

## COMMENTS ON THE STATUS OF REVIVED OLD NAMES FOR SOME NORTH AMERICAN BIRDS

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**ABSTRACT.**—We discuss 44 instances of the use of generic, specific, or subspecific names that differ from those generally in use for North American (sensu AOU 1957) birds. These names are generally older than the names presently used and have been revived on the basis of priority. We examine the basis for the proposed changes and make recommendations as to which names should properly be used in an effort to promote nomenclatural stability in accordance with the *International Code of Zoological Nomenclature*. Received 22 February 1994, accepted 5 September 1994.

THE INTERNATIONAL COMMISSION of Zoological Nomenclature (I.C.Z.N. 1985) promotes stability in scientific names of animals through the use of the *International Code of Zoological Nomenclature* (hereinafter the *Code*). A primary tenet of the *Code* is the principle of priority, which states that the earliest validly proposed name for a genus or species should be used, although some exceptions are possible. There are, however, differences of opinion about the validity and applicability of some early-proposed names. Furthermore, some sources of scientific names were published before or after the generally accepted date of publication (Browning and Monroe 1991), a situation that can alter the priority of names derived from those sources. The discovery and use of an older name for a taxon often creates a conflict between the principle of priority and the stability that derives from the continued use of a name that has long been established and used (see Olson 1987). The concurrent use of more than one scientific name for a species in the literature can be confusing for amateurs and for biologists who do not specialize in nomenclatural matters.

Each proposed change resulting from the revival of an old name should be evaluated critically to determine whether the basis is sound and whether it is likely to lead to nomenclatural stability. Although some proposed changes implicitly have been rejected, by being ignored, only a few have received a thorough published evaluation. The purpose of this paper is to provide such an evaluation and to make recommendations on which of the alternative names should be used in instances where changes have been proposed that affect North American (sen-

su American Ornithologists' Union [AOU] 1957) birds.

We do not discuss the use of old names that are necessarily revived because a taxon is divided into two or more taxa, unless there is an additional problem involved. Those situations are no less important, but require an analysis of validity of the basis of the "split," which is beyond the scope of this study. We do not discuss changes necessitated by decisions of the International Commission on Zoological Nomenclature (hereinafter, the Commission) noted by and incorporated by the AOU (1973, 1983) unless the decision has been violated by an author after 1973. Also, we do not discuss name changes above the level of genus.

For brevity, Opinions of the Commission are cited here only by number and year of publication. Before December 1959, these appeared in *Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature*. From December 1959 to the present they have been in the *Bulletin of Zoological Nomenclature*. Both are official publications of the Commission.

Names are discussed in the order of the AOU (1983) *Check-list*. Each section is headed by the revived and current names of the taxon. We set forth the basis for the difference, followed by our analysis. Finally, we recommend acceptance or rejection of the proposal with a citation of what we believe is the properly used name. In some instances, we also suggest that a ruling by the Commission would be appropriate. Since the junior author began work on this paper several years ago, some of the problems have been resolved in other reports. We mention those

briefly to provide a full record of proposed changes of which we are aware.

*Podiceps caspicus* (Hablitzl, 1783) vs. *P. nigricollis* (Brehm, 1831).—Oberholser (1974) used the specific name *caspicus* for the Eared Grebe (in the genus *Proctopus*) despite the fact that it had been suppressed by the Commission (Opinion 406, 1956; see AOU 1973). This and some other cases of the use of suppressed names by Oberholser (1974) may be because his manuscript on the birds of Texas (published posthumously) was not completely revised and updated by the editor. The name *nigricollis* should be used for this grebe.

*Sula piscator* (Linnaeus, 1758) vs. *S. sula* (Linnaeus, 1766).—Oberholser (1974:86, 970) used the specific name *piscator* for the Red-footed Booby, admitting that four species were confused in the original description and that the name had been rejected by earlier authors (e.g. Peters 1931) as indeterminate. Oberholser's discussion suggests that he had reservations about the use of *piscator* and that he was fishing for a justification for that name. We recommend the continued use of *Sula sula* for this species.

*Phalacrocorax brasilianus* (Gmelin, 1789) vs. *P. olivaceus* (Humboldt, 1805).—Browning (1989a) has shown that *Phalacrocorax brasilianus* (Gmelin, 1789) properly applies to the Neotropic (formerly Olivaceous) Cormorant, and this decision has been accepted by Sibley and Monroe (1990) and the AOU (1991).

*Plegadis mexicana* (Gmelin, 1789) vs. *P. chihi* (Vieillot, 1817).—Oberholser (1974:971) used *mexicana* as the specific name for the White-faced Ibis, citing what seems to be a decision by Hellmayr and Conover (1942:301). However, Hellmayr and Conover did not discuss the matter in the reference cited. Hellmayr and Conover (1948a:266) used the name *chihi* on the basis that "*Tantalus mexicanus* Gmelin seems to be unidentifiable as to species." We recommend the continued use of *chihi* for the White-faced Ibis.

*Branta canadensis major* (Rea, 1888) vs. *B. c. interior* Todd, 1938.—Oberholser (1974:971) used the name *major* for the populations of Canada Goose generally known by the subspecific name *interior*. Rea (1888) compared the geese from two areas, as indicated by Oberholser (1974), one at Moose Factory, at the southern tip of James Bay, and one farther east, at Rupert River and the east coast of Hudson Bay. These populations otherwise have not been considered distinct (e.g. AOU 1957). Rea used the term "major" only in an apparently descriptive sense, as follows: "This *Anser Canadensis* (Major?) instead of being found feeding . . ." We do not agree with Oberholser that this constitutes the proposal of a name. We believe that "major" has no nomenclatural standing, and recommend the continued use of *interior*.

*Caracara Merrem*, 1826 vs. *Polyborus Vieillot*, 1816.—Hellmayr and Conover (1949:281) stated that Vieillot's name could not be used for the genus of the crested caracaras, but rather should be treated as a

synonym of *Circus*. Amadon (1954) gave reasons for the continued use of *Polyborus*, and has been followed (AOU 1983, Sibley and Monroe 1990). However, Banks and Dove (1992) have shown that the type species of *Polyborus*, *Falco brasiliensis* of Buffon, is not identifiable and that the generic name therefore has no standing. *Caracara Merrem* is the earliest available name for the genus (Hellmayr and Conover 1949) and should be used (AOU 1993).

*Falco gyrfalco* Linnaeus, 1758 vs. *F. rusticolus* Linnaeus, 1758.—Portenko (1972:264) used *Falco gyrfalco* for the Gyrfalcon, a name proposed on a later page than *Falco rusticolus* (Linnaeus 1758). Although Portenko gave no reason for his use of that name, he apparently followed Dementieff [sic] (1938), Dement'ev and Gladkov (1951), and other Russian workers. Most others have followed the AOU (1910) and Hartert (1915); the latter showed clearly that the two names apply to the same species and that *rusticolus*, although provided a meager description, has priority. More recently, Hudec and Cerny (1977) used *rusticolus* relative to the Russian birds. We recommend the continued use of *Falco rusticolus* for the Gyrfalcon.

*Catoptrophorus semipalmatus speculiferus* (Cuvier, 1829) vs. *C. s. inornatus* (Brewster, 1887).—Phillips (1962b) noted that *Totanus speculiferus* Cuvier may be an early name for the western population of Willet, and suggested that it be used rather than *inornatus*. The matter had been discussed by Hellmayr and Conover (1948b:129), who quoted Berlioz's report that the type of *speculiferus* had the color of nominate *semipalmatus* but the proportions, especially the long slender bill, of *inornatus*. They believed that a change in nomenclature, from the long-used *inornatus* to *speculiferus* was inadvisable—presumably because the identity of the type, from an unknown locality, was not definite. Phillips (1962b) rejected that conclusion because he believed that the color difference was seasonal. We recommend that *speculiferus* be considered unidentifiable and that *inornatus* be used for the sake of stability.

