

COMMENTS ON THE PROPOSED RULING ON WORKS ON NEW ZEALAND
MOLLUSCA BY R. S. ALLAN AND H. J. FINLAY. Z.N.(S.) 1868

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This is in support of the petition by A. G. Beu *et al.* (*Bull. zool. Nomencl.* 26 (1) : 42–50, May, 1969) on status of names published by Allan from Finlay manuscripts. The solutions proposed seem eminently justified, with one exception—the generic name *Coluzea*. Here a change of type-species from current practice is recommended, and I feel that in addition a principle is involved that needs review by the Commission and an explicit directive of some sort.

Beu *et al.* consider that Finlay in 1927 (*Trans. N.Z. Inst.* 57 : 407) designated the type of *Coluzea* as *Fusus spiralis* A. Adams. Actually, Finlay did not use the word “type”, and his discussion seems ambiguous to me: “The only living member of the group in this region, however (excepting *Columbarium suteri* Smith, 1915 [reference]), *Fusus spiralis* A. Ad., is so distinct from *Colus*, and represents the culmination of so well-defined a group that there can be no hesitation in proposing for it a new genus *Coluzea*. In lineage may be named *Fusus dentatus* (Hutton) [reference], *Fusinus maorium* Marshall and Murdoch [reference], *F. limacotus* Suter [reference], and many new species. The striking protoconch, of the genotype especially (bulbous, flat-topped, with whorls subangular at the top, strongly keeled at the end), the single strong, serrate keel, and *Columbarium*-like facies, are all highly characteristic.” At the end of the paper is a summary of newly-named taxa; again, Finlay only lists, “*Coluzea*, n. gen. for *Fusus spiralis* A. Ad.”

Although Finlay's implication is plain, his actual wording in the paragraph quoted is ambiguous, for the noun preceding “genotype” is “lineage” and could conceivably apply to *Fusus dentatus*, the species that Finlay later accepted as type and that has been cited as type by other authors (e.g., Wenz, 1939, in the “*Handbuch der Paläozoologie*”). Also, two recent species are mentioned, although it is not clear whether the other is to be included in the genus. The question I would raise is: Does the use of the word “for” constitute an explicit type designation? Is it tantamount to “type”, or is it to be classed with “typical example” (Art. 67 (c) (i)) as unacceptable? I have in many similar cases reluctantly taken the view that it must be the latter. Thus, I would ask that the Commission provide a ruling on this point, a problem frequently encountered in the search for type designations.

It seems to me preferable to consider *Coluzea* as introduced in 1927 without fixation of type. Finlay's 1930 acceptance of *F. dentatus* as monotype, although incorrect as to fact, is equivalent to designation (Art. 69 (a) (iii)). This has the merit of being in harmony with later usage, and it would seem to outweigh the argument of convenience of having a Recent species as type.

By W. O. Cernohorsky (*Auckland Institute and Museum, Auckland, New Zealand*)

A. G. Beu *et al.* (1969, *Bull. zool. Nomencl.* 26 (1) : 42–50), requested a ruling on the publication date of H. J. Finlay's paper which appeared in Vol. 57 of the *Transactions and Proceedings of the New Zealand Institute*. The authors requested a suppression of 13 of R. S. Allan's generic names published in the same volume of the *Transactions*.

The suppression of 13 generic names is undesirable in this particular case, since the genus-group names established by Allan (1927, *Trans. Proc. N.Z. Inst.* 57 : 265–309), are neither *nomina oblita* nor *nomina dubia*, but validly established binominals. I support the authors in their request for a ruling which would guarantee nomenclatural stability (by attributing the authorship of the genus names to Finlay rather than Allan), but consider the solution of the problem, i.e. large scale suppression of valid binominals, as a drastic measure which may set a precedent for future petitioners. An alternative course is here suggested.

