

INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

Copy for Stenzel  
H.S.

Personal address of the Secretary:

28 PARK VILLAGE EAST,  
REGENT'S PARK,  
LONDON, N.W.1,  
ENGLAND.

22nd May, 1957.

In replying to this letter, please quote  
the following reference number:

Z.N.(G.)34

Dear Professor Schenck,

Baluchicardia:  
Question of date and authorship  
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I have received your letter with enclosure of the 15th May on the above subject and I have studied the material which you have been kind enough to furnish.

In considering a case of this kind, we have to keep always in our mind that in the case of a generic name published after the close of 1930 that name, in order to acquire the status of availability, must have been published (a) with some description or descriptive words, and (b) with a designated or indicated type species. In the light of these considerations we may examine the history of the name Baluchicardia as set out in the papers which you sent me. The result is seen to be as follows:-

1. The name Baluchicardia as used by Rutsch in 1943<sup>\*</sup> was published with two included species with no designated or indicated type species. Under point (b) set out in the immediately preceding paragraph of the present letter, this name has accordingly no status as from Rutsch (1943).
2. The name Baluchicardia was used by Tessier in 1952 without comment as the name for a subgenus ~~of~~ a single species cited as Cardita (Baluchicardia) cf. viquesneli d'Archiac. Other things being equal, Tessier's action would have amounted to the "indication" of viquesneli d'Archiac as the type species of Baluchicardia by monotypy, for under a decision taken by the Thirteenth International Congress of Zoology, 1948, the citation of a single species as belonging to a new genus ~~established~~ ~~published~~ after the close of 1930 is to be accepted as the indication of that species as the type species by monotypy, it not being necessary (although it is desirable) that the author concerned should actually state that the species cited is the type species. Tessier's use of the name Baluchicardia accordingly satisfies point (b) as set out in the first paragraph of the present letter. But Tessier gave no description or discussion of the genus Baluchicardia and,

\* It is not clear from the papers submitted whether Rutsch's paper was published in 1943 or in 1944.

continued/

accordingly, his usage of the name in 1943 fails to satisfy the requirement set out in (a) (above). We see therefore that the name Baluchicardia possesses no status as from Tessier (1943).

3. We have next to consider the action by Stenzel, Krause and Twining in 1957. Those authors give an express reference for Baluchicardia to the paper published by Rutsch in 1943. They can, therefore, be properly regarded as having provided by this means a <sup>indication</sup> description for the subgenus, thereby satisfying the provisions referred to in (a) at the beginning of the present letter. They also make a definite statement on the subject of the type species of Baluchicardia, saying that this is "V. (B.) beaumonti (D'Archiac & Haime) from Pakistan". By this statement the authors satisfied the requirements specified by (b) in the first paragraph of the present letter.

The conclusion which I draw from the foregoing particulars is that Rutsch (1943) failed validly to publish the name Baluchicardia because, although he gave a description for Baluchicardia, he did not designate or indicate a type species for it; Tessier (1952) "indicated" a type species for Baluchicardia but he failed to give a description for that subgenus. Accordingly the name Baluchicardia acquired no status either from Rutsch (1943) or from Tessier (1952). On the other hand, Stenzel, Krause and Twining (1957) provided an "indication" for Baluchicardia by the bibliographical reference which they made to Rutsch (1943). They also designated a type species for Baluchicardia. Accordingly the name Baluchicardia was validly published by Stenzel, Krause and Twining in 1957 and ranks for priority from that paper, provided of course that there does not exist any paper in the literature containing an equally valid publication of the name in the period between the appearance of Rutsch's paper in 1943 and that of the paper by Stenzel, Krause and Twining in 1957.

You will appreciate that the foregoing is a purely personal conclusion reached by myself on the basis of the evidence furnished with your letter. If the matter is one of importance in the sense that the name Baluchicardia is likely to be widely used, the best course would I think be to submit the case to the International Commission and obtain from it an authoritative Ruling as to the date as from which the name Baluchicardia ranks for the purposes of the Law of Priority and as to the author to whom this name should be attributed.

I am sending a copy of this letter to Mr. W. I. Follett.

Yours sincerely,

Professor H. G. Schenck,  
Palo Alto, Calif. U.S.A.