*Capella Frenzel*, 1801 vs. *Gallinago Brisson*, 1760.—The generic name *Capella* was used (AOU 1931, 1957) for the Common Snipe (*gallinago*), even though the Commission had declared *Gallinago* a *nomen conservandum* (Opinion 67, 1916) and placed *Capella* on the Official Index of Rejected and Invalid Generic Names (Direction 39, 1956; see Mayr 1963). However, some authors (see Wetmore 1958, Tuck 1972) questioned using *Gallinago* on the basis that it had not been proposed as a generic name, and rejected the decision of the Commission. Todd (1963) and Oberholser (1974) also used *Capella* (but see *Podiceps*, above). Most authors now (AOU 1983, Sibley and Monroe 1990) use *Gallinago*, and we recommend continued use of that name in compliance with the Commission's ruling.

*Rubicola Richardson*, 1831 vs. *Philohela Gray*, 1841.—Oberholser (1974:979) substituted *Rubicola* as the generic name for the American Woodcock for *Philohela*,

then in current use, citing a supplement to the AOU Check-list. In the reference cited, the AOU (1923) replaced *Philohela* with *Rubicola* "because the latter is an earlier name, and valid, though introduced apparently by mistake." Later, the AOU (1931:109) reversed its position and used *Philohela* because there was no evidence that *Rubicola* had been intended as a new name and that "it seems an obvious misprint for *Rusticola*, a name applied to the European Woodcock." Peters (1934:279) also used *Philohela*, but attributed the name *Rubicola* to "Vieill." Jameson. We agree that *Rubicola* has no standing and that *Philohela* should be used as the generic name for the American Woodcock if that species is considered generically distinct from the Old World woodcocks placed in *Scolopax*.

*Columba domestica* Gmelin, 1789 vs. *C. livia* Gmelin, 1789.—Oberholser (1974) followed Stejneger (1887), who believed that the Rock Dove (or pigeon) should be known by the specific name *domestica* rather than *livia*. Both names are based on *Columba domestica*  $\beta$  *livia* (Gmelin 1789:769). Oberholser (1974:983) believed that Gmelin's varietal name *livia* had essentially the same basis as the species name *domestica*, and that the latter therefore should apply. The fact that Oberholser (1974) placed the species in the genus *Lithoenas* has no bearing on the specific name.

The name *domestica* first appeared as *Columba oenas*  $\beta$  *domestica* (Linnaeus 1758:162, 1766:279), where it was based on sources referring to both the Rock Dove and the Stock Dove (*C. oenas*). The references cited as the basis of *domestica* by Gmelin (1789) also refer to more than one species (contra Oberholser 1974), but those cited for *livia* refer solely to the Rock Dove. We reject Oberholser's (1974) change and believe that *Columba livia* Gmelin, 1789 is the proper name for this species.

*Ectopistes canadensis* (Linnaeus, 1766) vs. *E. migratorius* (Linnaeus, 1766).—It has long been known that the names *canadensis* and *migratorius* in the Linnaean genus *Columba* both apply to the Passenger Pigeon, and that the former has page priority, although the latter has had almost universal usage (Coues 1880). Oberholser (1918) proposed a change from *migratorius* to *canadensis*, and the AOU Committee on Classification and Nomenclature listed this proposed change (Oberholser 1919) for consideration. The committee apparently failed to act, retaining the name *migratorius* (AOU 1931). Hellmayr and Conover (1942), however, used *canadensis*. Oberholser (1974:984) repeated his argument, but use of *migratorius* prevails (AOU 1983, Sibley and Monroe 1990).

In fact, Stephens (1819) is the first reviser (I.C.Z.N. 1985, Art. 24) by virtue of having pointed out the identity of the two names and deliberately selecting *migratorius* as the name of choice. We reject Oberholser's proposal and recommend the continued use of *Ectopistes migratorius* Linnaeus, 1766, p. 285, for the Passenger Pigeon.

*Bubo virginianus subarcticus* Hoy, 1852 vs. *B. v. wa-*

*pacuthu* (Gmelin, 1788).—Browning and Banks (1990) showed that the basis for the name *wapacuthu* is indeterminate, but more likely a Snowy Owl (*Nyctea scandiaca*) than the Great Horned Owl that it is applied to. The name *arctica* Swainson that was once applied to the Great Horned Owl population west of Hudson Bay is preoccupied by a name for the Snowy Owl. Hoy's (1852) name *subarcticus* is the next available name and should be used for that population.

*Micropallas* Coues, 1889 vs. *Micrathene* Coues, 1866.—Oberholser (1974:985) used *Micropallas* as the generic name for the Elf Owl. Coues (1889) had proposed that name to replace *Micrathene* because the latter was preoccupied by *Micrathene* Sundevall. Peters (1940:135) and the AOU (1957) used the earlier *Micrathene* because it was no longer preoccupied under the "one-letter rule" of the Code. We recommend use of the older name, *Micrathene*.

*Dryobates* Boie, 1826 vs. *Dendrocopos* Koch, 1816 vs. *Picoides* Lacépède, 1799.—Oberholser (1974:987) used *Dryobates* as the generic name for most of the "pied" woodpeckers on the basis that *Dendrocopos* was preoccupied by *Dendrocopos* Vieillot. Voous (1947) had shown that the names differ according to the one-letter rule, and that *Dendrocopos* could validly be used for these woodpeckers. Delacour (1951) and Short (1971) merged *Dendrocopos*, including *Dryobates*, with *Picoides*, but Ouellet (1977) revived *Dendrocopos* for the Old World four-toed forms in the complex. The American four-toed species should remain in *Picoides* unless they are considered generically distinct from both the three-toed *Picoides* and the Old World four-toed species of *Dendrocopos*, in which case *Dryobates* is available.

*Contopus mesoleucus* (Deppe, 1830) vs. *C. borealis* (Swainson, 1832); and *C. cooperi* (Nuttall, 1831) vs. *Contopus borealis* (Swainson, 1832).—The specific name *mesoleucus* for the Olive-sided Flycatcher, whether treated in *Contopus* or *Nuttallornis* (both of masculine gender), originally appeared as "*Muscicapa mesoleuca* Lichtenst." with a very sketchy description, in a work generally attributed to Lichtenstein but actually written by W. Deppe (see Stresemann 1954:90) who used Lichtenstein's manuscript names. The name *mesoleucus* was not used until Salvin and Godman (1889:80-81) suggested that it might apply to the Olive-sided Flycatcher, for which they used the then widely accepted name *borealis*. Ridgway (1907:507) similarly suggested that *mesoleucus* might be an older name for *borealis*, but expressed his doubt by prefacing the name with two question marks. Hellmayr (*in* Cory and Hellmayr 1927) was the first to establish *mesoleucus* (in the genus *Nuttallornis*) as the presumably proper name for the species. Hellmayr (*in* Cory and Hellmayr 1927:189) designated a specimen in the Berlin Museum (2402, from Oaxaca, Mexico, presumably from the F. Deppe collection made for Lichtenstein) as the type of *mesoleucus*, stating that it was a representative of the "smaller eastern form." Most authors accepted

Hellmayr's (in Cory and Hellmayr 1927) action and the name *mesoleucus* replaced *borealis* for several years (e.g. Oberholser 1930, AOU 1931). However, van Rossem (1934) showed that Hellmayr had erred in selecting a type for *mesoleucus*, and claimed that the name really applied to a South American flycatcher in the genus *Elaenia*. Most authors quickly accepted van Rossem's analysis and reinstated *borealis* as the specific name of the Olive-sided Flycatcher (e.g. AOU 1945, 1957, Traylor 1979). A few recent authors, however, notably Phillips (in Phillips et al. 1964, in Phillips and Short 1968, in Monson and Phillips 1981) and Wolters (1977) revived the use of *mesoleucus*, apparently following Hellmayr (in Cory and Hellmayr 1927) and rejecting van Rossem's (1934) arguments, but without so indicating.

