

Picus Rafflesii Vigors, 1830, re-assigned to *Chloropicoides* Malherbe, 1849: complementary comments

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ABSTRACT: We establish that the proposed reintroduction of the genus-group name *Chloropicoides* Malherbe, 1849, as advocated by Kirwan and Collar (2020) is, contrary to the concerns of these authors, not faced by an evident risk of losing its apparent date precedence. This is because a few pages prior to Malherbe's second 1849 paper, in the *Mémoires*, there is evidence of library receipt of the volume of the Bulletin containing his first paper.

KEYWORDS: woodpeckers, *Chloropicoides*, *Gauropicoides*, Malherbe, I.C.Z.N. Code.

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Kirwan and Collar (2020), seeking to apply the evidence of the molecular phylogeny of woodpeckers provided by Shakya *et al.* (2017), addressed paraphyly in the genus *Dinopium* where *D. rafflesii* was found to be sister to *Gecinulus grantia*. To overcome this, they proposed to assign *Dinopium rafflesii* to a genus of which it would be the type species, and found the generic name *Chloropicoides* Malherbe, 1849 (Malherbe 1849a) to be available and suitable for this purpose. They noted that Malherbe (1849b), another relevant work, might have been published earlier; but they cited evidence from Stresemann (1921) appearing to establish precedence for Malherbe (1849a) over the same author's longer new classification of woodpeckers (Malherbe, 1849b). Kirwan and Collar (*op. cit.*) noted that this determination of precedence could be open to challenge, and indicated that, if this were so, the name *Gauropicoides* Malherbe, 1861, would need to be used, because Malherbe (1849b) did not list *Dinopium rafflesii* as the type species. Both *Chloropicoides* Malherbe (1849a) and *Gauropicoides* Malherbe (1861) do have *Dinopium rafflesii* as the type species.

Here we look closely at Malherbe (1849a) and Malherbe (1849b), the two works concerned, examining their composition and structure to better establish when they can be said to have been published.

Malherbe (1849a) appeared in the *Bulletin de la Société d'Histoire Naturelle du Département de la Moselle*, 5^e cahier with the title 'Note sur quelques nouvelle espèces de pics'. This volume is contained within a single wrapper, present in the copy available from the Biodiversity Heritage Library (BHL). It is dated 1848–1849¹ on both the wrapper and title page. It is without direction lines, and consists of 14 signatures, 13 of which are of 16 pages (8v), with the last reduced to 10 pages. The 'Table des Matières' on p. [216] implies no separate parts were printed. The new genus-group name *Chloropicoides* appears on p. 26, as the new combination *Chloropicoides rafflesii*, with *Picus rafflesii* Vigors, 1830, the type species by monotypy.

¹ Despite the two year-dates given this apparently refers to an academic year which is certainly the case for the *Mémoires* where, on p. 513, this is shown to have run for 12 months from 1 May. Nowadays, the French academic year seems to match the British one, starting on 1 September.

Malherbe (1849b) is a much longer paper on the classification of the whole family of Picidae: '*Nouvelle classification des picinées ou pics, devant servir de base à une monographie de ces oiseaux grimpeurs*' (pp. 313–367) in the *Mémoires de l'Académie Nationale de Metz*,² xxx^e année. 1848–1849. The title page bears the imprint date 1849, while the volume consists of 68 signatures of 8 pages (4to) with no direction lines, and significantly the '*Table des Matières*', pp. [540]–543, groups the papers by subject matter showing the volume was arranged by subject and thus needing sectional arrangement, which suggests that the volume was issued complete. The task of arranging the contents by subject could only begin after the new academic year started in May and publication could have occurred in 1849 or 1850.

Sherborn (1925: 1246 and elsewhere) in his *Index Animalium*, consistently cited this work as "post May" 1849; we believe his source was on the opening page of the *Mémoires* being part of the title of the first content "*Séance publique de l'Académie Nationale de Metz, du 20 Mai, 1849*".³

Here the genus-group name *Chloropicoides* (as *Chloropicoïdes*) appears on p. 316, and again on p. 345, where, in three unnamed 'sections', four new combinations are introduced *Chloropicoides shorii*, *C. tiga*, *Chloropicoïdes rafflesii* and *Chloropicoïdes grantia*.

Kirwan and Collar (2020: 148) thought that Malherbe (1861: '53' = liii) had selected *Picus shorii* Vigors, 1831, as the type species, but as this is a list of 'espèces', many with an 'etc.', this cannot be construed as a type designation; Article 67.5.1 (I.C.Z.N., 1999: 68) is very clear on this point. The first acceptable designation of a type species for this incarnation of *Chloropicoides* was that of Hargitt (1890: 411) where *T[iga]. shorii* = *Picus shorii* Vigors, 1831, is clearly designated.

