adviser to the International Commission, who on 29th March 1956 replied as follows :—

An intriguing problem—even after the primary question is settled. I think that the expression "*Capella coelestis*" was used by some author before Linnaeus and without a definitely binominal intention. The sentence you quote from Linnaeus i.e. the sentence quoted in paragraph 4 above] can only mean :—

“ This [is] *Capella coelestis*, whose male flies so high and so swiftly that it can be heard but not reached by the eyes ”.

In other words Linnaeus is saying (presumably as against somebody else) that what some earlier writers have called *Capella coelestis*—the Heavenly Goat—is the Snipe and not some other bird, probably the Woodcock.

The point would be that the Cock Snipe, when “ roding ”, does go up to a great height (up to 400 ft. according to the books), while the Woodcock flies quite low—at tree-top height.

Is there a connection with the star called "Capella"—also the Heavenly Goat? Some fanciful writer may easily have compared the roding of the Woodcock or the Snipe with bleating and linked up the bird with the star?

9. In a further letter (dated 9th April 1956) Professor Grensted supplemented his earlier report as follows :—

I did a little search round in our Oriel Library yesterday and found very little to help. The big Ducange *Glossarium* has nothing relevant. And the only thing I found in the early English books is that in Willughby's *Ornithology*, page 228, the "Lapwing" or Green Plover is called *Capella sive Vanellus*. This book was edited or revised by John Ray, and is dated 1676.

In mediaeval Latin "capella" seems to be entirely used for a chapel. It is derived from a very late Latin "cappella" (from "cappa", a cloak—originally the cloak cut in half by St. Martin of Tours). The classical meaning, a goat (more often "capra"), survived in the star "capella". How Willughby came to use it for a plover (probably from the star in some way) is quite obscure.

10. At this point I consulted Professor Charles Singer, Professor Emeritus of the History of Science in the University of London, who, if anyone, I knew would be able to throw some light upon the mediaeval usage of the word "capella". The following is the interesting letter (dated 11th April 1956) received from Professor Singer in reply to this enquiry :—

I cannot answer your question or explain "capella" but I can connect, from classical sources, the word "capella" with a goat, a bird, and the constellation "Capella". This association may, at least, explain the term *coelestis*.

Aristotle's *Historia Animalium*, 593b23 mentions a marsh bird $\alpha\lambda\gamma$ (genitive $\alpha\lambda\gamma\acute{o}s$) which D'Arcy Thompson conjecturally translates "horned grebe". The term "goat like", $\alpha\lambda\gamma$ -, is applied to other birds, e.g. $\alpha\lambda\gamma\iota\theta\acute{o}s$ in 609a31 and 616b10.

The early Greco-Latin and Latino-Greek glossaries before the 12th century have been collected and indexed. They yield an equation $\alpha\lambda\gamma$ = "capra" = "capella" and also the equation "Capricornus" = $\alpha\lambda\gamma\omicron\kappa\acute{\epsilon}\rho\omega s$ = "signum in coelo". The star in Auriga that we name "Capella" is already so named by Pliny in *Historia naturalis*.

Thus the classical association seems there, right enough, though its meaning is beyond me. Could the note of a snipe be compared to any noise made by a goat?

11. The following is a copy of a letter (dated 14th April 1956) from Professor Grensted, to whom I had forwarded a copy of Professor Singer's letter :—

Queerer and queerer—and also nearer. Charles Singer's letter is useful and revealing. I ought to have thought of looking at the Greek. Not only is there $\alpha\lambda\gamma$ = "capella" (both as goat and as some sort of bird) but $\alpha\lambda\gamma \text{ οὐράνιος}$ (= "capella coelestis") occurs more than once in a proverbial form in the Greek comic poets. "The heavenly goat brings wealth". What is wanted next is Maass on the Scholiasts on Aratus (the Greek astronomer-poet, who uses $\alpha\lambda\gamma$ of the star known, after him, as "Capella": see line 170 of his poem) and any evidence of the current astronomers or astrologers Linnaeus may have read. It will probably turn out, when we get at it, that some late mediaeval or sixteenth century writer makes the link—quite possibly with a knowledge of this Greek proverbial phrase—between the bird and the star, and gives the Latin form of the Greek. It might well have been in Pliny, but apparently isn't.