Van Rossem (1934) pointed out that at least part of the Lichtenstein/Deppe brief description of *Muscicapa mesoleuca* ("Graugrünlich" = grayish-green) does not apply to the Olive-sided Flycatcher. Furthermore, the specimen chosen by Hellmayr was originally labeled (presumably by Lichtenstein or Deppe) with a different name, whereas the name *mesoleuca* was on a specimen of another species in that collection. We agree with van Rossem (1934) that *Muscicapa mesoleuca* "Lichtenstein" W. Deppe, 1830 does not apply to the Olive-sided Flycatcher. Whether that name applies to a different species of flycatcher, as van Rossem concluded (see Traylor 1979:128), is irrelevant to the present problem. It would appear that the way is clear for the continued use of *borealis* Swainson, 1832 based on a bird from Cumberland House (=Carlton House), Saskatchewan, for this species.

Nuttall (1832 = 1831) based the name *Muscicapa cooperi* on a bird from Mount Auburn, near Boston, Massachusetts, and coined the English name still used for this species. Todd (1963:485) noted that Swainson's name *Tyrannus borealis* "narrowly escaped being a synonym of Nuttall's *Muscicapa cooperi* . . . also published in 1832 but presumably later in the year."

Bangs and Penard (1921) were the first to divide the Olive-sided Flycatcher into eastern and western subspecies. They used the name *borealis* for the eastern form and named the western one *N. b. majorinus* in recognition of its larger size. Van Rossem (1934) used the name *b. borealis* for "the larger, western subspecies" and applied the name *b. cooperi* to the eastern race. Van Tyne and Sutton (1937) used the names in the same manner, and Moore (1938) and Braund and McCullagh (1940) used *b. cooperi* for the eastern subspecies. Wetmore (1939) did not consider recognition of eastern and western forms warranted, and Sutton (1943), van Rossem (1945), and Blake (1958) reflected uncertainty whether one or two forms existed. Todd (1963) recognized two forms, but restricted the larger western birds to southern California and northern Baja California, using *b. majorinus* for it and *b. borealis* for most of the North American birds. Oberholser (1974:564, 989) again recognized an east-west split

and used *b. borealis* for the western population and *b. cooperi* for the eastern.

Browning and Monroe (1991) have shown that Nuttall's "1832" manual was available for sale in December 1831 and that it predates part 2 of Swainson and Richardson's "Fauna Boreali-Americana," which was published in February 1832. Thus, the earliest valid name for the Olive-sided Flycatcher is *Contopus cooperi* (Nuttall, 1831). Most recent authors have followed Wetmore (1939) and have considered the Olive-sided Flycatcher a monotypic species; thus, the name *cooperi* has fallen into disuse. With the recognition that *cooperi* Nuttall is the earliest valid name for the species (see above), it must be used instead of *borealis* Swainson. There may be a tendency, for the sake of stability, to attempt to retain the more familiar *borealis*. However, if the division into two (or more) taxonomic units, already recognized by many older workers as shown above, is upheld by future work, another name for the eastern birds would have to be coined. Swainson's name *borealis* is available for the western subspecies if an east-west split is recognized (as by Oberholser 1974), the eastern form being the nominate *cooperi*. The third name, *majorinus* Bangs and Penard remains available for the population recognized in southern California and northern Baja California by Todd (1963).

*Contopus musicus* (Swainson, 1827) vs. *C. pertinax* Cabanis and Heine, 1859.—Phillips (in Phillips and Short 1968) reported the discovery of the supposed type of Swainson's (1827) *Tyrannula musica*. He identified it as a Greater Pewee, but provided no basis for his identification. Phillips had earlier (Phillips et al. 1964) adopted the name *musica* "because both the description and the name itself apply so clearly to this species" (in Phillips and Short 1968), although Cory and Hellmayr (1927) considered *musica* unidentifiable. The name *musica* was later used by Monson and Phillips (1981), but apparently no other authors have used it in preference to *pertinax*.

Traylor (1979:129) considered *musica* a *nomen oblitum* because it had appeared in the literature only once (Salvin and Godman 1889) since its original description. The name also was used by Sharpe (1901) and Dubois (1903). The only recent uses of *musica* that we have been able to determine are those cited above by Phillips and his coauthors. We recommend that the specific name *pertinax* be used for the Greater Pewee, as it has been by the great majority of authors for more than a century, and that *Tyrannula musica* Swainson be considered a *nomen oblitum* (I.C.Z.N. 1985, art. 23b) as suggested by Traylor (1979).

*Empidonax obscurus* (Swainson, 1827) vs. *E. wrightii* Baird, 1858.—Oberholser (1974:988) revived *Tyrannula obscura* Swainson, 1827 for the Gray Flycatcher, on the basis that the name has priority over *Empidonax wrightii* Baird, 1858 and applies to the same species. He stated that "the color and structural characters, as well as the measurements given by Swainson . . . agree

very well with the Gray Flycatcher . . ." Baird (in Baird et al. 1858:922) had suggested that the name *obscurus* may apply to (=be a composite of?) two distinct species. Brewster (1889) concluded, as did Phillips (1939), that the name *obscura* is unidentifiable, and it has been regarded as a *nomen dubium*. The holotype of *obscurus* apparently is lost (fide Oberholser 1974).

We cannot determine what structural or color characters of *obscurus* Oberholser (1974) believed to be diagnostic. The measurements of wing and tail given by Swainson (1827) do not conform to those of either *E. wrightii* or *oberholseri* (cf. Johnson 1963), and the description of the color is applicable to more than one species of *Empidonax*. We agree with Rea (1983:187) that Oberholser's suggestion should be rejected, and suggest continued use of *Empidonax wrightii* Baird, 1858.

*Empidonax pusillus* (Swainson, 1827) vs. *E. minimus* (Baird and Baird, 1843).—Phillips et al. (1964:87) and Monson and Phillips (1981) revived Swainson's name *pusillus* for the Least Flycatcher, generally known as *Empidonax minimus*, but did not give the original citation for the name or the reason for its use. Rea (1983:188) followed Phillips et al. (1964) in the use of *pusillus*, indicating that it was based on *Platyrhynchus pusillus* Swainson, 1827 and discussing the rationale for the change from *minimus*. Perhaps the best discussion of the identity of the two names was by Todd (1963:482), who chose to retain *minimus* "to avoid further changes and confusion in the nomenclature of this difficult group of birds."

Swainson (1827) named and briefly described *Platyrhynchus pusillus* from the "maritime parts of Mexico." Later, Swainson (in Swainson and Richardson 1832) gave a detailed description, with a color plate, of a bird from Carlton House, Saskatchewan, under the name *Tyrannula pusilla*. There is no known extant type specimen for either name, although Swainson mentions (in Swainson and Richardson 1832) comparing the Carlton House bird with one from the shores of Mexico. On the basis of that comparison, Swainson clearly stated that *T. pusilla* represented the same species as his *Platyrhynchus pusillus*, which he had incorrectly assigned to that genus. Baird and Baird (1843) believed that the wing formula of *pusillus*, as given by Swainson, differed from that of what they named *minimus*.

