

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

VOLUME 4

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the International Commission on Zoological Nomenclature

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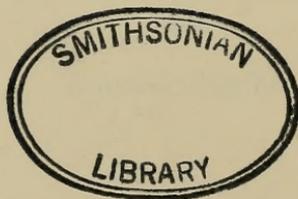
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Offices of the Trust : 41 Queen's Gate, London, S.W.7.

FOREWORD

The present volume—the fourth of the series entitled *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature*—contains the second instalment of *Opinions* embodying decisions taken by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948. The *Opinions* in question are *Opinions* 211 to 239. The present volume comprises 410 pages (T.P.—XIV, 1—396).

2. Of the twenty-nine *Opinions* included in the present volume one deals with names belonging to two different Classes of the Animal Kingdom, thus bringing up to thirty the total number of cases, when viewed from this angle. Many of the applications relating to these cases were submitted jointly by two or more applicants—in two cases by ten applicants—and when account is taken of this fact, the total number of applicants is seen to amount to sixty-one.

3. Six of the applications dealt with in the present volume were concerned with the status of books and the remaining twenty-four with individual names. Of this latter group, sixteen (66.6 per cent.) involved the use by the Commission of its Plenary Powers. The use of these Powers was involved also in one of the applications relating to the status of individual books.

4. The twenty-four applications relating to individual names dealt with in the *Opinions* published in the present volume, when grouped by reference to the Classes of the Animal Kingdom to which the genera or species concerned belong, are distributed as shown in the following table. In the same table the applications are arranged so as to distinguish those which involved the use of the Commission's Plenary Powers from those which did not.

TABLE 1

Distribution of applications (a) by Classes of the Animal Kingdom and (b) by whether they involved the use by the Commission of its Plenary Powers

<i>Name of Class</i>	<i>Number of applications</i>		
	<i>Involving the use of the Plenary Powers</i>	<i>Others</i>	<i>Total</i>
Rhizopoda	—	1	1
Anthozoa	1	—	1
Trematoda	1	1	2
Insecta	6	1	7
Arachnida	—	1	1
Gastropoda	1	2	3
Pelecypoda	1	1	2
Cephalopoda	2	—	2
Brachiopoda	1	—	1
Cephalaspido- morphi	1	—	1
Actinopterygii	1	—	1
Aves	—	1	1
Mammalia	1	—	1
Totals	16	8	24

5. When the sixty-one applicants are arranged by reference to the countries in which they are resident, applications are seen to have been received from the following countries (arranged in alphabetical order) :—

TABLE 2

Distribution of applicants by country of residence

<i>Country of Residence</i>	<i>Number of applicants</i>
Australia	1
Czechoslovakia	1
Germany	2
Israel	1
New Zealand	2
Switzerland	1
United Kingdom	31
United States of America	22
Total	61

6. Under the Rulings given in the *Opinions* comprised in the present volume, 24 names were placed on the *Official List of Generic Names in Zoology* and 38 names on the *Official List of Specific Names in Zoology*. In the same *Opinions*, 35 names were placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* and seven names on the *Official Index of Rejected and Invalid Specific Names in Zoology*. Finally, in the same *Opinions*, the titles of two works were placed on the *Official List of Works Approved as Available for Zoological Nomenclature* and the titles of five works on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*.

7. The twenty-four *Opinions* dealing with individual names published in the present volume contain fifty-nine comments

received from interested specialists. These comments were in a number of cases joint comments from two or more specialists. When account is taken of this consideration, the number of specialists who contributed comments on the applications dealt with in the foregoing block of *Opinions* is seen to number one hundred and fifty-five. In addition, ten comments were received on applications relating to the status of books.

8. If the comments relating to individual names are grouped according to the Class in the Animal Kingdom to which the genus or species concerned belong, the distribution of the comments is found to be as follows :—

TABLE 3

Distribution of comments on applications relating to individual names, by Classes of the Animal Kingdom

<i>Name of Class</i>	<i>Number of Comments</i>
Rhizopoda	13
Anthozoa	14
Trematoda	18
Insecta	14
Arachnida	2
Gastropoda	14
Pelecypoda	25
Cephalopoda	14
Brachiopoda	13
Cephalaspidomorphi	12
Actinopterygii	14
Aves	2
Total	155

9. When the authors of the comments on individual names dealt with in the *Opinions* published in the present volume are grouped by reference to their country of residence, the distribution is found to be as follows :—

TABLE 4

Distribution of comments on applications relating to individual names, by country of residence of the specialists concerned

<i>Country of Residence</i>	<i>Number of comments</i>
Canada	1
Denmark	13
Egypt	1
Italy	2
United Kingdom	15
United States of America	123
Total	155

10. For the preparation of the indexes published in the concluding Part of the present volume the Commission is once again indebted to Miss Joan Kelley, B.Sc. In style these indexes follow the model laid down for volume 3 of the present series, which itself was based on the model followed in the preparation of indexes of volumes of the *Bulletin of Zoological Nomenclature*.

11. It is a matter for regret that the decisions embodied in the *Opinions* published in the present volume were taken by the International Commission as long ago as 1948. That this is so is due to the difficulties which faced the Secretariat of the Commission for so long as it had to rely upon the services of an Honorary Secretary who was able to give only his spare time to its work. Now however that the Honorary Secretary is able to devote the whole of his time to the work of the Commission and is moreover assisted by a capable and hard-working staff, a

remarkable change has occurred, as may be seen by the fact that on the average the interval between the preparation and publication of the *Opinions* included in the present volume has amounted to less than six months. It may be noted also that the period covered by the publication of the entire block of *Opinions* included in the present volume amounted only to about two and a half months. In spite of this great increase in the rate of the output of the work of the Commission, a great deal remains to be done before the accumulated arrears can be wiped off and it is possible to arrange for the preparation of *Opinions* immediately after the decisions embodied in them have been taken by the Commission. Looking forward into the immediate future, we may note that more than one half of the next volume (vol. 5) has already been published, that the remainder of that volume and the whole of volume 6 is already in the hands of the printer and that the material for volumes 7, 8 and 9 is in an advanced state of preparation.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

