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## II. Mitteilungen aus Museen, Instituten usw.

### 1. Report of the International Commission on Zoological Nomenclature.

By Dr. C. W. Stiles.

(Schluß.)

90) In accordance with this By-Law, the Commission herewith reports upon the following amendments with the recommendation that they be inserted in their proper place in the Règles.

91) a. Suggested amendment no. 9, submitted by the First International Entomological Congress has been modified slightly by the Commission, and is reported in the following form as a Recommendation.

'It is recommended that in published descriptions of new species or new subspecies, only one specimen be designated and labeled as type, the other specimens examined by the author at the same time being paratypes'.

92) b. Suggested amendment no. 13, submitted by J. A. Allen and T. D. A. Cockerell. — After considerable discussion, the Commission voted that the first portion of the proposed amendment (concerning *Gavia*, *Fregata*, and *Picoides*) and the first portion of the second paragraph (concerning *Plautus*) are already covered by the Règles as interpreted by Opinion 46.

93) The idea also obtains for at least a portion of suggested amendment no. 1, that the points in question are provided for in the Code, and a formal Opinion to this effect is now contemplated.

94) The Law of Priority. — The Law of Priority has been affirmed by a number of Zoological Codes, and has been formally affirmed twice (1892, and 1901) by the International Congress of Zoology. The original Code of 1889 and 1892 permitted certain exceptions to this law. Contrary to the very earnest appeals of the President and the Secretary of the Commission, the Section on Nomenclature in the Berlin Congress adopted the view that these exceptions should be eliminated and in said section the view obtained that the Law of Priority should be rigidly enforced without any exceptions of any kind in any group. When the matter came to argument in the Commission, the president and the secretary after a long discussion and with many misgivings, finally, for the sake of harmony, accepted the will of the majority, but this was not until after they had received positive assurance from prominent members of the Congress that the Commission would be supported in its attempt to carry out the amended law, for which, in the minds of the President and the Secretary, the zoolo-

gical profession was not then prepared. Clearly foreseeing at that date the tremendous dissatisfaction that the amended Law would cause, in a profession not all of whose members are accustomed to dealing with a large number of names, the president and the secretary of this commission immediately, in part even before adjournment of the Berlin Congress in 1901, made preparations to meet the discontent which to their minds was inevitable as a result of the action taken at the Berlin Congress. This discontent has now culminated in the presentation to the Commission of several propositions which have for their purpose the authorization of exceptions to the Law of Priority. From the fact that the several propositions submitted to the Commission before this Congress convened, and no less than four substitute propositions submitted formally or suggested informally during the present work, are very different in character, the Commission is persuaded that the adherents of the policy of making exceptions to the Law are far from being in accord as to the method that should be adopted. From the fact that memorials, protests, resolutions, letters, etc., both for and against the plan of exceptions have reached the Commission evidence is clear that the conclusions of the International Congress of Zoology held in Berlin, Germany, are still subject to a considerable difference of opinion. The Commission does not see its way clear to accept the postal card votes that have been taken as representing a sound basis upon which its decision must be made, but incidentally it may be mentioned as a matter of more or less general interest that more persons have protested to the Commission against changing the rules by admitting exceptions than have asked that exceptions be made. The interpretation the Commission places upon the two votes is that there is a tremendously increased interest on both sides of the subject and that there are many zoologists who feel the same inconveniences that the Commission has felt ever since its organization and the same inconveniences that all zoologists have felt who have tried to consistently apply the law.

95) Admitting without any reservation the point that the Commission itself feels very keenly the inconveniences of the Law, even claiming in fact that the original Commission of 1895 was in favor of certain exceptions as evidenced by its report, the present personnel of the Commission, whatever may be its views as to the wisdom of the action taken in Berlin, stands in overwhelming majority against admitting to the Code any provision looking to exceptions to this long established rule.

96) The administrative office of the Deutsche Zoologische Gesellschaft, through a statement published *Zool. Anz.* March 11, 1913) as official by its Secretary gives its view to the effect that decision on this matter should be reached during the present Congress and that this decision can not be postponed for three years; furthermore, a number of members of the Congress have expressed the view to the effect that this subject must now be settled definitely, finally, and once for all, so that they may proceed in their work undisturbed by vacillations in the rules.