Within the genus *Empidonax*, the name *pusilla* has been treated in several ways. Baird (in Baird et al. 1858) treated it as a species occurring geographically between *E. traillii* and *minimus*. Coues (1884) treated it as a species aligned with, possibly the same as, *traillii* and replacing that form to the west. The AOU (1886) considered *traillii* a subspecies of *pusillus*, a species distinct from *minimus*. It is not certain, however, that any of those authors were using *pusillus* for exactly the same species that Swainson did. The confusion was summarized by Brewster (1895), who suggested

that, until Swainson's type (from Mexico) was found and studied, "it seems to me that we are justified in ignoring the name *pusillus* and adopting—or rather retaining—that of *traillii* for the flycatcher which we have just been considering." Although several writers have discussed the identity of *pusilla* since that time, none has used that name for a species other than Phillips and Rea (as cited above).

The name *Platyrhynchus pusillus* Swainson may be considered a *nomen dubium*, but the lack of use in most of this century also qualifies it for the status of *nomen oblitum*, which we recommend. We further recommend that *Empidonax minimus* (Baird and Baird, 1843) be accepted as the proper name for the Least Flycatcher. We note the irony of efforts to conserve the name *pusillus*, used by Swainson (in Swainson and Richardson 1832) after his own introductory comments that the nomenclature of the small American flycatchers was so confused, because of inadequate original descriptions by early authors, that "it becomes utterly impossible to make use of their names or their synonymies" and that most of the names then in use should "be expunged from our systems . . ." We further note Rea's (1983) observation that ". . . Swainson's name must stand unless it can be demonstrated conclusively to be a *nomen oblitum* (a game some taxonomists play to avoid their supposed fundamental principle, priority)." We believe that the fundamental obligation of taxonomists is to promote stability, and that the principle of priority is but one way in which this can be effected. We see no stability in resurrecting a name of uncertain basis that has been used in several different ways to replace a name that has been used uniformly for most of a century.

*Hirundo albifrons* Rafinesque, 1822 vs. *H. pyrrhonota* Vieillot, 1817.—There have been a number of flip-flops on the specific name of the Cliff Swallow. The name *Hirundo lunifrons* Say, 1823 was used for some 50 years, until Sclater and Salvin (1873) substituted *pyrrhonota* Vieillot, 1817. Both names were used subsequently, until Ridgway (1904) considered *pyrrhonota* doubtful as applying to the species and attempted to stabilize the use of *lunifrons*. Rhoads (1912) discovered an early newspaper column by Rafinesque that contained a description of the Cliff Swallow under the name *Hirundo albifrons*, which was adopted by the AOU (1931). However, Hellmayr (1935:29) reverted to the use of *pyrrhonota*, stating that "With the exception of the blackish lower belly which may easily be construed as referring to the dusky under tail coverts, Azara's description, upon which Vieillot's name was based, is quite accurate . . ." The AOU (1957, 1983) followed Hellmayr's treatment, as did Peters (in Mayr and Greenway 1960). Rea (1983:196) declared that "By no stretch of the imagination can Vieillot's description of *Hirundo pyrrhonota*, with its blackish lower belly and a russet brown forehead, be construed to apply to our northern Cliff Swallows . . ." and that the name *lunifrons* Say, 1823 "should stand unless *H.*

*albifrons* Rafinesque, 1822, proves acceptable." Phillips (1986:33) similarly rejected *pyrrhonota*, and found *albifrons* acceptable.

We agree with Hellmayr (1935) that the descriptions by Azara and Vieillot are accurate for the Cliff Swallow, except for the blackish abdomen. In fact, there is no other swallow to which these descriptions could apply. We disagree with Hellmayr that the reference to the blackish belly can be construed as referring to the under tail coverts, which are no more dusky in the Cliff Swallow than the rest of the underparts. It is possible that the individual examined by Azara, presumably one purchased by him (Salvin and Godman 1889), was aberrant, perhaps partly melanistic. Another possibility is that the bird had been stained, perhaps by a chemical such as mercuric chloride (corrosive sublimate) used as a preservative during preparation. The use of this substance, which can stain feathers, hair and skin black, as a preservative for birds has been documented as early as 1771 (Williams and Hawks 1987). Without having the specimen (presumably lost) available for study, we cannot fully explain the single character that might rule out its identity as a Cliff Swallow, but plausible explanations exist.

There is no indication that Vieillot (1817) saw the single specimen that Azara had. Apparently his description was based entirely on Azara's (1802-1805, 1809) published accounts. Phillips (1986) stated strongly that the description of the forehead as "brun roussâtre" ruled out the eastern Cliff Swallow because only juveniles, which could not be in Paraguay in winter, have brown foreheads. Phillips also noted that "If Vieillot simply repeated Azara, he erred; Azara gave the forehead as "blanca acanelada . . . hasta la mitad del ojo." Although not stated, it is obvious that Phillips referred to the Spanish edition of Azara's work. The 1809 edition, translated into French and annotated by Sonnini, uses the wording "Elle a le front d'un brun roussâtre qui s'étend au-dessus de l'oeil . . ." It is much more likely that Vieillot based his account on the French edition of Azara rather than the Spanish one. The discrepancy seems to be one of translation or interpretation by Sonnini. It is impossible to know what generalized French or Spanish color names of nearly two centuries ago mean in modern English ornithological color characterization. However, many Cliff Swallows from populations in eastern North America have foreheads that are pale cinnamon or pale reddish brown (Browning 1992) rather than pure white.

We agree with Hellmayr (1935) that Vieillot's (1817) description of *Hirundo pyrrhonota* applies to the Cliff Swallows of eastern North America. The name has unquestioned priority over either *lunifrons* or *albifrons*, and we recommend its continued use.

*Aphelocoma floridana* (Bartram, 1791) vs. *A. coerulescens* (Bosc, 1795).—Phillips (1986:46) used *floridana* for the Florida Scrub-Jay generally known as *Aphelocoma*

*coerulescens*, independent of regarding the Florida birds specifically distinct from the western Scrub-Jays. Bartram's (1791) names are invalid because he did not use binomial nomenclature (Opinion 447, 1957).

*Troglodytes insularis* Lawrence, 1871 vs. *Thryomanes sissonii* (Grayson, 1868).—Phillips (1986:140) used *insularis* for the Socorro Wren rather than *sissonii*, which Taylor (1951) had rediscovered and made known after some 80 years. Phillips (1986) expressed the view that "names 'published' only in newspapers or obscure, non-technical journals and never circulated among, or *made known to*, contemporary scientists" should be placed in the category *nomen oblitum* (compare his use of *albifrons* Rafinesque for the Cliff Swallow). We agree that Taylor (1951) might well have made use of that category, had it existed under the *Code* as then accepted, as *insularis* was the only name used at that time. However, *sissonii* has been accepted and used to the exclusion of *insularis* since 1951 (e.g. Blake 1953, Miller et al. 1957, Paynter in Mayr and Greenway 1960, AOU 1983, Sibley and Monroe 1990). We recommend the continued use of *sissonii* for this species, whether it is placed in *Troglodytes* as by Phillips (1986) or *Thryomanes* as by the AOU (1983).

*Troglodytes domesticus* (Wilson, 1808) vs. *T. aedon* Vieillot, 1809.—Oberholser (1934:88) was the first to point out that the commonly used name for the House Wren, *aedon*, was antedated by Wilson's *Sylvia domestica* for the same species. The situation was further discussed by Oberholser (1974), and the priority of *domesticus* was confirmed by Browning and Monroe (1991).

The name *Troglodytes domesticus* also was used by Aldrich and Bole (1937), Sutton and Burleigh (1940), Huey (1942), Sutton and Pettingill (1943), Brandt (1951), Monson and Phillips (1981), Rea (1983), Phillips (1986), and perhaps others. However, some of these same authors (Aldrich in Jewett et al. 1953, Burleigh 1958, 1972, Phillips 1962a, Phillips et al. 1964, Sutton 1967) also have used *Troglodytes aedon* for the same species. Virtually every major taxonomic compilation has continued the use of *aedon*, including but not limited to AOU (1957, 1983), Miller et al. (1957), Paynter (in Mayr and Greenway 1960), Wolters (1980), Godfrey (1986), and Sibley and Monroe (1990). Because of the physiological and ecological studies by S. C. Kendeigh and his students from the 1930s through the 1960s, the House Wren has become one of the most thoroughly studied American birds, and there is a vast nontaxonomic literature that uses the name *T. aedon*. The name *aedon* is universal in the popular literature of North American birds.

