

THE NOMENCLATURAL STATUS OF THE TAXA OF FOSSIL BIRDS ATTRIBUTED TO AUGUSTE AYMARD

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Abstract.—The taxa of fossil birds traditionally attributed to Auguste Aymard are absolute *nomina nuda* as originally proposed by him, and their proper usage depends on the treatment afforded them by Milne-Edwards in his *Oiseaux Fossiles de la France*. The nomenclatural and bibliographic problems arising from this are discussed.

Throughout the literature of avian paleontology, Auguste Aymard (1856) is cited as the author of four generic and six specific names of fossil birds from Lower Oligocene deposits at Ronzon, Dept. of Haute Loire, France. Milne-Edwards (1867-1871) discussed these taxa and illustrated most of them, attributing the names to Aymard. Apparently, all subsequent authors except Cracraft and Rich (1972) have followed Milne-Edwards without examining Aymard's publication, which is evidently quite scarce. Lambrecht (1933) specifically states that he did not examine the original reference, and likewise Brodkorb (pers. comm.) had not seen it before he published the first three parts of his *Catalogue of Fossil Birds* (Brodkorb 1963, 1964, 1967).

I have been able to obtain photocopies of Aymard's publication made from an original in the library of Columbia University, New York. The paper is in the form of a report on the geology and paleontology of the Haute Loire region, and was presented in the minutes of two separate *séances* of the Congrès Scientifique de France held at Puy, September 1855. Because of the rarity of the publication and the fact that avian paleontologists have seldom examined it, the brief portions of the text concerning fossil birds are reproduced here.

[p. 233] La classe des oiseaux comprend divers ordres, dans lesquels se répartissent au moins quinze espèces reconnaissables à diverses pièces, telles qu'ossements, plumes et oeufs. La presque totalité de ces restes signalent des oiseaux de grande et de moyenne taille, comprises entres celles que présentent aujourd'hui les flamands et les grues, et celles des harles et dernes ou hirondelles de mer. Les ordres qui ont surtout des représentants parmi ces espèces sont, comme ces oiseaux palustres, des échassiers et des palmipèdes sans exclure les rapaces. C'est au dernier de ces ordres qu'appartient un oiseau de proie diurne, de la tribu des faucons, que j'ai nommé *ieracus littoralis*. Au nombre des échassiers, je puis citer aussi le *camaskelus palustris*. Aym., voisin des pluviers; *l'elornis grandis*. A., qui se

rapprochait, par la taille et par les formes, des fla- [begin p. 234] mands; les *elornis* (?) *littoralis*. Aym. et *elorn.* (?) *antiquus* Aym.; et parmi les palmipèdes de la famille des longipennes, le *dolicopterus viator*. Aym.; enfin, dans les lamellirostres, un palmipède qui est très-voisin des harles et que, par cette raison, M. Gervais a dénommé provisoirement *mergus* (?) *ronzoni*.

[p. 267] On connaît très-peu d'oiseaux fossiles, et leur classement n'est pas assez avancé pour qu'on doive considérer comme propres au Velay les espèces qui y ont été recueillies. Tout ce qu'on peut dire, c'est que la plupart des genres déterminés jusqu'à ce jour qui proviennent de Ronzon, n'ont pas encore été rencontrés ailleurs; tels sont un oiseau de proie diurne, l'*ieracus littoralis*, un échassier voisin des pluviers (*camaskelus palustris*), quelques autres voisins des flamands (*elornis*), et un palmipède longirostre (*dolicopterus viator*).

These are Aymard's only allusions to fossil birds and his paper does not illustrate specimens. It is clear that all of Aymard's names are absolute *nomina nuda* and have no nomenclatural standing whatever. Thus, the status and orthography of these names rests entirely with Milne-Edwards' (1867–1871) treatment of them and he must be regarded as their author. The citations to these names are complicated by the fact that Milne-Edwards' work was issued at intervals in separate *livraisons*, the plates often not appearing simultaneously with the text.

Milne-Edwards had access to Aymard's notes and specimens, but unfortunately the fossils cannot now be located (Lambrecht, 1933; Cracraft and Rich, 1972). Thus, for the present, all we can know about these taxa is that which is derivable from Milne-Edwards' descriptions and illustrations.