Volume 57 of the *Trans. Proc. N.Z. Inst.*, contains 45 papers, all of which were issued as separata between the 9th October 1926 and the 8th March 1927; the volume, however, is dated 10th March 1927. The premature issue of separata prior to the date of appearance of the actual Journal or serial, does not constitute publication. Although the 1948 ruling on separata by the 13th International Congress of Zoology in Paris, has not been embodied in the text of the current Code of ICZN, recommendation 21D clearly differentiates reprints from preprints. R. S. Allan's paper was issued in advance of the *Transactions* on the 7th December 1926 and H. J. Finlay's paper on the 23rd December 1926, but all zoological papers appearing in Vol 57 should be deemed to have been published on the 10th March 1927. The latter date has, *ipso facto*, been accepted by the Commission in Opinion 479 (1957, Vol. 16 (22) : 402-403). If the Commission confirms the publication date of Vol. 57 of the *Transactions* to be the 10th March 1927, then Allan's and Finlay's papers will have been published simultaneously and Art. 24 (a) of the Code is applicable in deciding the authorship of the generic names under discussion.

Preston (1928, *Zool. Record* for 1927, Vol. 64) is the first reviser for 10 genus-group names out of the 13 destined for suppression. Preston (*loc. cit.*, pp. 2, 11), records the papers of Allan and Finlay in the Bibliography, and dates Vol. 57 of the *Transactions* as 1927. In the systematic part, Preston credits the authorship of the following genera to Finlay: *Venustas* (p. 54), *Notoseila* (p. 60), *Zaclys* and *Maoricolpus* (p. 62), *Spirocolpus* (p. 63), *Zeacrypta* (p. 64), *Coluzea* (p. 69), *Proximitra* and *Waimatea* (p. 70) and *Xymenella* (p. 72). It should be noted, that the 3 genera which would cause a major taxonomic problem if credited to Allan, have been credited to Finlay by Preston.

The first reviser for *Miopila*, *Zexilia* and *Marshallena* is Finlay (1930, *Trans. Proc. N.Z. Inst.* 61 : 249). The authorship of the genera *Miopila* and *Zexilia* is attributed to Finlay, 1927, while the genus *Marshallena* is credited to Allan, 1927. The type-species of *Marshallena* Allan, 1927, is *Daphnella neozelanica* Suter (by subsequent designation of Finlay, 1930, p. 249). By this method the authorship of 12 generic names goes to Finlay, and the taxonomic concept of *Marshallena* remains unchanged, as the type-species of both authors are identical (one as a valid prior taxon, the other as a subjective synonym). *Zeacolpus* and *Stiracolpus* Allan, 1927, are *nomina nuda*, but both names were validly introduced into literature by Finlay (1927, *Trans. Proc. N.Z. Inst.* 57 : 388-389).

There is no need to suppress the specific name *Turbonilla hampdenensis* Allan, 1927, since Preston (*loc. cit.*, p. 68) selected Finlay as the author of the simultaneously published *Turbonilla hampdenensis* under the "first reviser" rule.

The acceptance of the alternative proposal outlined above would obviate the need to suppress 13 validly established binominals, retain Finlay as author for 12 out of 13 genus-group names and preserve the interests of stability of nomenclature in the same sense as requested by A. G. Beu *et al.*

The Commission is therefore requested to:

- (a) designate the 10th March 1927 as the publication date for all zoological and palaeontological papers appearing in Vol. 57 of the *Transactions and Proceedings of the New Zealand Institute*;
- (b) direct that Art. 24 (a) of the Code of ICZN be applied in deciding the authorship of genus-group names published simultaneously by R. S. Allan and H. J. Finlay in Vol. 57 of the *Transactions and Proceedings of the New Zealand Institute*.



Keen, A. Myra. 1970. "Comments on the proposed ruling on works on New Zealand Mollusca by R. S. Allan and H. J. Finlay. Z.N. (S.) 1868." *The Bulletin of zoological nomenclature* 26, 184–185. <https://doi.org/10.5962/bhl.part.9890>.

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