Despite the fact that *domesticus* has unquestioned priority and has been used in recent years, although inconsistently and by only a few authors, we believe that the stability of nomenclature would best be served by suppression of the name *Sylvia domestica* Wilson, 1808, and the continued use of *Troglodytes aedon* Vieillot, 1809 for the House Wren of North America.

*Regulus* Bartram, 1791 vs. *Corthylio* Cabanis, 1853 and *Orchilus* Morris, 1837 vs. *Regulus* Cuvier, 1800.—Despite the Commission's ruling that Bartram's (1791) names are not valid (Opinion 447, 1957), Oberholser (1974:995) used the generic name *Regulus* of Bartram (type species *calendula*) rather than *Corthylio* Cabanis (type species *calendula*) for the Ruby-crowned Kinglet. This action precluded use of the later *Regulus* Cuvier (type species *regulus*) for the Golden-crowned Kinglet. To fill the void, he found the name *Orchilus* Morris (type species *regulus*).

Because Bartram's name has no nomenclatural standing, *Regulus* Cuvier is not preoccupied and should be used for the genus of kinglets. *Corthylio* Cabanis remains available for the Ruby-crowned Kinglet for those who choose to separate it from the firecrests (e.g. Wolters 1980).

*Muscicapa latirostris* Raffles, 1822 vs. *M. dauurica* Pallas, 1811.—The AOU (1987) added the Gray-breasted Flycatcher to the list of North American birds and followed Watson (*in* Mayr and Cottrell 1986:318) in using the specific name *dauurica*. Gibson (*in* Phillips 1991:132) used the specific name *latirostris* on the basis that Pallas' work was not published until 1827 and *dauurica* therefore, is, antedated by *latirostris*. The date of publication of Pallas' *Zoographia Rosso-Asiatica* was a matter of contention for many years until the Commission (Opinion 212, 1954) fixed 1811 as the publication date for volumes 1 and 2 of that work (for history of that decision, see Hemming 1951). We follow the decision of the Commission and recommend *dauurica* as the appropriate specific name. The English name Asian Brown Flycatcher was later adopted by the AOU (1989) and is used by Sibley and Monroe (1990) and by Gibson (*in* Phillips 1991).

*Sialia arctica* Swainson, 1832 vs. *S. currucoides* (Bechstein, 1798).—Phillips (1991:113) substituted the specific name *arctica* for the Mountain Bluebird, generally known as *Sialia currucoides*. The AOU (1908) had replaced *arctica* with *currucoides* on the basis of a manuscript by C. W. Richmond, which we are unable to locate in the files or archives of the National Museum of Natural History. Phillips (1991:114) believed that neither the description nor plate of Bechstein's *currucoides* resembled any bluebird, and that the locality given (Virginien = Virginia) was not in the range of the species.

Bechstein's (1798) description of *currucoides* (translated for us by L. Overstreet) noted that the broad brown-gray edges to the darkish brown dorsal feathers produce a blue-gray appearance, and that the primaries have similar edges. The edgings of the tail feathers appeared whitish, and the ventral surface was dirty white, with the chin or throat ashy gray. This description agrees with some immature USNM specimens that are exceptionally brown and that are unmottled ventrally. After examining Bechstein's plate 121, Browning agrees with Phillips (1991) that the bluish color of the flight feathers is lacking, but he

concluded that the bird is a poorly illustrated immature Mountain Bluebird.

We cannot respond to Phillips's doubt that specimens from interior or western North America reached Germany by the date of Bechstein's writing. "Virginia" in the late 18th century included an area from the Atlantic to western Illinois and north to Michigan and southern Ontario (Goss 1990). This area was better explored in the 1790s than Phillips (1991) suggested. There are records of the Mountain Bluebird as far east as southern Ontario, New York and Pennsylvania (AOU 1983) and North Carolina (Boozer 1986). The type specimen of *currucoides* is not in the Darmstadt Museum (R. Kinzelbach *in* litt.) and apparently is missing.

Although Bechstein's (1798) description and illustration are less than perfect, we believe that each represents the Mountain Bluebird. We recommend that *S. currucoides* (Bechstein, 1798), in use for 85 years, be retained as the name for the Mountain Bluebird.

*Lucar* Bartram, 1791 vs. *Dumetella* S.D.W., 1837.—Harper (1942), Oberholser (1974), and Phillips (1986) used *Lucar* as the generic name for the Gray Catbird on the basis of priority, but Bartram's names are not available (Opinion 447, 1957). Allen (1908a:23) and Olson (1989) determined the identity of S.D.W. as S. D. Wood, and Olson discussed the rather shaky basis for the name *Dumetella*.

*Bombycilla garrulus carolinensis* (Miller, 1776) vs. *B. g. pallidiceps* Reichnow, 1908; and *Bombycilla cedrorum* Vieillot, 1808 vs. *B. americana* Wilson, 1808.—Oberholser (1974:996) used the subspecific name *carolinensis* for the North American form of the Bohemian Waxwing (*Bombycilla garrulus*), basing it on an illustration in J. F. Miller's *Icones Animalium*. Phillips (1991:2) rejected this change from the familiar *pallidiceps* on both geographic and chronological grounds, pointing out that the American population of *B. garrulus* was not known in Europe in the 1700s. Swainson (*in* Swainson and Richardson 1832:237) reported that the first American specimens of that species were taken in 1826. Miller's plate must have been of a European *B. garrulus*, of which *carolinensis* must be considered a synonym. Because *carolinensis* cannot apply to American Bohemian Waxwings, the subspecific name *pallidiceps* Reichnow, 1907, should be used.

Actually, the name *Lanius Garrulus*  $\beta$  *Garrulus carolinensis* had been used by Linnaeus (1758:95) for a waxwing or "chatterer" illustrated by Catesby, well before Miller used it. Linnaeus (1766:297) repeated the name but placed it in *Ampelis* rather than *Lanius* and cited prior use of *carolinensis* by Brisson, as well as referring to the plate by Catesby and to one by Edwards, both of which are undoubted Cedar Waxwings. The nomenclatural confusion was compounded by the fact that no one distinguished the Cedar Waxwing as a species distinct from the Bohemian Waxwing until Wilson (1808) described and named the former (Bonaparte 1824).

The name *carolinensis*, based on either Linnaeus or Brisson, was used for the Cedar Waxwing, in *Ampelis* or *Bombycilla*, at least sporadically between about 1817 and 1862 (see Ridgway 1904:112). We have been unable to determine why that name was discarded in favor of the name *cedrorum* Vieillot, 1808. Because *carolinensis* has not been used for the Cedar Waxwing for well over 100 years, it should be considered a *nomen oblitum* and its use suppressed.

Wilson (1808) proposed the name *Ampelis americana* for the Cedar Waxwing in volume 1 of his *American Ornithology*, published in September. Vieillot's (1808) publication of the name *Bombycilla cedrorum* for that species also was published in September (Browning and Monroe 1991:396). Both names were used (along with *carolinensis*) in the first half of the 1800s. Vieillot's name eventually gained universal usage because 1807 was long accepted as the date of publication. We act as first reviser (I.C.Z.N. 1985, Art. 24) and select *Bombycilla cedrorum* Vieillot as the name for the Cedar Waxwing rather than *Ampelis americana* Wilson.