Aymard's material included several fossils that were regarded as a new genus of flamingo, *Elornis*. Milne-Edwards concurred that these belonged to the Phoenicopteridae and his illustrations (Milne-Edwards, 1868, pl. 90), while not greatly detailed, indicate that this assignment is probably correct.

Elornis littoralis Milne-Edwards was based on incomplete tarsometatarsi, tibiotarsi, furculae, and a pelvis. Milne-Edwards regarded a humerus that Aymard had intended as the type of *Elornis antiquus* as certainly belonging to the same species, and so he treated *antiquus* as a synonym of *littoralis*. Because *Elornis antiquus* Milne-Edwards was proposed as a synonym, it does not meet the criteria of availability as set forth in Article 11d of the International Code of Zoological Nomenclature. Thus, the humerus just mentioned is to be regarded as part of the type material of *Elornis littoralis* Milne-Edwards. Although Brodkorb (1963:272) cites Lydekker (1891:80) as suggesting this humerus as lectotype of *Elornis littoralis*, there is nothing in the latter reference that I can interpret to this effect, and the species should still be regarded as being founded on a series of syntypes.

Milne-Edwards did not illustrate the specimen that Aymard had intended

to represent the species *Elornis grandis*, and described it only as a large humerus "au moins aussi grande que celui d'un Flamant" (text vol. 2, p. 87). This barely elevates *Elornis grandis* beyond the rank of *nomen nudum*, and only because the humerus of *Elornis littoralis* was described on the preceding page as "a peu pres d'un quart plus petit que son homologue chez le Flamant."

Because the plate depicting *Elornis littoralis* was published prior to the text, the original reference to the genus *Elornis* becomes the caption of the plate. As only *E. littoralis* was depicted, this species becomes the type by monotypy of the genus *Elornis*, and it is therefore unnecessary to cite Lydekker's (1891) subsequent designation of *littoralis* as the type. In the same work, Lydekker (1891:80) named a new species, "*Elornis* (?) *anglicus*," from the Upper Eocene of England. Harrison and Walker (1976) have recently synonymized this with *Actiornis anglicus* Lydekker 1891, formerly placed in the Phalacrocoracidae, which they transferred to the Threskiornithidae; our knowledge of *Elornis* therefore still rests solely on the lost material from Ronzon.

Milne-Edwards used two spellings for the genus called *Dolicopterus* by Aymard. The etymologically correct rendering *Dolichopterus* appeared in the caption of his plate 57, which was published in 1867, whereas the spelling *Dolicopterus* appears in the text, published in 1868. Thus, on grounds of both priority and purism, the spelling *Dolichopterus* should be used.

Aymard regarded his species *Dolichopterus viator* as a member of the Laridae and intended it to be based on a coracoid and the distal portion of a wing. The species *Camaskelus palustris* was to have been founded on a tarsometatarsus that Aymard attributed to a shorebird. Milne-Edwards considered that this specimen probably belonged to the preceding species and listed "*Camaskelus palustris*?" as a synonym of *Dolichopterus viator*, a treatment in which he has been followed by later authors. Thus the name *Camaskelus palustris* Milne-Edwards was proposed as a synonym and, like *Elornis antiquus*, is unavailable under the terms of Article 11d.

Milne-Edwards' illustrations show the material of *Dolichopterus viator* to be poorly preserved, and he himself assigned the species to a higher category with great reservation, comparing its proportions with that of a plover ("*Charadrius pluvialis*"). Lambrecht (1933) listed *Dolichopterus* as a genus *incertae sedis* under the Charadriinae, with the comment "Gatungsdiagnose unmöglich." Brodkorb (1967) listed it under the Charadriinae without comment. The evidence for the affinities of this bird is at present too poor to permit its being carried as anything other than *Avis incertae sedis* until the specimens can be located and studied anew.

Concerning Aymard's "*ieracus littoralis*," Milne-Edwards (1871:453) says only: "Les marnes calcaires de Ronzon, près du Puy, ont fourni à M.

Aymard un oiseau qu'il rapproche des Faucons et auquel il a donné le nom de *Teracus* [sic] *littoralis*." This species would have remained a *nomen nudum* had not Milne-Edwards provided figures (pl. 185) of the coracoid and femur, upon which the name was based. Unfortunately, he used the nonsensical spelling "*Teracus*" throughout, and this must therefore be followed, even though Aymard's name is obviously derivable from the Greek "*hierax*," a hawk.