97) So far as the question concerns the Commission, the matter may be viewed as settled; and if this matter, at least in its present form, comes before any future Congress it will be because of the changes in the Commission's personnel that occur by death, resignation, and expiration of terms of service, or because it is forced upon the Commission by circumstances.

98) In this report it has been unreservedly stated that the Law of Priority is a harsh law and produces inconveniences. It has also been stated that the president and the secretary of the Commission, when defeated in the Berlin Congress in attempt to make this Law somewhat milder, immediately laid plans with a view of possibly meeting the situation in some other way. The general plan discussed by them after their defeat in Berlin in 1901 has been constantly held in reserve to be presented when the proper time should come. It is this plan, in slightly modified form, that the Commission presents to the Congress as basis for an attempt to relieve zoologists, more especially teachers, of at least some of the inconveniences of which complaint is made. That this plan does not go far enough to suit some members of this Congress is so self evident that it need not even be admitted. It is, however, the unanimous opinion of the Commission as assembled in Monaco, that this is the most feasible method in view by which this work may be inaugurated. Prior to giving the plan in detail, it may be stated that the Secretary of the Commission has asked a number of zoologists to give a rough estimate as to the number of names for which exceptions were desired and also the number of names in the working vocabulary of the average zoologist other than systematists. The estimates in reply to the first question varied exceedingly, one man placing it as low as 20, others as high as 600; the estimate in reply to the latter question, as to vocabulary, usually, varied from 300 to 600, although one man placed it at 1000. This highest estimate, namely, 1000 names, is taken as present numerical basis in the suggestion here made, namely, the adoption of the following resolution:

99) Whereas, It is claimed that during the transitional period in nomenclature when the names are being reduced to a consistent, uniform, and objective basis, hardships result to many zoologists, especially to teachers, because of the changes involved, Therefore, be it

100) Resolved, that the Ninth International Zoological Congress establish an 'International Committee on Transitional Names', as follows:

1) No person is eligible to serve at the same time as a member of the International Commission of Zoological Nomenclature and on this new Committee.

2) Said Committee is to be composed of 15 zoologists who shall have power to organize in such manner as they may deem wise.

3) Said Committee is empowered to select 1000 (and no more) zoological names, in such manner and with such aid from other zoologists as the Committee may desire, and is instructed definitely to define the meaning of the names selected.

4) Said list of 1000 names is to be known as the 'Transitional List' and it shall be considered proper during the transitional stage of nomenclature of any given group, for any author to use any of said names, even though they be not in accord with the Law of Priority.

5) All authors making use of the Transitional List are urgently requested to designate the names by a dagger (†) or by such other sign as the Committee may select, in order to signify that they are using the names in the sense of the list.

6) As soon as both the International Commission of Zoological Nomenclature and the International Committee on Transitional List votes independently by a two-thirds majority that the time has come in the nomen-



clature of any group to drop any given name or names from the Transitional List, joint report to this effect is to be made to the International Congress and the name or names in question are then to be removed from the Transitional List.

101) Resolved, That this action is not to be interpreted as in any way restricting the application of the Law of Priority or of any other provision in the Rules of Nomenclature.

102) Incidentally it may be stated that the Commission has for some time had under informal discussion the advisability of a resolution by the Congress placing in the hands of the Commission the plenary power of suppressing entirely, in some way, certain names which it is claimed are at present applied in an erroneous sense and which when transferred to the correct genus or species under the Law of Priority are calculated to produce unusual confusion. As yet the views of the Commission are not formulated in a sufficiently safeguarded manner to make it advisable to report definitely on the subject at the present Congress. (See below, Supplementary Report.)

103) Although the resolution as reported places in the hands of the proposed Committee on Transitional List unrestricted power as to the selection of the names, this point does not raise any misgivings in the mind of the Commission. Furthermore, the resolution gives to the Committee in question unrestricted privilege of inviting cooperation and it safeguards the list by requiring a two thirds majority in order to eliminate names from the list.

