

**PROPOSED USE OF THE PLENARY POWERS TO VALIDATE THE  
GENERIC NAME "PALUDINA" FERUSSAC, 1812 BY SUPPRESSING  
THE NAME "VIVIPARUS" MONTFORT, 1810 (CLASS  
GASTROPODA, ORDER PROSOBRANCHIATA, SUBORDER  
MONOTOCARDIA).**

By **JOSHUA L. BAILY, Jr.**

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(Commission Reference : Z.N.(S.) 857)

The present application is in the nature of a counter-proposal to that submitted by Mr. A. E. Ellis (1951, *Bull. Zool. Nomencl.* 2 : 119—125) in favor of the placement of the generic name *Viviparus* Montfort, 1810 (Class Gastropoda) on the *Official List of Generic Names in Zoology* which at my request was postponed by the International Commission for further study and assigned a new Registered Number (Z.N.(S.) 857) at the time when the bulk of the other names dealt with in Mr. Ellis' application were placed on the *Official List* by the Ruling given in *Opinion* 335 (1955, *Ops. Decls. int. Comm. zool. Nomencl.* 10 : 45—76).<sup>1</sup> Having now assembled as much information as possible in regard to this case and having given it careful consideration, I am of the opinion that the interests of stability of nomenclature will be best served by the International Commission using its Plenary Powers to restore the well-known generic name *Paludina* Férussac, 1812 by suppressing the generic name *Viviparus* Montfort, 1810, a name which in the literature as a whole has received much less usage than has the name *Paludina* Férussac, 1812.

2. The type species of the genus with which we are concerned is *Viviparus fluviorum* Montfort, by original designation (*Conch. Syst.* 2 : 247, pl. 62) but the illustration is so crudely drawn that it might be interpreted as representing any one of a large number of species of gastropod not closely related to each other, but fortunately Montfort cited the Linnaean species *Helix vivipara* in the synonymy, and this makes it clear that Montfort recognized that this species was entirely out of place in the genus to which Linnaeus assigned it, as *Helix* is now correctly used for a group stylommato-phorous pulmonate Gastropoda, and that he was therefore erecting a new genus to receive it. In view of the way in which Montfort published the specific name *fluviorum*, it is a junior objective synonym of *vivipara* Linnaeus, for which it was no more than a substitute name. Accordingly, under the Commission's *Declaration* 21 the genus *Viviparus* Montfort, 1810, is to be cited as having as its type species *Helix viviparus* Linnaeus, 1758, and not the later objectively identical nominal species *Viviparus fluviorum* Montfort, 1810. The latter

<sup>1</sup> See also the re-statement of his proposal since submitted by Mr. Ellis (pp. 38—43 of the present Part).

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name should now be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*.

3. Two other authors, namely Lamarck and Férussac, became aware independently of each other in 1812 that it was necessary to remove this species from the genus *Helix*. Lamarck therefore placed it in a group to which he applied the French vernacular name "Paludine" (*Extrait Cours. Zool. Mus. Hist. nat.* : 117) but he did not use this name in a Latinized form, and therefore his action has no direct nomenclatorial bearing in the case. It is necessary, however, to refer to Lamarck's work at this point, for he has sometimes been credited erroneously with having originated the name *Paludina* in it. On the other hand Férussac (*Ann. Mus. Hist. nat.*, Paris 19 : 253) did publish the name *Paludina* in correct Latinized form, and for purposes of priority the name dates from its publication by Férussac. One of the species included in it was *Helix vivipara* Linnaeus and that species was designated the type by Children in 1823 (*Quart. J. Sci.* 15 : 245 ; Reprint : 108).

4. Another name that must be considered in this connection is *Vivipara* which was published first in 1813 by J. Sowerby (*Min. Conch.* 1 (No. VI) : 75). Sowerby did not designate a type for his genus, but he included, among the species assigned to it Montfort's type *Vivipara fluviorum* and attributed the name *Vivipara* to Montfort, so there can be no doubt that he was amending the earlier name. Such an emendation has no standing under the rules formulated at the Copenhagen conference.