28 Park Village East,
Regent's Park,
LONDON, N.W.1.

10th July 1954

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Edited by

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Secretary to the Commission

VOLUME 4. Part 1. Pp. 1—14

OPINION 211

Designation, under the Plenary Powers, of a type species for the genera *Hemerobius* Linnaeus, 1758, and *Chrysopa* Leach, 1815 (Class Insecta, Order Neuroptera) in harmony with accustomed usage



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 211

A. The Officers of the Commission

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Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 211

DESIGNATION UNDER THE PLENARY POWERS OF A TYPE SPECIES FOR THE GENERA "HEMEROBIUS" LINNAEUS, 1758, AND "CHRYSOPA" LEACH, 1815 (CLASS INSECTA, ORDER NEUROPTERA) IN HARMONY WITH ACCUSTOMED USAGE

RULING :—(1) Under the Plenary Powers, all type selections for the genera *Hemerobius* Linnaeus, 1758, and *Chrysopa* Leach, 1815, made prior to the present Ruling, are hereby set aside, and (a) *Hemerobius humulinus* Linnaeus, 1758, is designated as the type species of *Hemerobius* Linnaeus, 1758, and (b) *Hemerobius perla* Linnaeus, 1758, is designated as the type species of *Chrysopa* Leach, 1815 (Class Insecta, Order Neuroptera). (2) The generic names *Hemerobius* Linnaeus, 1758 (gender of name : masculine), and *Chrysopa* Leach, 1815 (gender of name : feminine), with the type species designated under (1) above, are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 644 and 645. (3) The following specific names are hereby added to the *Official List of Specific Names in Zoology* as Names Nos. 21 and 22 : (a) *humulinus* Linnaeus, 1758, as published in the combination *Hemerobius humulinus* ; (b) *perla* Linnaeus, 1758, as published in the combination *Hemerobius perla*.

I.—THE STATEMENT OF THE CASE

On 25th April 1927 Dr. Roger C. Smith (*Kansas State Agricultural College, Manhattan, Kansas, U.S.A.*) addressed a communication to the International Commission on Zoological Nomenclature, drawing attention to the fact that it appeared that under a strict application of the *Règles* "both the family CHRYSOPIDAE and the family HEMEROBIIDAE were founded on the same types species" and raised the question : "Is not the family name CHRYSOPIDAE a synonym of

HEMEROBIIDAE, since it appears to have been erected on the same species (*Hemerobius perla*)?" On 26th October 1928 the foregoing inquiry was referred to a referee by the then Secretary (the late Dr. C. W. Stiles). Unfortunately, the papers so referred were apparently mislaid, and it was only in November 1944 that they were recovered by the present Secretary (Mr. Hemming). In the mean time the problem raised by the names *Hemerobius* and *Chrysopa* had been formally submitted to the International Commission (in 1937) by the Royal Entomological Society of London, and, as will be seen, it was on the basis of this latter application that the remaining steps were taken in dealing with the present case.

2. On 30th June 1937, the late Professor A. D. Imms (*President*), and Professor O. W. Richards (*Secretary*), Royal Entomological Society of London, formally communicated to the International Commission on Zoological Nomenclature Part 4 of the work entitled *The Generic Names of British Insects*, published that day, intimating that the Council of the Society concurred in the recommendations on nomenclature set forth in the foregoing Part and commended those recommendations to the favourable consideration of the International Commission. The above Part contained a Report by the Sub-Committee on Neuropteroid Groups¹ of the Society's Committee on Generic Nomenclature,² setting out the names of the genera of the Neuropteroid groups represented in the British fauna. Attached to the Sub-Committee's Report was a more detailed survey of the problems involved which had been prepared for the Sub-Committee by Mr. F. J. Killington, one of its members. In his paper Mr. Killington discussed the problem raised by the names *Hemerobius* (: 75—77) and *Chrysopa* (: 78—79) and in its covering Report the Sub-Committee recommended that the International Commission should be asked to take such steps as might be required to prevent the confusion which would follow the strict application of the *Règles* in this case, this

¹ At the time of the submission of the foregoing Report the composition of this Sub-Committee was as follows:—J. Cowley, F. J. Killington, D. E. Kimmins and Miss C. E. Longfield.

² At the time of the publication of the Sub-Committee's Report, the composition of the Committee on Generic Nomenclature was as follows:—Sir Guy Marshall, C.M.G., D.Sc., F.R.S. (*Chairman*); K. G. Blair, D.Sc.; F. W. Edwards, M.A., Sc.D.; Francis Hemming, C.B.E.; O. W. Richards, M.A., D.Sc.; N. D. Riley; W. A. F. Balfour-Browne (*Secretary*).

object to be attained by the Commission directing that *Hemerobius humulinus* Linnaeus, 1758, be the type species of *Hemerobius* Linnaeus, 1758, and *Hemerobius perla*, the type species of *Chrysopa* Leach, 1815. At a later stage it was agreed (paragraph 4) that the passage in the Sub-Committee's Report dealing with the foregoing names should be treated as constituting the actual application to be laid before the International Commission. The following is the application so agreed upon :—

Proposed suspension of the Règles for "Hemerobius" Linnaeus, 1758, and "Chrysopa" Leach, 1815 (Class Insecta, Order Neuroptera)

By JOHN COWLEY, M.A.
(Bridgwater, Somerset),

F. J. KILLINGTON, D.Sc.
(Parkstone, Dorset),

D. E. KIMMINS
(Department of Entomology, British Museum (Natural History)),
and

C. E. LONGFIELD
(Department of Entomology, British Museum (Natural History).)

In the case of the two following generic names, the strict application of the rules embodied in the International Code of Zoological Nomenclature would cause a very serious, and quite unnecessary, disturbance in existing practice and would, in our view, cause greater confusion than uniformity. For these names we are, therefore, in favour of a partial suspension of the rules. In each case, the object that we have in view can be effected by a very slight departure from the strict application of the Code.

The following is an extract from the paper prepared by Mr. Killington :—

Hemerobius Linnaeus

Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 549.

Linnaeus, 1761, *Faun. svec.* : 383.

Latreille, 1810, *Consid. gén. Anim. Crust. Arach. Ins.* : 435.