Burleigh (1963) restricted the type locality of *B. cedrorum* Vieillot to Pennsylvania. The type locality of *A. americana* Wilson is also Pennsylvania (Hellmayr 1935). Thus *americana* is not applicable to either the western or northern subspecies of *cedrorum* described by Burleigh.

*Ptiliogonys* Swainson, 1827 vs. *Ptilogonys* Swainson, 1824.—Browning (1989b) showed that Swainson's intended appendix to an 1824 exhibition catalog by William Bullock never was published, and that the generic name for the silky flycatchers was spelled *Ptiliogonys* when it first appeared (Swainson 1827). The same publication information applies to the specific name *cinereus*, the type species of the genus *Ptiliogonys*. Swainson used the spelling *Ptiliogonys* in several publications spanning a decade, but eventually changed to *Ptilogonys* (for details and references, see Browning 1989b). In addition to correcting the citation for these two names, Browning (1989b) suggested that the generic name should be used as originally spelled, *Ptiliogonys*, last used in the literature by Ridgway (1887). Phillips (1991) followed Browning (1989b) for both the citation and spelling of the generic name.

Despite Swainson's repeated use of *Ptiliogonys* for several years before he amended the name to *Ptilogonys*, Sibley and Monroe (1990:506) recommended that *Ptiliogonys* be regarded "as an 'incorrect original spelling'" and that *Ptilogonys* "should be regarded as a justified emendation and the well-used spelling preserved." The AOU (1991) followed Sibley and Monroe (1990) and indicated the intention of petitioning the Commission for preservation of the current spelling and usage. We recommend that the current spelling *Ptilogonys* be maintained until a ruling is made by the Commission (Code, Art. 80). However, no petition has been filed at the time of this writing.

*Vireo calidris* (Linnaeus, 1758) vs. *V. altiloquus* (Vieillot, 1808), and *Vireo virescens* Vieillot, 1808 vs. *V. oli-*

*vaceus* (Linnaeus, 1766).—Oberholser (1974:997) and Phillips (1991:203) used the specific name *virescens* for the Red-eyed Vireo rather than the generally accepted *olivaceus*. In addition, Oberholser (1974:710) used the specific name *calidris* for the Black-whiskered Vireo, whereas Phillips (1991:201) used *altiloquus*, although he believed that *olivaceus* should be used for that species. Both authors placed these two species in the genus *Vireosylva* rather than *Vireo*, but that does not affect the problem of the specific names except in the gender-related endings.

The root of this problem is that some taxonomists accept Linnaeus' name *Motacilla calidris*, based on Edwards (1750) plate 121 of the "American Nightingale, *Luscinia calidris*," of Jamaica, as referring to the Black-whiskered Vireo. Others believe that *calidris* is not based on, and cannot be used for, any kind of vireo. If that is so, some believe that Linnaeus' (1766) *Muscicapa olivacea* is the earliest name for the Black-whiskered Vireo, despite the fact that it has been used almost exclusively for the Red-eyed Vireo. If *olivacea* applies to the Black-whiskered Vireo, then *virescens* is next available for the Red-eyed Vireo. If *olivacea* is used for the Red-eyed Vireo, then *altiloquus* is next available for the Black-whiskered Vireo. Some would reject *olivacea* as a composite and use *virescens* for the Red-eyed Vireo and *altiloquus* for the Black-whiskered Vireo.

The specific name *calidris* was not, as far as we can determine, applied to any species of vireo until Baird (1866:331) "restored" it for the Black-whiskered Vireo then (as now) generally called *V. altiloquus*. Baird's use of *calidris* was based on his belief that "There can be little question that the figure of Edwards, upon which the name of Linnaeus is based, refers to the Jamaican long-billed Vireo, although he does not satisfactorily express the color of the under parts." Ridgway (1904) followed in the use of *calidris* without comment. Bangs and Penard (1925:205-206), however, stated explicitly that the name *calidris*, "based on Edwards' American Nightingale, is unrecognizable. The plate certainly does not represent a Vireo." Hellmayr (1935) followed Bangs and Penard (1925) in rejecting *calidris* for the Black-whiskered Vireo. Oberholser (1974:998) continued to apply *calidris* to the Black-whiskered Vireo, but Phillips (1991) followed Bangs and Penard (1925) in rejecting it as representing something other than a vireo. We agree with those who reject *calidris* as unrecognizable, or at least not applicable to any species in the Vireonidae.

To what species does the name *olivacea*, the earliest name applicable to a vireo, apply? Linnaeus (1766) based *Muscicapa olivacea* on three references, which he obviously believed were to the same species. He first cited Edwards' (1750) plate 253 of *Muscicapa olivacea*, second Catesby's (1731-1743) plate 54 of the "Red-eyed Flycatcher," and third Brisson's reference to *Muscicapa jamaicensis*. The first and third of these refer to what is now called the Black-whiskered Vireo,



but the name *olivacea* is generally used for the second-mentioned Red-eyed Vireo. The question is whether *olivacea* should be applied to the Black-whiskered Vireo, because it was first mentioned, or to the Red-eyed Vireo because of that usage in most of the past 150 years.

We believe that the problem was effectively resolved by Bonaparte in 1850. Bonaparte (1828) first placed *olivaceus* into Vieillot's (1808) genus *Vireo*; he later (Bonaparte 1838) transferred it to his new genus *Vireosylva*. When Bonaparte (1850:330) also placed *altiloqua* into *Vireosylva*, he placed Edwards' plate 253, part of Linnaeus's basis for *olivacea*, in its synonymy. In the synonymy of *olivacea*, Bonaparte (1850:329) listed Catesby's plate 54, the second part of Linnaeus' basis for *olivacea*. Thus, Bonaparte not only recognized the composite nature of *olivacea*, but he sorted out the pieces and established the principle for the AOU's (1957, 1983) statement that *olivacea* is based "mainly" on Catesby's illustration of the Red-eyed Flycatcher.

Linnaeus's (1766) citation of three sources as the basis for *Muscicapa olivacea* can be likened to the naming of a species from a series of syntypes of mixed species. We believe that Bonaparte (1850), in principle if not in words, designated Catesby's illustration as the lectotype of *Muscicapa olivacea*. We hereby designate the Red-eyed Flycatcher of Catesby's Nat. Hist. Carolina, vol. 1, page 54, plate 54, as the lectotype of *Muscicapa olivacea* Linnaeus 1766. With the name *olivaceus* firmly in place for the Red-eyed Vireo, the earliest name that applies to the Black-whiskered Vireo is *altiloquus* of Vieillot 1808.

*Vermivora* Linnaeus, 1776 vs. *Helmitheros* Rafinesque, 1819; *Vermivora* Linnaeus, 1776 vs. *Helmitheros vermivorus* (Gmelin, 1789); and *Helminthophila* Ridgway, 1882 vs. *Vermivora* Swainson, 1827.—The nomenclatural consequences of the "discovery" of a paper written by Linnaeus (1776) and published as a catalogue to plates published by George Edwards from 1743 to 1764 have been discussed by Peters (1950). Peters noted that Linnaeus' listing of *Vermivora* *americ* for the Worm-eating Warbler constituted both a new generic name, antedating *Helmitheros* and preoccupying *Vermivora* Swainson, and a new species name predating *vermivorus* of Gmelin. Phillips et al. (1964) adopted the changes necessitated by acceptance of the information presented by Peters (1950), without comment. Oberholser (1974) also accepted the package, using *Vermivora* *americ* of Linnaeus, 1776 for the Worm-eating Warbler and the generic name *Helminthophila* Ridgway, 1882, for all the species generally considered to constitute *Vermivora*.