Cracraft and Rich (1972) correctly have pointed out that "*ieracus littoralis*" Aymard is a *nomen nudum*, and have recognized Milne-Edwards as the author of *Teracus littoralis*. They maintained that there is no evidence that the femur and coracoid attributed to *Teracus littoralis* are from the same species and I agree with them that the species cannot be considered as providing a valid record of the Cathartidae (= Vulturidae), in which family Brodkorb (1964) placed it. Until the types of *Teracus littoralis* can be restudied, the familial and even ordinal positions of the genus must be considered uncertain.

The following, in the format of Brodkorb's catalogue, are the proper citations for the three genera and four species that are the only validly proposed taxa of the ten hitherto attributed to Aymard:

Family Phoenicopteridae Bonaparte 1831

Genus † *Elornis* Milne-Edwards

Elornis Aymard, 1856, Congr. sci. France, vol. 1, p. 234 (*nomen nudum*).—

Milne-Edwards, 1868, Ois. Foss. France, atlas vol. 1, pl. 90 caption (type by monotypy *Elornis littoralis* "Aymard" Milne-Edwards).

Helornis Lydekker, 1891, Ibis, ser. 6, vol. 3, p. 396 (emendation).

Elornis littoralis Milne-Edwards

Elornis (?) *littoralis* Aymard, 1856, Congr. sci. France, vol. 1, p. 234 (*nomen nudum*).—Milne-Edwards, 1868, Ois. Foss. France, atlas vol. 1, pl. 90 caption, figs. 1–7 (types from Ronzon, tarsometatarsi, tibiotarsi, furculae, pelvis, and humerus, present location unknown).

Elorn[is] (?) *antiquus* Aymard, 1856, Congr. sci. France, vol. 1, p. 234 (*nomen nudum*).—Milne-Edwards, 1868, Ois. Foss. France, atlas vol. 1, pl. 90 caption (unavailable, proposed as synonym of *E. littoralis*).

Elornis grandis Milne-Edwards

Elornis grandis Aymard, 1856, Congr. sci. France, vol. 1, p. 233 (*nomen nudum*).—Milne-Edwards, 1870, Ois. Foss. France, text vol. 2, sheet 11, p. 87 (type from Ronzon, proximal part of a humerus, present location unknown).

Aves Incertae Sedis

Genus † *Teracus* Milne-Edwards

Ieracus Aymard, 1856, Congr. sci. France, vol. 1, p. 233 (*nomen nudum*).

Teracus Milne-Edwards, 1871, atlas vol. 2, pl. 185 caption [not pl. 135 as stated in footnote 1, p. 453 of text vol. 2] (type by monotypy *Teracus littoralis* "Aymard" Milne-Edwards).

Teracus littoralis Milne-Edwards

Ieracus littoralis Aymard, 1856, Congr. sci. France, vol. 1, p. 233 (*nomen nudum*).—*Teracus littoralis* Milne-Edwards, 1871, atlas vol. 2, pl. 185 caption (types from Ronzon, femur and coracoid, present location unknown).

Genus *Dolichopterus* Milne-Edwards

Dolicopterus Aymard, 1856, Congr. sci. France, vol. 1, p. 234 (*nomen nudum*).—*Dolichopterus* Milne-Edwards, 1867, Ois. Foss. France, atlas vol. 1, pl. 57 caption (type by monotypy *Dolichopterus viator* "Aymard" Milne-Edwards).

Camaskelus Aymard, 1856, Congr. sci. France, vol. 1, p. 233 (*nomen nudum*).—Milne-Edwards, 1867, Ois. Foss. France, atlas vol. 1, pl. 57 caption (unavailable, proposed as synonym of *Dolichopterus*).

Dolichopterus viator Milne-Edwards

Dolicopterus viator Aymard, 1856, Congr. sci. France, vol. 1, p. 234 (*nomen nudum*).—*Dolichopterus viator* Milne-Edwards, 1867, Ois. Foss. France, atlas vol. 1, pl. 57 caption (types from Ronzon, fragmentary coracoid, radius, carpometacarpus, vertebrae, and tarsometatarsus, present location unknown).

Camaskelus palustris Aymard, 1856, Congr. sci. France, vol. 1, p. 233 (*nomen nudum*).—Milne-Edwards, 1867, Ois. Foss. France, atlas vol. 1, pl. 57 caption (unavailable, proposed as synonym of *Dolichopterus viator*).

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