Leach, 1815, Brewster's *Edinb. Encycl.* 9 (1) : 138.

Curtis, 1828, *Brit. Ent.* 4 : text to pl. 202.

Westwood, 1838, *Introd. Class. Ins.* 2 Syn. : 48.

Rambur, 1842, *Hist. nat. Ins. Névropt.* : 420.

Banks, 1906, *Trans. Amer. ent. Soc.* 32 : 29.

Killington, 1931, *Entomologist*, 64 : 112.

Type (fixed by Banks)=*Hemerobius humuli* Linnaeus, 1761
(=*Hemerobius humulinus* Linnaeus, 1758).

Latreille (1810) fixed the type of this genus as *Hemerobius perla* Linnaeus, which was one of the original species described by Linnaeus in 1758 and therefore a perfectly valid selection. In 1828, Curtis cited *Hemerobius hirtus* Linnaeus, 1761, as the genotype, but apart from the fact that Latreille had already fixed *Hemerobius perla* as the genotype, Curtis's selection could not stand as *Hemerobius hirtus* was not included among the original species in the Linnaean genus. Westwood, 1838, also cited *Hemerobius hirtus* Linn. The next author to fix a genotype was Banks, who in 1906 selected *Hemerobius humuli* Linnaeus, 1761, which has been shown by Killington (1931) to be a synonym of *Hemerobius humulinus* Linnaeus (the later spelling was probably due to a printer's error). This selection would be valid, were it not for Latreille's action in 1810 in selecting *Hemerobius perla* Linnaeus.

It is unfortunate that for over a century *Hemerobius perla* Linn. has been generally recognised as representing the genus *Chrysopa* Leach (family CHRYSOPIDAE) and *Hemerobius humulinus* the genus *Hemerobius* Linnaeus (family HEMEROBIIDAE), for in 1815, apparently unaware of Latreille's action, Leach raised the genus *Chrysopa* for *Hemerobius perla* (and for *Chrysopa reticulata*, although the latter name was not accompanied by a description, and is, in any case, a synonym of *H. perla*), and the two genera *Hemerobius* and *Chrysopa* became typical genera, respectively, of the families HEMEROBIIDAE and CHRYSOPIDAE. With very few exceptions Neuropterists have, since 1815, accepted *Hemerobius perla* as the genotype of *Chrysopa*.

Thus it will be seen that if recognition be accorded to Latreille's fixation of *Hemerobius perla* Linnaeus, as the genotype of *Hemerobius* (i.e. if strict adherence to the International Code of Zoological Nomenclature be enforced), not only will the name *Chrysopa*, so long applied to a section of the green lacewings, have to sink as a synonym to *Hemerobius*, but the family name HEMEROBIIDAE will have to be transferred from the brown lacewing group to take the place of the name CHRYSOPIDAE. Such a change would now be highly undesirable for the following reasons:—

(1)—the long and universal usage of Leach's division of the two groups ;

(2)—the two families contain together more species than any other two families of Neuroptera ;

(3)—both families are practically world-wide in distribution and the literature dealing with them is far more extensive than in the case of the other families ;

(4)—both families are of great economic importance, and an important change in the nomenclature would result in confusion not only to Neuropterists, but also to economic entomologists ;

(5)—many compound names have been based on the names *Hemerobius* and *Chrysopa*, and, where valid, these would have to remain, with their perpetual and misleading suggestions of non-existent affinities.

For the reasons given above I consider that the strict application to *Hemerobius* Linnaeus of the rules laid down in the International Code of Zoological Nomenclature would produce a state of confusion which the International Zoological Congress intended to avoid when they empowered the International Commission on Zoological Nomenclature to suspend the rules in cases where their strict application would clearly result in greater confusion than uniformity.³

We are in full agreement both with Dr. Killington's conclusions and with his recommendations, which we summarise as follows :—

(a) The generic name "Hemerobius" Linnaeus, 1758

We are of the opinion that it would be highly undesirable to disturb the use of the name *Hemerobius* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 549, for *Hemerobius humulinus* Linnaeus, 1758, and its congeners, having regard to the fact :—

- (i) that that name has been applied (with one exception : the genus *Mucropalpus* Rambur, 1842, contained *Hemerobius humulinus* Linnaeus (under the name *M. lutescens* Fabricius)) to species congeneric with *Hemerobius humulinus* since 1758 :
- (ii) that the strict application of the rules would transfer the name *Hemerobius* Linnaeus to *Hemerobius perla* Linnaeus, thus displacing the name *Chrysopa* Leach, 1815, which has been almost universally applied to that species for over a century ;
- (iii) that the strict application of the rules would transfer the name **HEMEROBIIDAE** from the world-wide and numerous group of species now universally grouped

³ The above is an extract from the Second Report of the Sub-Committee on Neuropteroid Groups of the Committee on Generic Nomenclature of the Royal Entomological Society of London. At the time the above Committee was composed of :—Sir Guy Marshall, K.C.M.G., F.R.S. (*Chairman*), Dr. K. G. Blair, Dr. F. W. Edwards, Mr. Francis Hemming, C.M.G., C.B.E., Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Hon. Secretary*). The Sub-Committee's Report was attached to the Fourth Report of the Committee on Generic Nomenclature, which, on 24th February 1937, was submitted by the Committee to the Council of the Royal Entomological Society of London, with a recommendation that this case should be forwarded to the International Commission on Zoological Nomenclature for favourable consideration. The Committee's recommendation was approved by the Council of the Society, and, on the publication, on 30th June 1937, of the Committee's Fourth Report, the recommendation regarding this case was forwarded to the International Commission by the Council of the Society.

under the name to another world-wide and numerous group of species known universally as the CHRYSOPIDAE.

The fixation of *Hemerobius humulinus* Linnaeus, by Banks (1906, *Trans. Amer. ent. Soc.* 32 : 29) as the type of *Hemerobius* would be valid but for the fact :—

- (i) that Latreille (1810), *Consid. gén. Anim. Crust. Arach. Ins.* 435) cited *Hemerobius perla* Linn. as the type ; and
- (ii) that the International Commission on Zoological Nomenclature had expressed the view in *Opinion* 11 that Latreille's *Table des genres avec l'indication de l'espèce qui leur sert de type* "should be accepted as designation of types of the genera in question".