However, the Commission (Opinion 412, 1956) suppressed "all new names or new spellings for previously published names proposed by Linnaeus" in his 1776 paper and, additionally, placed the generic name *Vermivora* Linnaeus on the Official Index of Rejected and Invalid Generic Names in Zoology. Most authors after 1956 have accepted that decision. We recom-

mend that the nomenclature of AOU (1957, 1983) and Lowery and Monroe (*in* Paynter 1968) be followed for the species involved.

*Dendroica lutea* (Linnaeus, 1776) vs. *D. magnolia* (Wilson, 1811).—Oberholser (1974:1000) used the name *lutea* for the Magnolia Warbler, his basis being the 1776 paper by Linnaeus discussed by Peters (1950). The situation is the same as the preceding, *lutea* being one of the names suppressed by the Commission (Opinion 412, 1956). *Dendroica magnolia* Wilson should continue in use for the Magnolia Warbler.

*Dendroica breviunguis* (Spix, 1824) vs. *D. striata* (Forster, 1772).—Oberholser (1974:1001) applied the name *Alauda* (*Anthus*) *breviunguis* Spix to the Blackpoll Warbler in the belief that *Muscicapa striata* Forster was a homonym of *Motacilla striata* Pallas, 1764, an Old World flycatcher later transferred to the genus *Muscicapa*. Wolters (1980) used the specific name *breviunguis* and placed this species in the genus *Lineocantor*.

Lowery and Monroe (*in* Paynter 1968:32), the AOU (1983:619), and Monroe (1989) have shown that because the two species called *striata* were never in the same genus concurrently, Forster's name cannot be considered preoccupied by Pallas' name. It is, therefore, available for use in *Dendroica*. Further, the identity of *breviunguis* Spix is not clear, as indicated by Hellmayr (1906). We have examined the plate and description that apply to *breviunguis* and cannot identify them with any known species. We believe that *Dendroica striata* (Forster, 1772) must continue in use as the name of the Blackpoll Warbler.

*Richmondia* Mathews and Iredale, 1918 and *Pyrrhuloxia* Bonaparte, 1850 vs. *Cardinalis* Bonaparte, 1838.—Oberholser (1974), without comment, used *Richmondia* as the generic name for the Northern Cardinal (*cardinalis*), and *Pyrrhuloxia* for the Pyrrhuloxia (*sinuata*). This may be because his manuscript was not updated after the Commission (Opinion 784, 1966) validated *Cardinalis* of Bonaparte as the name for a genus into which both *cardinalis* and *sinuata* had been merged (see Mayr et al. 1964). Paynter (1970) used *Cardinalis* for the species formerly in *Richmondia* and *Pyrrhuloxia*. The AOU (1973) replaced *Richmondia* with *Cardinalis*, but did not accept the merger of *Pyrrhuloxia* until 1976. We recommend following the decision of the Commission.

*Linaria* Bartram, 1791 vs. *Passerina* Vieillot, 1816.—Harper (1942) and Oberholser (1974:1008) used the Bartram generic name *Linaria* for the North American buntings generally placed in *Passerina*. Bartram's names were rejected by the Commission (Opinion 447, 1957). The correct generic name for the American buntings is *Passerina*.

*Oberholseria* Richmond, 1915 vs. *Chlorura* Sclater, 1862.—Oberholser (1974:1009) used the generic name *Oberholseria* for the Green-tailed Towhee in place of *Chlorura* Sclater used by others at that time. He gave no reason for his action (perhaps none was needed), but devoted his discussion of the generic name to the

chronological relationship of the earlier publications of the name *Chlorura* by Sclater (1861–1862) and Reichenbach (1862–1863).

The Green-tailed Towhee was carried in *Pipilo* in early AOU Check-lists. Ridgway (1896) separated it under the name *Oreospiza*, later (Ridgway 1901:399) noting that *Chlorura* Sclater was preoccupied by *Chlorurus* Swainson. Richmond (1915) proposed *Oberholseria* to replace *Oreospiza*, which also was preoccupied. When the "one-letter rule" was changed, *Chlorura* was no longer considered preoccupied and, as an older name, replaced *Oberholseria* (AOU 1947). Reichenbach's use of *Chlorura* was not mentioned by the AOU (1947).

Oberholser (1974:1010) concluded that *Chlorura* Sclater was preoccupied by *Chlorura* Reichenbach, proposed for some estrildid finches. According to Oberholser, the part of Sclater's (1861–1862) work in which *Chlorura* was proposed did not appear until May 1862, but the part of Reichenbach's work using *Chlorura* appeared in March or April 1862. The presumed earlier date of Reichenbach's (1862–1863) *Chlorura* precluded use of Sclater's *Chlorura*, necessitating the use of *Oberholseria*.

Sclater's (1861–1862) work was issued in parts, with the signature containing the name *Chlorura* dated 17 August 1861; Ridgway (1901:399) gave that as the date of publication. The signature was available to Cabanis in January 1862 (Zimmer 1926) and must have been published some time in 1861. *Chlorura* Reichenbach was published before July 1862 according to Mathews (1925). The evident priority of Sclater's name is contrary to Oberholser's conclusion.

*Chlorura* was again merged with *Pipilo* by Sibley (1955). We follow Sibley (1955), Paynter (1970:168) and the AOU (1976, 1983), and recommend the use of *Pipilo chlorura* for the Green-tailed Towhee, with the reminder that *Chlorura* Sclater should be used if that species is considered to be generically distinct (e.g. Wolters 1980).

*Hortulanus* Vieillot, 1807 vs. *Pipilo* Vieillot, 1816.—Oberholser (1974:1010) used the generic name *Hortulanus* instead of the generally accepted *Pipilo* for the towhees (other than the Green-tailed Towhee), expressing the belief that Stone (1907) had properly fixed *Fringilla erythrophthalma* Linnaeus as the type species of *Hortulanus*. Vieillot (1807) was credited with the formation of the generic name *Hortulanus* by Ridgway (1901), Stone (1907), Allen (1908b), Phillips (1962b, 1986), and Oberholser (1974). This caused nomenclatural problems because *Hortulanus* Vieillot, 1807 pre-dates currently used names of genera for which his three included species are the type species, and under the rule of priority would replace one of them. The status of *Hortulanus* and the consequences of the selection of a type species was discussed at length in the early 1900s with no definitive outcome (for references, see Hellmayr [1938:565] and Phillips [1962b]), and we see no need to repeat that here. The AOU

(1983:683) disposed of *Hortulanus* by indicating it has no standing.

Brisson (1760:269) used the name *Hortulanus* in the sense of a genus-group name, as a subgenus of *Emberiza*. The type species, by tautonomy, is l'Ortolan = *Emberiza hortulanus* Linnaeus, 1758. He included several other species, to wit: *H. arundinaceus* (= *Emberiza schoeniculus* Linnaeus), *H. ludovicianus* (= ? *Pheucticus ludovicianus* (Linnaeus)), *H. Capitis Bonae Spei* (= ? *Emberiza capensis* Linnaeus), *H. carolinensis* (= *Dolichonyx oryzivorus* (Linnaeus)), and *H. nivalis* (= *Plectrophenax nivalis* (Linnaeus)). Vieillot (1807) apparently used Brisson's genus and expanded it by adding *Hortulanus erythrophthalmus* [sic] (= *Pipilo erythrophthalmus* (Linnaeus)), *H. albicollis* (= *Zonotrichia albicollis* (Gmelin)), and *H. nigricollis* (= *Spiza americana* (Gmelin)). The same generic name was later used by Leach (1816) who included *H. glacialis* (= *Plectrophenax nivalis*) and *H. montanus* (= *Calcarius lapponicus* (Linnaeus)). We believe that it is clear that Vieillot (1807) was merely using the name of a genus established by Brisson (1760) and adding species to it. In his 1807 work, on the pages on which the generic name *Hortulanus* is used, Vieillot also named the currently accepted genera *Vireo*, *Icteria*, and *Pipicola*. In the paragraph for each of those names, Vieillot (1807:iii–iv) wrote of his intention of proposing the new generic names in a volume of that work. No similar statement was made with any of the three uses of *Hortulanus*, indicating that he did not intend or believe it to be a new genus. Vieillot (1807) must have taken *Hortulanus* from Brisson (1760).