104) In reference to the personnel of the new Committee, the Commission presents the following resolution:

105) Resolved, That, for purpose of organizing, the initial members of the Committee on Transitional List shall be: Professor Brauer (Secretary of the Deutsche Zoologische Gesellschaft), Doctor Mortensen (of Copenhagen), and Doctor Williston (of the University of Chicago); and

106) Resolved, That these men be authorized and instructed to complete the personnel of the Commission.

107) A new edition of the Code. — The Commission recommends to the Congress the insertion into the proceedings of the present Congress a copy of the revised Code of rules, and that the summaries of Opinions be printed in the Appendix.

108) Signed in name of the Commission,

C. W. Stiles, Secretary.

#### 109) Supplemental Report.

110) After the foregoing report was prepared, an additional proposition was submitted to the Commission that had been adopted by the Section on Nomenclature. This proposition, however, after presentation of the foregoing and this supplemental report, the Section voted to reconsider, and upon such reconsideration the Section approved in its place the resolutions presented in this Supplemental Report. — C. W. S.

111) In presenting this Supplemental Report, the Secretary made a verbal statement to the effect that these resolutions were not completed until after the foregoing Report had been adopted by the Commission, hence they could not be included in the regular Report. They were in fact not

completed until the morning of the last day of the Congress. Prior to the meeting of the Section on Nomenclature, most of the members of the Commission had approved the resolutions, and the Section took a recess in order to permit the other Commissioners to consider them. All Commissioners approved the resolutions and the Secretary was instructed to present them to the Section and the Congress as a Supplemental Report. From a parliamentary point of view, they are accepted by the Commission as addition to the subject discussed in paragraph (102) of the Report and as part substitute for several of the proposals that had been presented as amendments to the Code. The subject matter was first presented to the Commission during its Graz meeting, and since that time has been under more or less consideration. It was discussed during the Monaco (1913) meeting of the Congress, but the form of the proposition was not agreed upon until immediately prior to its presentation at the joint session of the Commission and of the Section on Nomenclature. — C. W. S.

112) The Commission unanimously recommends to the Congress the adoption of the following resolutions:

113) Resolved, That plenary power is herewith conferred upon the International Commission on Zoological Nomenclature, acting for this Congress, to suspend the Règles as applied to any given case, where in its judgment the strict application of the Règles will clearly result in greater confusion than uniformity, provided, however, that not less than one years notice shall be given in any two or more of the following publications, namely, *Bulletin de la Société zoologique de France*, *Monitore zoologico*, *Nature*, *Science* (N. Y.), and *Zoologischer Anzeiger*, that the question of a possible suspension of the Règles as applied to such case is under consideration, thereby making it possible for zoologists, particularly specialists in the group in question, to present arguments for or against the suspension under consideration; and provided, also, that the vote in Commission is unanimously in favor of suspension; and provided, further, that if the vote in Commission is a two-thirds majority of the full Commission, but not a unanimous vote in favor of suspension, the Commission is hereby instructed to report the facts to the next succeeding International Congress; and

114) Resolved, That in the event that a case reaches the Congress, as hereinbefore described, with two-thirds majority of the Commission in favor of Suspension, but without unanimous report, it shall be the duty of the President of the Section on Nomenclature to select a special board of 3 members, consisting of one member of the Commission who voted on each side of the question and one ex-member of the Commission who has not expressed any public opinion on the case, and this special board shall review the evidence presented to it, and its report, either majority or unanimous, shall be final and without appeal, so far as the Congress is concerned; and

115) Resolved, That the foregoing authority refers in the first instance and especially to cases of the names of larval stages and the transference of names from one genus or species to another; and

116) Resolved, That the Congress fully approves plan that has been inaugurated by the Commission of conferring with special committees from the special group involved in any given case, and that it authorizes and instructs the Commission to continue and extend this policy.

