September. At Cairns, about 200 miles further north, this bird rarely breeds, although quite a common bird.

Hylochelidon ariel. Fairy Martin.—In large numbers on the mainland.

Rhipidura leucophrys. Willie Wagtail.—Common on the mainland.

Megalurus timoriensis. Tawny Grassbird.—Common on the mainland in suitable localities.

Cisticola exilis. Golden-headed Fantail-Warbler.—This bird, with its familiar 'buzz,' was one of the commonest birds on the mainland.

Malurus amabilis. Lovely Wren.—Although this bird, the female of which adopts part of the male plumage, keeps strictly to cover, I was fortunate to be able to watch both sexes nest building, on September 19, on the mainland.

Artamus melanops. Black-faced Wood-Swallow.—A common species on the mainland.

Philemon argenticeps. Silver-crowned Friar-bird.—Common on the mainland.

Donacola castaneothorax. Chestnut-breasted Finch.—Common in flocks.

Cracticus nigrogularis. Pied Butcher-bird.—Common.

Acridotheres tristis. Common Myna.—Although this bird is in large numbers throughout north Queensland I have not yet observed it on any of the offshore islands.

The Case of *Malurus elegans* Gould, 1837

By CAPT. C. H. B. GRANT, London, England

In *The Emu*, vol. 47, 1947, p. 154, Keith Sheard, under the title 'New Names for Old', discussed the name *Malurus elegans*. It would appear that the author is of opinion that when a prior name is unearthed it should bear its finding date, not that of its original publication, when it becomes a homonym by being placed in the same genus as a combination already in use, i.e. *Malurus elegans* (Forster) 1794, does not ante-date *Malurus elegans* Gould 1837, but should be dated 1937 when Iredale discovered that Forster's name had been overlooked.

Forster introduced this name as *Motacilla elegans* and as such it is not a homonym of *Malurus elegans* Gould, but apparently Forster's *M. elegans* should be placed in the genus *Malurus* and this has created a similar combination.

Now let us consider how the author's proposition would work in nomenclature. We have—

Motacilla elegans Forster, 1794
Malurus elegans Gould, 1837
Malurus elegans (Forster), 1937

the last discovered by Iredale as *Motacilla elegans* in that year. This surely is a pure question of the Law of Priority and we cannot escape the fact that 1794 is a prior date to 1837. That a name of 1794 is not discovered until 1937 has no bearing on the case. What has a direct bearing is the fact that *Motacilla elegans* of Forster has been placed in the genus *Malurus* which does not in any way affect the date of Forster's name. It is no fault of Forster that his name was overlooked. If it has been properly introduced into nomenclature it is a valid name and its date must be that when it was so introduced.

The author appears to have confused the issue somewhat by bringing more than one species into his argument: this is not a question of what name any particular species should bear, but a pure question of nomenclature as such.

It is quite true that if Forster's *M. elegans* is placed in the genus *Leggeornis* there is no question of a similar combination.

In the author's proposition (b)—at the top of page 156—we have—

Malurus australis North, 1904
Motacilla superba White, 1790
Motacilla elegans Forster, 1794

but it matters not so much under which genus a synonym is quoted as the fact that placing the last two names in the synonymy of *Malurus australis* is recognizing that three names are the same species and all are therefore attached to the genus *Malurus*. As such the Rule of Priority demands that *Malurus superba* (White) is of prior date and must come into use before *Malurus australis* North. To adopt a rule of date of transferrence or date of finding, i.e. 1937, when *Motacilla elegans* Forster was discovered and transferred to the genus *Malurus*, is to ignore the date of Forster's name, and is surely only another way of admitting *nomina conservanda*. It would appear that the author desires to conserve *Malurus elegans* of Gould and *Malurus australis* of North.

It is difficult to see how a rule of date of transferrence could be upheld as it is not in keeping with the Rule of Priority and would surely cause more confusion than clarification in nomenclature.

Sheard's ruling in item (2) at the foot of page 156 cannot be upheld, as it is diametrically opposed to the Rule of Priority. His item (3) has no real bearing on the case, as it is a question of species. As regards his item (1), any valid name is available for transfer to another genus.

Finally, it may be said that his title 'New Names for Old' is misleading, as Forster's name *M. elegans* is an old name.