Vieillot did not use the generic name *Hortulanus* in later works (1816, 1819), but transferred the three species he had placed in it to other genera. Other authors (Leach 1816) continued to use the Brissonian name. Indeed, it was used at least until 1875 (Giebel 1875). Vieillot (1816) established the genus *Pipilo*, using as the type species (1819) *Fringilla erythrophthalma* Linnaeus, which he had formerly placed in *Hortulanus*.

Brisson's (1760) generic names were considered valid by the Commission despite the fact that Brisson was not consistently binary (or binomial) in his nomenclature (Opinion 37, 1910; Direction 16, 1955). It was not until 1963 (Direction 105) that the validity of Brisson's (1760) generic names was restricted to those names that appeared in pages 26–61 of the *Tabula Synoptica Avium Secundum Ordines* that appeared at the beginning of volume 1. *Hortulanus* did not appear in the *Tabula*, but was introduced on page 269 of volume 3. Thus, *Hortulanus* was an available generic name from 1760 until 1963; it should be considered a junior synonym of *Emberiza* Linnaeus, 1758. The fact that a species once placed in a genus was later used as the type species for a different genus does not affect the availability of the later name, and *Hortulanus* does not have priority over *Pipilo* Vieillot, *Zonotrichia* Swainson, or *Spiza* Bonaparte. Efforts by Stone (1907),

Allen (1908a:23), Phillips (1962b), and Oberholser (1974) to invalidate *Hortulanus* Vieillot, 1807, would have been unnecessary if they had realized that Vieillot was using a valid Brissonian generic name, not creating a new genus. We see no conflict that prevents the use of *Pipilo* Vieillot, *Zonotrichia* Swainson, or *Spiza* Bonaparte.

*Zonotrichia pensylvanica* (Linnaeus, 1776) vs. *Z. albicollis* (Gmelin, 1789).—Oberholser (1974:1012) used the name *pensylvanica* for the White-throated Sparrow. The situation is identical to that in the account of *Dendroica lutea* above. The Linnaean name *pensylvanica* was suppressed by the Commission (Opinion 412, 1957). The proper name for the White-throated Sparrow is *Zonotrichia albicollis*.

*Sturnella ludoviciana* (Linnaeus, 1766) vs. *S. neglecta* Audubon, 1844.—Oberholser (1974:1004) believed that the Linnaean name *Sturnus ludovicianus* applied to the Western Meadowlark and should be used instead of Audubon's name. Linnaeus (1766) based the name *ludovicianus* on a description and illustration by Brisson, with the locality "Louisiana," that Oberholser (1974) thought "perfectly" represented the Western Meadowlark. Oberholser noted that Brisson's "text explicitly mentions, and the plate clearly shows, the distinct and separated bars on wing and tail feathers." The term "Louisiana" at that time included a large area within the range of both the Western Meadowlark and the Eastern Meadowlark (*Sturnella magna*).

Bangs (1899) regarded the description of *ludovicianus* as "indefinite" and the AOU (1901) stated that the name "does not satisfactorily apply" to the Western Meadowlark, accepting *neglecta* instead. We believe that the plate in Brisson (1760) does not show clearly wing and tail barring (contra Oberholser 1974). Further, the characters of that barring do not serve to distinguish the two species of meadowlark; these characters are subject to considerable geographic and individual variation (Lanyon 1962). Wing and tail barring are not among the four "best" characters for separating the meadowlarks (Rohwer 1972). We agree with Bangs (1899) that the characters in Brisson's description and plate do not permit specific allocation of the bird. We recommend that *Sturnus ludovicianus* Linnaeus, 1766, be considered a *nomen dubium*, and that *Sturnella neglecta* Audubon, 1844 be accepted as the proper name for the Western Meadowlark.

*Erythrina* Brehm, 1828 vs. *Carpodacus* Kaup, 1829; and *Erythrina* Brehm, 1829 vs. *Carpodacus* Kaup, 1829.—Oberholser (1974:1009) used *Erythrina* Brehm, 1828 rather than *Carpodacus* as the generic name for the Purple (*purpurea*), Cassin's (*cassinii*), and House (*mexicana*) finches, on the basis that *Erythrina* is not preoccupied by *Erythrinus* Lacépède and that *Erythrina* predates *Carpodacus*. Wolters (1979) placed these three species, along with the Old World species *erythrina*, in the genus *Erythrina* but used the name as proposed in a later paper by Brehm (1829); Wolters (1979) also recognized *Carpodacus* as a distinct genus for two Old

World species of rose finches. Groskin (1941, 1950) used both *Carpodacus* and *Erythrina* for the American species *purpurea* (he used the latter generic name while J. L. Peters was editor of the journal). Many authors have used the name *Erythrina* for species in the group without indicating the author or date for the generic name, some also recognizing *Carpodacus* as distinct.

Brehm (1828) included, in a list of birds, the generic name *Erythrina* followed by descriptive vernacular names for the species *E. rubrifrons* and *E. rosea*. No other information was provided to identify either of those names. The name *rubrifrons* had not previously been used for a bird in the rose finch group and is a *nomen nudum* (Oberholser 1974). The name *rosea* may refer to *Fringilla rosea* Pallas, as Stresemann (1922) and Oberholser (1974) suggested, but Hellmayr (1938) considered it indeterminate. We agree with Berlioz (1929), Hellmayr (1938), and Paynter (1968:267) that *Erythrina* Brehm, 1828 must be considered a *nomen nudum*.

Kaup (1829) used a new generic name, *Carpodacus*, for birds in the rose finch group; Gray (1842) designated *Fringilla rosea* Pallas as the type species. *Carpodacus* was used instead of *Erythrina* for the assemblage of rose finches until the 1920s, when Stresemann (1922) and Hartert (1923, 1932) revived *Erythrina* Brehm, 1828. Berlioz (1929) was the first to show that *Erythrina* Brehm, 1828 was a *nomen nudum* but that *Erythrina* Brehm, 1829 was valid although predated by *Carpodacus* Kaup, 1829.

Brehm (1829) used the name *Erythrina* for the species *albifrons*, which he described and newly named. He equated his name *E. albifrons* with "Pyrrhula rosea Temm., *Fringilla rosea* Pall." Berlioz (1929) and Hellmayr (1938), among others, accepted *albifrons* as identical to *rosea*, considering it the type species of *Erythrina*. Brehm's (1829) description was based on a live bird that he identified as a first year male. Hartert (1932:61) examined the specimen of that particular bird and identified it as representing the nominate subspecies of *E. erythrina*. Wolters (1953) also equated those two species, and was followed by Paynter (1968:229). *Erythrina albifrons* Brehm = *Loxia erythrina* Pallas must be considered the type species (by monotypy) of *Erythrina* Brehm, 1829 despite Brehm's own misidentification of the bird.

The name *Carpodacus* appeared in April 1829, and Brehm's second use of *Erythrina* as a generic name appeared in July 1829 or later (Berlioz 1929). *Carpodacus* clearly has priority and should be used for the species *roseus* and its closest relatives. This might include the 21 species combined into the genus *Carpodacus* in the sense of Paynter (1968), the AOU (1983), and Sibley and Monroe (1990) or only the species *roseus* and *trifasciatus* if several genera are recognized as by Wolters (1979). If the species are divided into genera and subgenera as by Wolters (1979), the North American species *purpurea*, *cassinii*, and *mexicana* are

generally associated with the Old World species *erythrina* in the genus *Erythrina* Brehm, 1829.

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