We are of opinion that it is highly desirable that in the exercise of the Plenary Powers conferred upon them by the International Zoological Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

Opinion 11 of the International Commission on Zoological Nomenclature regarding the designation of genotypes by Latreille, 1810, shall not be interpreted to mean that in the work referred to in that *Opinion* Latreille designated *Hemerobius perla* Linnaeus, 1758, as the type of the genus *Hemerobius* Linnaeus. Consequently the fixation by Banks in 1906 of *Hemerobius humulinus* Linnaeus, 1758, as the type of that genus is valid, and the name *Hemerobius* Linnaeus as thus defined is hereby added to the *Official List of Generic Names in Zoology*.

(b) The generic name "Chrysopa" Leach, 1815

We are of opinion that it would be highly undesirable to disturb the use of the name *Chrysopa* Leach, 1815, for *Hemerobius perla* Linnaeus, 1758, Brewster's *Edinb. Encycl.* 9 (1) : 138, and its congeners, having regard to the fact :—

- (i) that that name has been almost universally applied to those species since its establishment by Leach in 1815 ;
- (ii) that the strict application of the rules would involve not only the transfer of the name *Hemerobius* Linnaeus, 1758, to the species almost universally placed under *Chrysopa* since the establishment of the latter genus by Leach in 1815, but would also involve the transfer of the name HEMEROBIIDAE from the world-wide and numerous group of species now universally grouped under that name to the world-wide and numerous group of species known universally as the CHRYSOPIDAE.

Hemerobius perla Linnaeus, 1758, the only valid species cited by Leach, 1815, in his original description of the genus *Chrysopa*, could be recognised as the genotype of *Chrysopa* but for the fact:—

- (i) that Latreille (1810, *Consid. gén. Anim. Crust. Arach. Ins.* : 435) cited *Hemerobius perla* Linnaeus as the type of *Hemerobius* Linnaeus, 1758, and that if this fixation be accepted *Chrysopa* becomes a synonym of *Hemerobius*; and
- (ii) that the International Commission on Zoological Nomenclature had expressed the view in *Opinion* 11 that Latreille's *Table des genres avec l'indication de l'espèce qui leur sert de type* " should be accepted as designation of types of the genera in question ".

We are of opinion that it is highly desirable that in the exercise of the Plenary Powers conferred upon them by the International Zoological Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect:—

The name *Chrysopa* Leach, 1815 (type *Hemerobius perla* Linnaeus, 1758) is hereby added to the *Official List of Generic Names*. The name *Hemerobius* Linnaeus, 1758, is, therefore, not to be substituted for *Chrysopa* Leach, 1815, on the ground that it has priority over that name, though it is available for *Hemerobius humulinus* Linnaeus, 1758.

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. At the time of the re-organisation of the Secretariat this case was allotted the Registered Number Z.N.(S.)42. In June 1939 it was decided by the Plenary Conference between the President (Dr. Karl Jordan), and the Secretary (Mr. Francis Hemming, who had been elected to that Office in 1936 on the retirement of Dr. Stiles) that the present case should be included in the list of cases to be included in the next notice regarding the possible use, by the International Commission, of its Plenary Powers, to be issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913 (Plenary Conference, Conclusion 17) (1943, *Bull. zool. Nomencl.* **1** : 85). The prescribed notice then agreed upon by the Plenary Conference was duly issued on 27th June 1939. The publication of this notice elicited no objections to the action proposed.

4. The outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. In the summer of 1944 there was an exchange of correspondence between the Secretary and Mr. John Cowley (for the Sub-Committee on Neuropteroid Groups) which led to agreement as to the form in which this application should be laid before the International Commission. This application, so settled, was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until June 1946 (*Bull. zool. Nomencl.* 1 : 188—191).

5. Some three months after the present application had been sent to the printer, the Secretary received a letter dated 24th November 1944 from Dr. S. A. Rohwer (*Assistant Chief of Bureau, United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*) supporting the action proposed in this case and enclosing a Minute on this subject dated 20th November 1944, by Dr. C. F. W. Muesebeck (*Officer in Charge, Division of Insect Identification, Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington, D.C., U.S.A.*) also commenting on, and supporting the present application. The following are extracts relating to the present case from the foregoing documents which dealt also with another case of insect nomenclature which had been submitted to the Commission :—

(a) *Comment, dated 20th November 1944, by Dr. C. F. W. Muesebeck :*

This is a good presentation of the problem. It shows that *Hemerobius* and *Chrysopa* are isogenotypic, *Hemerobius perla* Linnaeus being type of both, and that under the Rules *Chrysopa* must fall as a synonym of *Hemerobius*. It then recommends that the Commission act, under suspension of the Rules, to place *Hemerobius* on the *Official List*

with *H. humulinus* Linnaeus as type, leaving *Chrysopa* with *Hemerobius perla* as type. This would be in agreement with the practice which has been followed consistently throughout the world in the application of the two names. Since the strict enforcement of the Rules in this case would unquestionably cause considerable confusion, I believe all taxonomists concerned with these groups will support the proposal. I myself feel action in line with that proposed to be desirable.

(b) *Comment, dated 24th November 1944, by S. A. Rohwer :*

I think this is an excellent illustration of how the principles of establishing an *Official List* may be used. Certainly it would avoid confusion in this case and action by the Commission in this respect would be highly desirable.

6. The only comment elicited by the publication of this application in the *Bulletin* was a letter (dated 20th April 1947) in which Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) indicated his support for the action proposed by writing the word "Yes".

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. This case was presented to the Commission by the Acting President (Mr. Francis Hemming). The following is an extract from the Official Record of the Proceedings of the Commission at the foregoing meeting giving a summary of the discussion which the ensued (1950, *Bull. zool. Nomencl.* 4 : 396) :—

In the following discussion, the view was expressed that it would be a disaster if the Law of Priority were to be allowed to create the confusion which would be inevitable unless the Commission used their Plenary Powers in the manner proposed.