## Action of the Section on Nomenclature and of the Congress on the Foregoing Reports.

At the Saturday morning session of the Section on Nomenclature the Chairman gave the floor to the Secretary of the Commission on Nomenclature. The Secretary invited attention to the fact that the By-Laws of the Commission provided for an open meeting of the Commission, and he moved that the present session of the Section resolve itself into a Joint Meeting of the Commission and of the Section, in order to comply with the provision in question. Upon second, this motion prevailed.

The Secretary reported that he was under instructions from the Commission to present to the meeting the Report and a Supplemental Report of the Commission. The Chair called for the reports which were read in full, except that upon motion, second, and vote, he read paragraphs (31—45 and 58) by title, or by title and examples.

Following the reading of the regular report, the meeting took a short recess to enable certain members of the Commission to examine and vote on the Supplement Report. After the meeting was again called to order, the Supplemental Report was read.

The Secretary requested the adoption of the report as a whole, explaining that this adoption did not carry with it the approval of the separate recommendations. Upon motion, and second, the reports were adopted.

The Secretary then requested action on those paragraphs that involved recommendations, nominations, and resolutions. Acting upon each subject separately, the joint meeting, upon motion and second, approved the following paragraphs separately:

(5), (9), (11), (13), (14), (50 [Commission instructed to continue the list]), (52 a. b. c. [vote unanimous except for one]), (55, 56, 57), (91), (107), (113, 114, 115, 116).

The Secretary was asked if it would be agreeable to him to resubmit the names in (31, 32, 33, 34, 35, 36, and 37) to subcommittees of specialists before they were formally approved. His reply was that the suggestion was entirely agreeable, and he withdrew his request for formal approval of these lists.

The Secretary gave notice that the list of bird genera in (38) would be published before action was taken by the Commission.

No formal action was asked upon (40, 41, 42, 43, 44, 45).

In view of the fact that Opinions 29—51, inclusive, had been printed in detail, it was moved, seconded, and voted that the section (58) of the report dealing with Opinions 29—56 be read by title, and that the Opinions be approved.

Commissioner Stejneger stated that he now had some misgivings as to whether or not practical difficulties might arise in coordinating the resolutions of paragraphs (99, 100, 101, 105, 106) with (113, 114, 115) and he requested that action on the former be postponed until the next Congress, in order to determine more clearly whether the two propositions contained anything of a contradictory nature. As any one Commissioner has a right to cause postponement of action on any portion of the Report (since the Commission's vote must be unanimous), Doctor Stejneger's request was respected and no final action was taken in regard to the Transitional List; these sections were tabled.



In reply to certain questions, the Secretary explained the following English parliamentary expressions:

'To table' or 'to lay on the table' any motion means that final action is postponed upon the matter in question. Matters that are 'tabled' may be 'taken from the table' for further consideration and for final action.

The expression 'suspend the Règles' in the Supplemental Report is used in its accepted parliamentary sense. Parliamentary procedures are carried out under recognized or special 'Parliamentary Rules' and under provisions contained in 'Constitutions' and 'By-Laws'. Upon an unanimous vote, 'By-Laws' may be temporarily 'suspended', that is to say, they may be set aside and the body takes action on the matter under consideration unrestricted by the provisions of the By-Laws; and such action, if taken under a 'Special Rule' framed for the case at hand or without reference to any rules, except the 'Constitution' and recognized 'Parliamentary Rules', has all the validity of an action taken under the 'By-Laws'.

Thus, if the Congress confers upon the Commission the plenary power to suspend the Règles in any given case, it practically says to the Commission: 'If you carry out the precautions provided for in the Supplemental Report, you may decide any given case arbitrarily without reference to the Règles or you may make a 'Special Rule' to govern that particular case, and this Congress will accept your decision as being just as authoritative as if you had made your ruling strictly in accord with the 'Code'. A plan of this kind is thoroughly in accord with recognized parliamentary customs and it has the great advantage of saving the necessity of introducing 'Exceptions'<sup>3</sup> to the Rules'.