5. At this point it must be recalled that Dall (1892, *Trans. Wagner Free Inst. Sci.* 3 : 332 *et seq.*, pl. 2) accepted the form of the name used by Sowerby, but he credited it to Martini in a translation of Geoffroy's "Traité Sommaire" into German published in 1767. I have not seen this work personally, but Mr. Francis Hemming has examined it in conjunction with Dr. L. R. Cox (*British Museum (Natural History)*) and has informed me that not only the work is not binominal but the name *Vivipara* is not used in it as a generic name. It is therefore quite irrelevant for present purposes, but it is advisable that cognizance be taken of it, lest anyone coming across Dall's statement in the future may think that all the essential data were not placed in the hands of the Commission at the time that they considered this matter.\*

6. There is no question but that under the *Règles* the legal name for the genus hereunder discussion *Viviparus* Montfort, this being the first name validly provided for it. This seems to me, however, to be a case in which consideration should be given to the relative amount of usage of the names concerned before

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\* For an application for the formal rejection of Martini's translation for nomenclatorial purposes see pp. 35—37 of the present volume.



a decision is taken in favour of the adoption of the name *Viviparus* Montfort to the exclusion of the only very slightly junior name *Paludina* Férussac. Particulars of the usage of these two names and also of the emendation *Vivipara* Sowerby are given in the Annexe to the present application. It will be seen from the particulars so furnished that, in the works which I have been able to examine personally, the usages of *Paludina* slightly exceed those of the other two names combined (although the excess is not great) and that the emendation *Vivipara* has received more support than Montfort's original spelling. Moreover, the works in which the name *Paludina* has been employed include some of the most important and influential which have been published for this group. Finally, it must be noted that the family name PALUDINIDAE J. E. Gray 1840 (*Synopsis Contents Brit. Mus.* (ed. 42) : 117) has seven years priority over the name VIVIPARIDAE J. E. Gray 1847 (*Proc. Zool. Soc. Lon.* 15 (178) : 155). The cumulative effect of these considerations leads me to the conclusion that the best course in the present case would be for the International Commission to validate the well-known generic name *Paludina* under its Plenary Powers, and this is what I now ask should be done.

7. In recent times there has been some discussion as to the interpretation of the nominal species *Helix vivipara* Linnaeus, 1758 and as this is the type species of the genus *Paludina* Férussac, 1812, I recommend that this matter should be set at rest by a Ruling by the International Commission that this species be interpreted by the lectotype recently designated for it by H. Watson 1955 (*Proc. Malac. Soc. Lond.* 21 : 163—174) the specimen so selected being clearly referable to the species to which the specific name *vivipara* Linnaeus has always been applied.

8. The recommendations which I now submit for the consideration of the International Commission on Zoological Nomenclature are that it should :—

- (1) use its Plenary Powers to suppress the generic name *Viviparus* Montfort, 1810, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) give a Ruling that the nominal species *Helix viviparus* Linnaeus, 1758, be interpreted by reference to the lectotype selected for it by Watson (H.) in 1955 ;
- (3) place the under-mentioned generic name on the *Official List of Generic Names in Zoology* :—

*Paludina* Férussac, 1812, as validated under the Plenary Powers in  
(1) above (gender : feminine) (type species, by selection by Children (1823) : *Helix vivipara* Linnaeus, as interpreted by the Ruling given in (2) above) ;



- (4) place the under-mentioned specific name on the *Official List of Specific Names in Zoology* :—

*vivipara* Linnaeus, 1758, as published in the combination *Helix vivipara* and as interpreted by the Ruling given in (2) above (specific name of type species of *Paludina* Férussac, 1812) ;

- (5) place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—

(a) *Viviparus* Montfort, 1810, as suppressed under the Plenary Powers in (1) above ;

(b) *Vivipara* Sowerby (J.), 1813 (an Invalid Emendation of *Viviparus* Montfort, 1810, and a junior objective synonym of *Paludina* Férussac, 1812) ;

- (6) place the under-mentioned specific name on the *Official Index of Rejected and Invalid Specific Names in Zoology* :—

*fluviorum* Montfort, 1810, as published in the combination *Viviparus fluviorum* (specific name of a junior objective synonym of *vivipara* Linnaeus, 1758, as published in the combination *Helix vivipara*) ;

- (7) place the under-mentioned family-group name on the *Official List of Family-Group Names in Zoology* :—

PALUDINIDAE Gray (J.E.), 1840 (type genus : *Paludina* Férussac, 1812) ;

- (8) place the under-mentioned family-group name on the *Official Index of Rejected and Invalid Family Group Names in Zoology* :—

VIVIPARIDAE Gray (J.E.), 1847 (type genus : *Viviparus* Montfort, 1810) (invalid because the type species of the type genus is the same species as the type species of the genus *Paludina* Férussac, 1812, the type genus of the older nominal family-group taxon PALUDINIDAE Gray (J.E.), 1840).