8. The decision on this case reached by the International Commission at the foregoing meeting, as set out in the Official Record of its Proceedings, is as follows (Paris Session, 13th

Meeting, Conclusion 34) (1950, *Bull. zool. Nomencl.* 4 : 396—397) :—

THE COMMISSION agreed :—

(1) to use their Plenary Powers :—

(a) to set aside all selections of the type species of the under-mentioned genera made prior to the present decision :—

(i) *Hemerobius* Linnaeus, 1758 ;

(ii) *Chrysopa* Leach, 1815 ;

(b) to designate *Hemerobius humulinus* Linnaeus, 1758, to be the type species of the genus *Hemerobius* Linnaeus, 1758 ;

(c) to designate *Hemerobius perla* Linnaeus, 1758, to be the type species of the genus *Chrysopa* Leach, 1815 ;

(2) to place the under-mentioned names on the *Official List of Generic Names in Zoology* :—

(a) *Hemerobius* Linnaeus, 1758 (with the type species designated in (1)(b) above) ;

(b) *Chrysopa* Leach, 1815 (with the type species designated in (1)(c) above) ;

(3) to place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—

(a) *humulinus* Linnaeus, 1758 (as published in the binominal combination *Hemerobius humulinus*) ;

(b) *perla* Linnaeus, 1758 (as published in the binominal combination *Hemerobius perla*) ;

(4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

9. The following are the original references for the names which appear in the decision set out in paragraph 8 above :—

Chrysopa Leach, 1815, Brewster's *Edinb. Ency.* 9(1) : 138

Hemerobius Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 549

humulinus, *Hemerobius*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 550

perla, *Hemerobius*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 549

10. The genders of the generic names *Hemerobius* Linnaeus, 1758, and *Chrysopa* Leach, 1815, referred to in the decision quoted in paragraph 8 above, are masculine and feminine respectively.

11. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 107).

12. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

13. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

14. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the

Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

15. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

16. The present *Opinion* shall be known as *Opinion Two Hundred and Eleven* (211) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fourth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 2. Pp. 15—24

OPINION 212

Designation of the dates to be accepted as the dates of
publication of the several volumes of Pallas (P.S.),
Zoographia rosso-asiatica



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 212

A. The Officers of the Commission

- President* : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).
- Vice-President* : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).
- Secretary* : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

- Senor Dr. Angel CABRERA (La Plata, Argentina).
- Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).
- Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).
- Dr. Th. MORTENSEN (Universitetets Zoologisk Museum, Copenhagen, Denmark).
- Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

- Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).
- Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).
- Professor Lodovico di CAPORIACCO (University of Parma, Italy).
- Professor J. R. DYMOND (University of Toronto, Canada).
- Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).
- Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

- Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
- Dr. William Thomas CALMAN (Tayport, Fife, Scotland).
- Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).
- Professör Béla HANKÓ (University of Debrecen, Hungary).
- Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).
- Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

- Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
- Dr. Edward HINDLE (Zoological Society of London, London, England).
- Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).
- Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
- Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
- Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).
- Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).
- Mr. N. D. RILEY (British Museum (Natural History), London, England).
- Professor Ragnar SPÄRCK (Universitetets Zoologisk Museum, Copenhagen, Denmark).
- Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
- Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 212

DESIGNATION OF THE DATES TO BE ACCEPTED AS THE DATES OF PUBLICATION OF THE SEVERAL VOLUMES OF PALLAS (P.S.), "ZOOGRAPHIA ROSSO-ASIATICA "

RULING :—(1) The dates to be assigned to the several volumes of Pallas (P.S.), *Zoographia rosso-asiatica* are as follows : Volume 1, 1811 ; Volume 2, 1811 ; Volume 3, [1814]. (2) In view of (1) above, new names published in the foregoing work rank for purposes of priority as from the dates severally specified above. (3) The foregoing work with the ruling specified in (1) above is hereby placed on the *Official List of Zoological Works Approved as Available in Zoological Nomenclature* as Work No. 3.

I.—THE STATEMENT OF THE CASE

On 7th April 1934 the late Mr. W. L. Sclater, writing on behalf of the Committee of the British Ornithologists' Union dealing with the nomenclature of British birds, addressed an inquiry to the then Secretary of the International Commission (the late Dr. C. W. Stiles) as to the dates which should be accepted as those from which names published in the several volumes of Pallas's *Zoographia rosso-asiatica* ranked for purposes of priority.

2. In May 1934 this inquiry was brought to the notice of the International Commission by Dr. Stiles in Circular Letter 256.

In March 1935 this case was included in the Agenda then issued for the Session which the Commission was to hold at Lisbon later that year. When, however, the Commission assembled at Lisbon in September 1935, the Secretary was absent through ill-health and the documents relating to this case were not available. The Commission accordingly found itself unable to deal with the present application.

3. In October 1936, Mr. Francis Hemming was elected Secretary to the Commission on the retirement of Dr. Stiles, and in the following month (on 18th November) Mr. Sclater addressed to him a further letter on this subject. In his reply (dated 5th February 1937), Mr. Hemming expressed the view that the question at issue was one which could be settled only by obtaining an authoritative ruling from the International Commission, and he suggested therefore that the Commission should be asked to render an *Opinion* on this subject. In 1938 the documents relating to this and other current cases were transferred to Mr. Hemming's care, and on the re-organisation of the Secretariat then carried out, the two sets of documents relating to this case were brought together, being given the Registered Number Z.N.(S.)25. It had not been possible to advance the consideration of this case when in September 1939 the outbreak of war in Europe led to the evacuation of the records of the Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The death of Mr. Sclater as the result of injuries received during an air raid on London made it necessary for the Secretary himself to decide how best this case should be brought before the International Commission. After consultation with Dr. Karl Jordan, then President of the Commission, Mr. Hemming decided that the best course would be to publish in the *Bulletin* the letter which he had received from Mr. Sclater in 1936, to which he added one paragraph (inserted as the concluding paragraph) from the earlier letter of 1934 which dealt with an

aspect of the problem not mentioned in the later letter. The application so settled was as follows :—

**On the date as from which the names published in Pallas (P.S.),
“ Zoographia Rosso-Asiatica ” are available nomenclatorially**

By W. L. SCLATER, M.A.