In reply to a question, the Secretary stated that a number of Special Committees had been formed, consisting of specialists in various groups, and that the general policy had been adopted to confer with these committees upon questions and cases affecting their particular groups. Despite the experience that this method added greatly to the routine of the Secretary's office, he felt the policy should be not only continued, but also extended, and he was willing to accept, without confirmation by the Section, any special committees chosen by any general committees appointed for that purpose.

In conclusion, the Secretary invited attention to the fact that during

<sup>3</sup> To make this point as to the difference between "Exceptions" and "Suspension" of rules clearer to some of the non-English-speaking members, the Secretary later used this comparison upon adjournment of the meeting:

"It would be dangerous to make a law read:

'Theft shall be punished by imprisonment for one to ten years, except in such cases where the thief has tuberculosis'. But justice is tempered with mercy if one law reads:

'Theft shall be punished by imprisonment for one to ten years', and if another law reads:

'The President (or The King) is empowered to suspend punishment in certain cases in which, in his judgement, a feeling of humanity demands such a suspension.' Suppose, now, it is shown that a thief, who is sentenced to ten years imprisonment, is about to die of tuberculosis; even if the sentence is passed upon him, The President (or The King) could parole or pardon the man in order to permit him to go home to die."

part of the meeting the Secretary of the Section had been obliged to be absent from the session, and he therefore moved that the edited copy of the Reports, with his marginal notes as to action taken, be accepted as the Minutes of the Joint Meeting. Upon second, this motion prevailed.

Attest: C. W. Stiles, Secretary of Commission.

At the afternoon General Session, the Secretary of the Commission reported in English upon the resignations, nominations, amendments and resolutions, recommended by the Commission, and approved by the Section on Nomenclature, but he did not read the report in full.

The President of the Commission gave a résumé of the subject in French, translating most portions of the resolutions verbatim, and adding certain explanatory remarks.

All matters involved were voted upon by the General Session, en bloc and without discussion (which it had been decided should be confined to the meeting of the Section). Against only four dissenting votes, all the subject matter in question was adopted.

Attest: C. W. Stiles, Secretary of Commission.

## 2. Jahresversammlung der »Deutschen Gesellschaft für angewandte Entomologie«.

Die erste Jahresversammlung der im Mai dieses Jahres gegründeten Gesellschaft für angewandte Entomologie wird vom 21.—25. Oktober in Würzburg stattfinden. Für die wissenschaftlichen Sitzungen stellt Herr Geheimrat Prof. Dr. Boveri den Hörsal des Zoologischen Universitäts-Institutes zur Verfügung. Vorträge sind bisher zugesagt über: Allgemeines und Organisationsfragen aus der forstlichen und landwirtschaftlichen Schädlingsbekämpfung; Vorstudien und Versuche zur biologischen Bekämpfung; Bekämpfungsaktionen auf biologischer Grundlage; Untersuchungen über die Tsetse-Seeche in Afrika; Krankheiten der Seidenraupen; Vogelschutz. Ferner ist mindestens ein Referat über Reblausprobleme in Aussicht genommen. Eine Exkursion in das fränkische Reblausgebiet wird sich anschließen.

Der Vorstand bittet um Anmeldung weiterer Vorträge, in möglichst großer Zahl, aus dem weiten Gesamtgebiet der angewandten Entomologie. U. a. sind solche über züchterische Fragen (Bienen-, Seidenraupenzucht usw.) einschließlich der Vererbungsprobleme; über Bau und Funktion der Sinnesorgane bei Insekten, Spinnen, Myriapoden; über Krankheitserscheinungen und -erreger in Arthropoden erwünscht.

Auf die Damen, deren rege Beteiligung an den Veranstaltungen sehr erwünscht ist, wurde bei der Aufstellung des Programmes besonders Bedacht genommen. Freunde der angewandten Entomologie, die als Gäste an der Versammlung teilnehmen wollen, sind herzlich willkommen. Ein ausführliches Programm wird den Mitgliedern baldigst zugehen.

Der stellvertretende Vorsitzende:

Prof. Dr. F. Schwangart, Neustadt a. d. Haardt (Rheinpfalz).

21. August 1913.



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