

effort as of low order or as "hodman's labor," is a mark of ignorance, not of critical judgment.

A word as to the custom of quoting the author of a name adopted for a species. Its chief motive is in convenience and accuracy, almost or quite never for the purpose of "giving some one a sort of cheap notoriety." It is, of course, not always necessary, and when needless it is seldom done.

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### BIOLOGY VERSUS MYTHOLOGY IN A CRIMINAL COURT

A LARCENY trial unique in the annals of criminology, resulting in conviction by a jury of five on March 15, 1927, grew out of a series of thefts of preserved frogs from the Southern Biological Supply Co., Inc., of New Orleans, La., by two former collectors of the company. The interesting feature of the trial was virtually a clash between modern mythology on the one hand and the sciences of ecology and taxonomy on the other. A single charge was filed covering only one theft, that of 462 preserved frogs consisting of five species, four of local and one of northern distribution. The defendants, pleading not guilty, set forth the plea, through their attorney, that it is a well-known fact that evaporation draws frogs and fish up into the clouds and the rain showers them again onto the land. It was therefore easily explained how the race of *Rana pipiens* indigenous to Indiana and Wisconsin was collected in St. Bernard Parish in southeast Louisiana by the collectors, who sold them to a competitor and to a local university.

The employees of the company described and identified the five species in the barrel from which the frogs were stolen, these including a large percentage of *Rana pipiens* which had been imported from the two northern states during the shortage resulting from the unprecedented droughts of 1924 and 1925. Every detail in the chain of circumstantial evidence was presented by the state, even the purchasers acting as state's witnesses. Percy Viosca, Jr., and Henry B. Chase, Jr., of the Biological Company, were qualified as experts in taxonomy and ecology of the Anura, and it was necessary for living and preserved frogs to take the stand as exhibits in order to prove the story of the defendants untrue. A surprise of the trial was the presentation by the defendants of living specimens of *Rana pipiens* which they claimed they caught in St. Bernard Parish the night before the trial in a typical *Rana sphenoccephala* habitat, several hundred miles from the nearest approach of the range of *pipiens*. The defense attorney then attempted to prove that the defendants had secured their knowledge of frogs through experience, whereas the state's ex-

perts had secured theirs from book study, but it was proven otherwise. The verdict was in a sense a victory for science in that the results of scientific study seemed to make a better impression upon a jury of New Orleans citizens than the fables and argumentation of the defense attorney.

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### DATUM AND DATA

I HAVE more than once publicly protested against that abomination "data is." We say "phenomenon is" and "phenomena are," and I do not recall in Latin any singular verb used in English with a plural noun, excepting poor "data is."

I presume one reason is that "datum" is a rare word. The city "Datum" is the fixed level from which all heights and depths are measured, and "data" are the basic facts upon which we found a definite conclusion. I am glad to join with Dr. Morse in his protest against a singular verb and a plural noun.

The Oxford, the Century and the Funk and Wagnalls dictionaries all give "data, pl. of datum." Webster's does not list "data" but under "datum" says "pl. data."

W. W. KEEN

IN view of certain remarks which have appeared in *SCIENCE* recently concerning the use of the word "data," I feel minded to essay the rôle of devil's advocate for the apparently incorrect use. We speak and hence write English by ear and not by rules of grammar. Rules to the contrary notwithstanding, if "this data" sounds better than "these data" it will be used. There must be a more fundamental reason why "data" should be regarded as a singular rather than a plural. I believe there are two reasons. First, in this country we regard collective nouns either singular or plural in form as syntactical singulars. Such does not seem to be the case in England. For example: in this country "the committee is," while in England "the committee are," yet the phrase "committee of one" shows that we regard a committee composed of a single person as the exception, not the rule. Second, in ordinary use, "data" is not the mere plural of "datum." The two words possess quite different connotations. "Datum" appears to be almost exclusively used for a primary level in surveying while "data" connotes information or facts. Hence "data" as the plural of "datum" is a syntactical plural while "data" in the sense of facts is a collective which is preferably treated as a singular.

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