The question of the date of publication of Pallas, *Zoographia rosso-asiatica* is one which has caused us a good deal of troubled discussion and I have been asked to inquire whether the International Commission on Zoological Nomenclature would take the matter up and give a decision.

The facts are well known and are given in some detail in a short paper in the *Ibis* 1934 : 164 by Dr. C. D. Sherborn, a copy of which is attached hereto (see Annex).

The question really resolves itself into what constitutes publication. Some copies of Pallas are dated “ 1811 ”, and there can be no doubt that the book was in the hands of some zoologists soon after that date, but owing to political troubles in Russia at that time and the Napoleonic invasion, the bulk of the edition was not issued till many years later. Most of the copies are dated “ 1831 ”.

But from the point of view of the nomenclature of our British birds the matter is of considerable importance, as a number of new names were introduced in the work which, if dated as from 1811, would be valid, but, if dated as from 1827 or 1831, would be invalidated by other names introduced by authors whose work was published between 1811 and 1827.

**Annex to application submitted by Mr. W. L. Sclater on the date of
Pallas's “ Zoographia Rosso-Asiatica ”**

By the late C. D. SHERBORN, D.Sc.

In order to clear away the numerous misunderstandings surrounding the dates of this work, my friend Mr. Norman Kinnear has asked me to codify and publish the notes made by me over a period of forty-five years.

Pallas's work consisted of three volumes. There were two issues, which differ slightly in the title-pages. Some of these copies are dated :

Vol. 1. 1811 ; vol. 2. 1811 ; vol. 3. no date. Other copies, and these the most common, were dated : Vol. 1. 1831 ; vol. 2. 1831 ; vol. 3. 1831.

Of the former, I have known copies in the British Museum (Nat. Hist.), O. Salvin, A. Newton, G. M. Mathews, E. Eversmann, and other libraries. Of the latter numerous copies are known, and need not be detailed.

The work was known to many of the principal zoologists of Europe when it first appeared (see note to Cuvier no. 9), and the following notes will be of interest as proving the point :—

1. Rudolphi (*Beitr. z. Anthrop.* (Berlin), 1812, p. 70) refers to Pars Prima (1811), 568 pp. ; Pars Secunda (1812), no pp. These he received after Pallas's death, which occurred on 8th September 1811, and, therefore, he may have received the Pars Secunda later than the Pars Prima. Rudolphi also refers in his *Entoz. Syn.* 1819, pp. 56 and 59, to Pallas, vol. 3, pp. 102 and 409, as "Petrop. 1813".

2. In *Isis* (Oken), 1819, *Litt. Anz.* p. 186, a note says the plates are being engraved under the direction of Tilesius, and that the first two volumes are printed off (Mamm. Birds, Reptiles, Fishes).

3. Tilesius, *Add. Conch. ad Zoogr. Rosso-Asiat.* in *Mém. Ac. Imp. Sci.* St. Pétersbourg, 8, 1817—1818 (1822), read 1st November 1820, p. 293. The opening sentence of this paper leads one to infer that Pallas's work was then accessible. See entry under *Isis* (No. 2).

4. Eversmann (*Reise von Orenburg*, Berlin, 1823) refers on p. 117 to the *Zoographia* as "Petrop. 1811, 3 vols. 4to", and in his text quotes vols. 1, 2 and 3 (up to p. 31).

5. Lichtenstein (*Abh. k. pr. Ak. Wiss.* 1822—1823 (1825), p. 6) refers to *Zoogr.* 1, p. 117. In *Ersch & Gruber, Allg. Ency.*, 19, 1829, p. 255, he refers to *Zoogr.* 3, p. 255.

6. Meyendorff (*Voy. d'Orenbourg*, 8°, Paris, 1826, p. 381) says "Petrop. 1811, 3 vol. in 4to, ouvrage qui n'est pas encore assez connue".

7. Gloger (*N. Acta Ac. Caes.* 13(2) 1827, p. 484) quotes *Zoogr.* 1, 135 as a rare book.

8. Nitzsch. (*Ersch & Gruber, Allg. Ency.*, 16, 1927, p. 152) quotes vol. 2.

9. Cuvier (*Règne Anim.* ed. 2, ii, 1829, p. 163, and iii, 1829, p. 398) says "Ouvrage que l'on n'a pu rendre public parceque les cuivres en sont egarés. Neanmoins l'Academie de Pétersbourg a bien voulu en accorder le texte à quelques naturalistes". In the *Hist. Poiss.* i. 1828, p. 200, he says ; "n'a point encore été publié".

Further, in the *Hist. Poiss.*, Cuvier and Valenciennes in ii, 1828, p. 117, and iv, 1829, p. 152, quote the *Zoogr.* vol. iii, pp. 126 and 246.

10. Eschscholtz (*Zool. Atlas*, 3, 1829) quotes the *Zoogr.*, 2, p. 362.

11. In Froriep, *Notizen*, 28, 1830, p. 151, there is a notice of vol. 3.

12. In *Rev. Ency.*, 49, March 1831, p. 726, is a note to say that the drawings and plates have been recovered from Leipzig by v. Behr (Baer) and presented to the Academy of St. Petersburg on 18th and 25th October 1830.

The *Zoographia* formed the subject of a paper by von Baer in 1831 (re-issued in 1832) in a thin quarto of 36 pp. published in Königsberg. From this I can only quote some essentials. Baer says :—The text of the Mammals and Birds was sent by Pallas in 1806. Printing began towards the end of 1807 under the eye of Tilesius, and these portions were completely printed just after Pallas's death. The printing of the Fishes was finished in the year 1814. In 1826 the Academy held a commission to put the three volumes on sale : "L'Académie s'est déterminée à le mettre à vente". For all the elaborate details I must refer the reader to this pamphlet.

The *Zoographia* was also the subject of remarks by Strauch in 1873 (*Mém. Ac. Imp. Sci. St. Pétersbourg* (7) **xxi.** p. 7), who says the Herpetology was all printed by 1811, but plates were delayed for 20 years later. The work appeared in 1831 with new title-pages, and was put into the booksellers' hands.