12. Further light was thrown on this matter by Professor Grensted in the following letter dated 19th June 1956 :—

Capella coelestis: I made one more effort when I was recently in Oxford and I got out all the major works of Aldrovandus—which Linnaeus certainly knew. There is nothing directly relevant, and the one reference to *Capella* is a queer one under the heading "Stymphalides Aves". It reads: "Hinc author [sic] obscurus, qui de natura rerum scripsit, Vanellum avem vulgo dictam, seu Capellam Aristotelis, Stymphalidem Plinii esse arbitratus est". ("Hence an obscure author who wrote 'On the Nature of Things' thought that the bird commonly called Vanellus, or the Capella of Aristotle, is the Stymphalis of Pliny".) This of course merely links *Vanellus*, *Capella* and $\alpha\lambda\gamma$ with some marsh bird, but it is interesting as showing that "*Capella*" and not the usual "*Capra*" was used in some mediaeval version of Aristotle. But I got no further there. The reference to Aldrovandus is 1590, *Ornithologia*, Lib. X: 622. (The most curious thing about the passage quoted above is that Aldrovandus should have written "author" for the ordinary "auctor".)

13. It occurred to me on receiving the foregoing letter that it might be possible to obtain some further light on this subject by ascertaining whether Linnaeus had any astronomical or astrological works in his library. There is no separate catalogue of that library which for catalogue—though not for other—purposes has been incorporated in the general library of the Linnean Society of London. It is easy, however, to ascertain

Seidelerche, *Alauda arborea*. Die Farbe ist der übrigen ziemlich gleich, auch hat sie die Art, wo Gefahr zu befürchten, sich niederzudrücken; nur der Kopf ist mehr weißlich. Sie liegt im Fluge haufenweise, und läßt sich auf Bäumen nieder. Das Ey gleicht den übrigen, jedoch ist es etwas weißer, und weniger punktiert.

Beerschneepfe, Himmelsziege, *Scolopax coelestis*, eine bekannte Art Schneepfe, die von ihren Tönen, die wie das Meckern der Ziegen klingen, den Namen erhalten hat. Wenn dieser Vogel das Meckern hervorbringen will, so erhebt er sich jederzeit sehr hoch in die Luft, und macht alsdann einen Bogen unterwärts nach der rechten Seite, um mit seinem rechten Flügel die nachahmenden Töne hervorzubringen. Dieses wiederholt er so lange, als er Gefahr zu befürchten hat; dann schießt er in einem Fluge sehr schnell zu seinem Neste. Es ist fetschlich kein Gesang des Vogels, oder Töne der Kehle, wie bey andern Vögeln. Der Kiebitz bringt auch eigene Töne mit seinen Flügeln hervor, sobald man sich dessen Heuer und Herde nähert.

Es ist die Schneepfe, welche die Jäger eigentlich Becasse und einiae Schriftsteller *Capella coelestis* nennen. Sie lebt an den Stümpfen einsam mit ihrem Weibchen, und äußerst selten wird man auch an großen Seen mehrere finden.

Der Vogel hat die Größe eines halbwüchigen Rebhuhns; nur ist er länger gestreckt. Der Schnabel hat fast die Länge des halben Körpers, ist vorne zugerundet, oder vielmehr breit zu nennen, der obere ein wenig länger, an der Spitze schwarz und mit dergleichen Wäzchen besetzt, als ob er mit Chagrin überzogen wäre; dann wird der Schnabel bräunlich, unten gelblich, an der Wurzel aber grünlich; die Nasenlöcher sind



International Commission on Zoological Nomenclature. 1956. "Direction 39 Substitution of Gallinago Brisson, 1760, for Gallinago Koch, 1816 (class Aves) on the Official List of Generic Names in Zoology (correction of an error in the ruling given in Opinion 67)." *Opinions and declarations rendered by the International Commission on Zoological Nomenclature* 1D, 95–138.

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