In seeking to establish precedence between these two works, Kirwan and Collar (2020: 149) referred to a paper by Stresemann, who in a footnote (1921: 89) noted that in the *Mém. Acad. Natl. Metz*, 30, on p. 520, receipt by the academy of the *Bull. Soc. Hist. Nat. Dept. Moselle*, 5, was reported. The presence of this list of works received in the same volume and earlier than Malherbe's lengthy classification establishes beyond doubt that the *Bulletin* was published first. This evidence makes clear that there is no need for the action of a First Reviser (see I.C.Z.N., 1999: Article 24 and Glossary p. 115). We found evidence of publication in the *Bibliographie de la France* for 1850, volume 27, where it appears as item 3765. The publication date for this part is 6 July 1850.⁴ This suggests publication not much earlier, but item 3765 reports both volumes 29 and 30, which may imply laxity of submission. However, the date in the *Bibliographie de la France* is a "not after date" (see Dickinson *et al.*, 2011: 290) and, as such, Article 21.3 of the Code (see I.C.Z.N., 1999: 22) requires we use the date 1849 for both the earlier *Bulletin* and the later *Mémoires*.

The need for a well-founded genus-group name for *Picus rafflesii* Vigors, 1830, comes from Shakya *et al.* (2017), and based on the molecular evidence Kirwan and Collar (2020) made a clear case for choosing *Chloropicoides* Malherbe, 1849 (1849a) which we are glad to be able to complement with the information that we have found.

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² The term *bulletin* is a term appropriate for a journal that is typically seen as less authoritative than the term '*mémoires*' and the content of this Metz publication is broader and by its nature more political.

³ This *Discours* (pp. 1–10) is the ceremonial address by the president of the Academy which is appropriately followed by a review (pp. 11–24) of the Academy's work in 1848 and 1849, and then sections for Letters, Science, Arts and Architecture: this structure explains the volume's careful composition and a series of separate works with their own dates.

⁴ Issues of the *Bibliographie de la France* were weekly and it has been thought that the listings relate to the submissions of the previous week. However, publishers may not have submitted promptly.

of Malherbe's papers. Wikipedia provided us with information regarding the events in 1848 which affected Moselle and on the current French academic year. Kirwan and Collar are grateful to Subir Shakya and Fred Sheldon for correspondence pertaining to the issue surrounding the genus which to accord this species, a courtesy that inadvertently went unacknowledged in their earlier paper. Thanks also go to Lars Erik Johannessen for helpful referee's comments which led to the realisation that 1848/1849 referred to an academic year and thus to important changes.

REFERENCES

- Hargitt, E., 1890. *Catalogue of the birds in the British Museum. Catalogue of the Picariæ in the collection of the British Museum. XVIII. Scansores, containing the family Picidæ.* i–xv, 1–597. – Trustees of the British Museum (Nat. Hist.), London.
- I.C.Z.N., 1999. *International Code of Zoological Nomenclature.* Fourth Edition, i–xxix, 1–306. – The International Trust for Zoological Nomenclature, London.
- Kirwan, G.M. & N.J. Collar, 2020. *Picus Rafflesii* Vigors, 1830, re-assigned to *Chloropicoides* Malherbe, 1849. – *Bulletin of the British Ornithologists' Club*, 140 (2): 147–150.
- Malherbe, A., 1849a. Note sur quelques nouvelle espèces de pics. – *Bulletin de la Société d'Histoire Naturelle du Département de la Moselle* [1848–1849], 5: 14–30.
- Malherbe, A., 1849b. Nouvelle classification des picinées ou pics, devant servir de base à une monographie de ces oiseaux grimpeurs. – *Mémoires de l'Académie Nationale de Metz*, 30: 313–367.
- Malherbe, A. 1861. *Monographie des picidées ou histoire naturelle des picidés, picuminés, yuncinés ou torcols*, vol. 1: i–lxx, pp. 1–214. – Société d'Histoire naturelle de la Moselle, Metz.
- Shakya, S.B., J. Fuchs, J.-M. Pons & F.H. Sheldon. 2017. Tapping the woodpecker tree for evolutionary insight. – *Molecular Phylogenetics and Evolution*, 116: 182–191.
- Sherborn, C.D., 1925. *Index animalium sive index nominum quae ab A.D. MDCCLVIII generibus et speciebus animalium imposita sunt. 1801–1850.* VI. Ceyl. – Concolor. 1197–1452. – Trustees of the British Museum, London.
- Stresemann, E., 1921. Die Spechte der Insel Sumatra. Eine monographische Studie. *Archiv für Naturgeschichte*, 87: 64–120.
- Vigors, N.A., 1830. Catalogue of zoological specimens, pp. 646–685. In: Raffles, S. *Memoir of the life and public services of Sir Thomas Stanford Raffles, particularly in the government of Java, 1811–1816, Bencoolen and its dependencies, 1817–1824, with details of the commerce and resources of the Eastern Archipelago, and selections from his correspondence.* 2 vols. – London.
- Vigors, N.A., 1831. The sixth and last portion of the species comprising the 'Century of Birds from the Himalayan Mountains drawn and lithographed by Mr. & Mrs. Gould. Species new to science, 170–176. – *Proceedings of the Committee of Science and Correspondence of the Zoological Society of London.*

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