Seebohm in 1882 wrote a note to "The Ibis", 1882, p. 425, but Alfred Newton in a letter to me of 7th March 1891, calls it an "extraordinary assertion", and says that Seebohm in "The Ibis", 1882, p. 611, was satisfied that he had been in error, and declared his former statement to be a "myth". Alfred Newton, who was most learned on the subject, wrote me four letters upon it between 1891 and 1906.

The general delay was caused by Pallas's obstinate determination to have his plates done by Geissler, the Leipzig engraver, as is stated in a note issued by the Academy of St. Petersburg, in 1826, p. 16.

From what has been quoted above it is quite clear that vols. 1 and 2 were available to the first zoologists of Europe in 1811 and vol. 3 in 1814, and these are the dates that I adopted in my *Index Animalium* and those which should be accepted.

Some prints from certain missing plates (unpublished) are said to exist in Berlin (where, also, are Pallas's types), as well as in St. Petersburg. The British Museum (Nat. Hist.), Rothschild, Tweeddale, Salvin, and Zoological Society's copies of the work seem to be all alike as to plates.

II.—THE SUBSEQUENT HISTORY OF THE CASE

4. The application in regard to the present case was sent to the printer in September, 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until February 1947 (*Bull. zool. Nomencl.* 1 : 198—200).

5. As this case involved the problem of what constitutes "publication" for the purposes of the *Règles*, its further consideration was postponed until the meeting of the Commission in Paris in the following year when it had been arranged that the general problem involved should be brought forward for decision.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. This case was presented to the Commission by the Acting President (Mr. Francis Hemming), who recalled that, prior to the opening of the Paris Congress, there had existed no guiding principle by which the Commission could have considered the present application. During the Paris Congress, that difficulty, however, had been removed by the provisions which it had been agreed to recommend should be inserted in the *Règles*, (1) defining the meaning to be attached to the expression "divulgué dans une publication" as used in Article 25 (Paris Session, 7th Meeting, Conclusion 15) (1950, *Bull. zool. Nomencl.* 4 : 215—221), and (2) prescribing the method to be adopted in determining the date to be accepted as the date of publication for any given work (Paris Session, 7th Meeting, Conclusion 18) (1950, *ibid.* 4 : 223—225). The following is an extract from the Official Record of the Proceedings of the International Commission at the foregoing meeting, which sets out the decision reached by it in this case in the light of the decisions on the underlying questions of principle, on which (as explained above) decisions had been reached earlier

during the Paris Congress (Paris Session, 13th Meeting, Conclusion 39) (1950, *Bull. zool. Nomencl.* 4 : 402—403) :—

THE COMMISSION agreed :—

- (1) that under the provisions added to the *Règles* during the present Congress the dates to be assigned to the several volumes of Pallas (P.S.), *Zoographia rosso-asiatica* were :—

Volume 1 1811
Volume 2 1811
Volume 3 [1814] ;

- (2) that, in view of (1) above, new names published in the foregoing work rank for purposes of priority as from the dates severally specified above ;
- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

7. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an " Official List " to be styled the *Official List of Zoological Works Approved as Available in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission on Zoological Nomenclature might declare to be an available work, together with any supplementary decisions which the International Commission might take in regard to any aspect of such a work (1953, *Copenhagen Decisions zool. Nomencl.* : 24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official List* of the title of Pallas's *Zoographia rosso-asiatica*, together with particulars of the decision in regard thereto set out in the present *Opinion*.

8. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 108).

9. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Dalman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

10. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Two Hundred and Twelve (212) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fifth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 3. Pp. 25—40

OPINION 213

Determination of the type species of the genus *Schwagerina*
von Möller, 1877 (Class Rhizopoda, Order Foraminifera)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 213

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*).

Professor Lodovico di CAPORACCO (*University of Parma, Italy*).

Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).

Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÆRCK (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 213

DETERMINATION OF THE TYPE SPECIES OF THE GENUS "SCHWAGERINA" VON MÖLLER, 1877 (CLASS RHIZOPODA, ORDER FORAMINIFERA)

RULING :—(1) Under the *Règles*, the type species of *Schwagerina* von Möller, 1877 (Class Rhizopoda, Order Foraminifera) is *Borelis princeps* Ehrenberg, 1842, the sole nominal species cited by von Möller when he first published the name *Schwagerina*, and not the species which that author had misidentified with von Möller's species and which he had before him when he established the foregoing genus, a species which was at that time unnamed but which has since received the name *Schwagerina moelleri* Rauser-Chernousova, 1937.

(2) Having regard to the delay which occurred in dealing with this case and without prejudice to the Ruling which might have been given if this case had been dealt with promptly and therefore before the situation had developed in the way that it did subsequent to 1935, it is not desirable in existing circumstances that the Plenary Powers should be used to vary the application of the *Règles* in the present case.

(3) In view of (2) above, the under-mentioned generic names, with the type species severally specified below, are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 646 and 647 :—(a) *Schwagerina* von Möller, 1877 (gender of name : feminine) (type species, by monotypy : *Borelis princeps* Ehrenberg, 1842) ; (b) *Pseudoschwagerina* Dunbar & Skinner, 1935 (gender of name : feminine) (type species, by original designation : *Schwagerina uddeni* Beede & Kniker, 1924).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 23 to 25 :—(a) *moelleri* Rauser-Chernousova, 1937, as published in the combination *Schwagerina moelleri* ; (b) *princeps* Ehrenberg, 1842, as

published in the combination *Borelis princeps*; (c) *uddeni* Beede & Kniker, 1924, as published in the combination *Schwagerina uddeni*.