## ANNEXE

**Particulars of the relative usage of the generic names “*Viviparus*” Montfort, 1810, “*Paludina*” Férussac, 1813, and “*Vivipara*” Sowerby (J.), 1813**

### SECTION A : Usages of the generic name “*Viviparus*” Montfort, 1810

- 1927 Pilsbry & Bequaert, *Aquatic Mollusks of the Belgian Congo*  
 1928 Baker (F.C.), *Mollusca of Wisconsin*



- 1931 Thiele (J.), *Handbuch der systematische Weichthiere-Kunde*, Vol. 1  
1932 Franz (V.), *Viviparus; Morphometrie, Phylogenie und Geographie*, etc.  
1935 Davies (A.M.), *Tertiary Faunas*, Vol. 2  
1949 Mandahl-Barth (G.), *Ferskvandsbløddyr*

SECTION B : *Usages of the generic name "Paludina" Férussac, 1812*

- 1825 Blainville (H. de), *Manuel de Malacologie et Conchyliologie*  
1840 Swainson (W.), *Treatise on Malacology*  
1845 Haldeman (S.S.), *Monograph of the Fresh Water Univalve Mollusca of the United States*  
1851 Woodward (S.P.), *Manual of the Mollusca*  
1852 Sowerby (G.B., Jr.), *Conchological Manual*  
1853 Forbes & Hanley, *British Mollusca*, Vol. 3  
1857 Carpenter (P.P.), *Catalogue of the Collection of Mazatlan Shells in the British Museum*  
1858 Say (T.), *Complete Writings* (edited by W. G. Binney)  
1860 Reeve (L.), *Elements of Conchology*, Vol. 1, p. 68  
1862 Gould (A.A.), *Otia Conchologia*, pp. 106, 191  
1863 Reeve (L.), *Conchologia iconica*, Vol. 14  
1864 Carpenter (P.P.), *Supplementary Report to the British Association for the Advancement of Science for 1863*  
1866 Tate (R.), *Plain and Easy Account of the Land and Fresh Water Mollusks of Great Britain*, p. 54  
1870 Tryon (G.W., Jr.), Continuation of *Monograph* by Haldeman (S.S.) (1840) (see above)  
1885 Fischer (P.), *Manuel de Conchyliologie*, Vol. 1.  
1886 Tryon (G.W., Jr.), *Structural and Systematic Conchology*  
1887 Sowerby (G.B., Jr.), *Illustrated Index of British Shells*  
1904 Jeffreys (J.G.), *British Conchology*, Vol. 1  
1906 Pelseneer (P.), *Treatise of Zoology* (ed. E. Ray Lankester), Vol. 5  
1926 Chemin (E.), *Les Mollusques d'Eau Douce*  
1950 Fischer (P.H.), *Vie et Moeurs des Mollusques*

SECTION C : *Usages of the generic name "Vivipara" Sowerby (J.), 1813*

- 1854 Adams (H.) & Adams (A.), *The Genera of Recent Mollusca*, Vol. 1  
1865 Binnet (W.G.), *Land and Fresh Water Shells of North America*, Pt. 3



- 1890 Dall (W.H.), *Transactions of the Wagner Free Institute of Science*, Vol. 3, Pt. 2
- 1895 Cooke (A.H.), *Cambridge Natural History*, Vol. 3
- 1898 Baker (F.C.), *The Mollusca of the Chicago Area*
- 1910 Dall (W.H.), *Harriman Alaska Expedition*, Vol. 8
- 1913 Woodward (B.B.), *Life of the Mollusca*
- 1927 Eastman (C.R.), in Zittel, *Text Book of Paleontology* (English ed.)
- 1936 Rogers (J.E.), *The Shell Book*

**SUPPORT FOR THE APPLICATION BY DR. STUBBLEFIELD  
CONCERNING THE NAME "PELTURA" MILNE EDWARDS, 1840  
(CLASS TRILOBITA)**

By **RONALD TRIPP**  
(Glasgow, Scotland)

(Commission Reference : Z.N.(S.) 1034)

(Letter dated 16th December 1956)

(For the proposal in this case see *Bull. zool. Nomencl.* 12 : 252—253)

I strongly support Dr. Stubblefield's request that the specific name *bucklandii* Milne Edwards should be placed on the *Official List of Specific Names in Zoology*, despite the fact that McCoy, F., rejected *P. bucklandii* in 1951 (*Systematic description of the British Palaeozoic fossils in the Geological Museum of the University of Cambridge*, Fasc. 1 : 151) as a name "given to an unintelligible figure, without description of any of the essential parts", a view followed by subsequent authors. In my opinion, however, Milne Edwards' description and illustration are adequate to define the species.



Baily, Joshua L. 1957. "Proposed use of the Plenary Powers to validate the generic name *Paludina* Ferussac, 1812 by suppressing the name *Viviparus* Montfort, 1810 (Class Gastropoda, Order Proso-branchiata, Suborder Monotocardia)." *The Bulletin of zoological nomenclature* 13, 67–72.  
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