I.—THE STATEMENT OF THE CASE

The case of the name *Schwagerina* von Möller, 1877, was first brought to the attention of the International Commission on Zoological Nomenclature on 23rd September 1935 by Dr. Carl O. Dunbar (*Yale University, Peabody Museum of Natural History, New Haven, Connecticut, U.S.A.*), who, after pointing out that it had now been established that this genus had been based upon a misidentified type species, expressed the view that the introduction, as required by the Rules, of a new generic name for the generic unit hitherto known as *Schwagerina* would be "unfortunate in view of the fact that the 'Schwagerina' is widely known as a guide fossil to the Lower Permian formations throughout the Northern Hemisphere"; Dr. Dunbar had gone on to enquire whether it would be worth presenting to the Commission a request that it should "set aside the types and validate the genus *Schwagerina* in terms of the current conception". Being unable to obtain an answer to the foregoing question from the Secretary to the Commission, Dr. Dunbar felt bound strictly to apply to this case the Rules as they then existed. This led to the publication in March 1936 (*J. Paleont.* 10 : 83—91) of a paper in which, with Dr. Skinner, Dr. Dunbar proposed the displacement of *Pseudofulina* Dunbar & Skinner, 1931, by *Schwagerina* von Möller, 1877, and the introduction of the nominal genera *Pseudoschwagerina* and *Paraschwagerina* for the species till then included in the genus *Schwagerina* von Möller.

2. In May 1939 the papers relating to this and other current cases were transferred to the care of Mr. Francis Hemming who in October 1936 had been elected Secretary to the Commission on the retirement of Dr. Stiles. These documents were then given the Registered Number Z.N.(S.)87. In September 1939 the outbreak of war in Europe led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids.

Some three months later Dr. Hubert B. Schenck (*Stanford University, Department of Geology, Stanford, California, U.S.A.*) wrote to the Commission (on 17th November 1939), asking that, if in the conditions of the time the Commission was in a position to proceed with its work, it should declare the generic name *Schwagerina* Möller, 1877, to be a *Nomen Conservandum*, with *Schwagerina princeps* (Möller) nec Ehrenberg as its type species. The Secretariat in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present was one of the first cases to be taken up in this way, Mr. Hemming writing to Dr. Schenck in regard to it on 3rd February 1943. In his reply dated 26th April 1943, Dr. Schenck reviewed the history of this case and reached the conclusion which, he explained, was shared by Professor M. L. Thompson (*University of Kansas, Lawrence, Kansas, U.S.A.*) that, in view of the way in which the situation had developed, the best course in the interests of stability in nomenclature would be to accept *Schwagerina* von Möller, as strictly interpreted under the *Règles*, and to apply the name *Pseudoschwagerina* Dunbar & Skinner to the genus which had for so long been incorrectly known as *Schwagerina*. On behalf of Professor Thompson and himself Dr. Schenck accordingly asked that the Commission should give a ruling in this sense.

3. The following is the application so submitted to the International Commission by Dr. Schenck :—

On the Type of the genus "Schwagerina" von Möller, 1877 (Class Rhizopoda, Order Foraminifera)

By HUBERT G. SCHENCK

(*Department of Geology, Stanford University, California.*)

The present application to the International Commission in regard to the name *Schwagerina* von Möller, 1877, *N. Jahrb. Min.* 1877 : 143 was prepared in consultation with Professor M. L. Thompson, University of Kansas, Lawrence, Kansas, and, though the views

expressed in it are mine, they are shared in all essential points by him.

The following is a summary of the *Schwagerina* problem :—

(1) The name *Schwagerina* was proposed by V. von Möller in 1877 and is valid according to the International Rules, that is to say (a) it is not a homonym of any earlier generic name and (b) it is the earliest available name for either of the species which might be regarded as its type.

(2) Von Möller said that “a typical species” of *Schwagerina* in *Borealis princeps* Ehrenberg, 1842, *K. preuss. Akad. Wiss., Berlin 1842* : 274. That species accordingly thus became *Schwagerina princeps* (Ehrenberg). Later writers were unanimous in accepting this species as the genotype of *Schwagerina* von Möller, and it has been established by several subsequent workers beyond question as the genotype of this genus.

(3) The type locality of *Schwagerina princeps* (Ehrenberg) is the late Paleozoic limestone outcropping in Pinega Valley, Archangel, U.S.S.R.

(4) Ehrenberg’s original specimens differ morphologically from the specimens which Möller had in hand when he named the genus *Schwagerina*.

(5) The specimens incorrectly identified by Möller as *Schwagerina princeps* (Ehrenberg) have been named *Schwagerina moelleri* by Rauser-Chernoussova, 1937, *Bull. Acad. Sci. U.R.S.S. 1936* : 578—579.

(6) Dunbar and Skinner hold that only specimens closely similar to *Schwagerina princeps* (Ehrenberg)—not *Schwagerina princeps* (Ehrenberg) as identified by von Möller—can be correctly allocated to the restricted genus *Schwagerina* von Möller.

(7) Therefore, Dunbar and Skinner assert that specimens of *S. moelleri* Rauser-Chernoussova, 1937, and related species must be assigned to another genus which in 1935 they named *Pseudoschwagerina* Dunbar & Skinner, 1935, *J. Palaeont. 10* : 83, with *Schwagerina uddeni* Beede & Kniker, 1924, *Univ. Texas Bull. 2432* : 27, pl. 1 figs. 1—2, pl. 4 fig. 10, pl. 6 figs. 1—2, 5—7, as type by original designation. This species was described originally from the Wolfcamp formation, late Paleozoic, of Texas.

(8) The genus *Schwagerina*, as conceived by the original author (von Möller) who misidentified material as “*Borealis princeps*” Ehrenberg, had become thoroughly entrenched in the geological literature prior to 1935. Since 1935, the names *Pseudoschwagerina* Dunbar & Skinner, 1936, and *Schwagerina* von Möller, as interpreted by Dunbar & Skinner have become adopted by most workers to replace the old concept.

(9) Rauser-Chernoussova in 1937 (*Bull. Acad. Sci. U.R.S.S. 1936* : 577—584) expressed the opinion that the International Commission

should suspend the rules in order that the generic name *Schwagerina* might be employed in the sense conceived of by von Möller and as used for fifty-nine years—from 1877 to 1936.*)

The above is an objective statement of the case—at least as nearly objective as I can make it. I have introduced no opinions, except biological ones. For example, it is an opinion that “*Borelis princeps*” Ehrenberg is generically distinct from the species which von Möller described and illustrated, under the trivial name *princeps*. I thus arrive at the question: Should our concept of the genus *Schwagerina* von Möller be based upon the original specimens of “*Borelis princeps*” Ehrenberg—the genotype of *Schwagerina* von Möller—or upon the material which Valerian von Möller had in hand when he named the genus? What will cause the least confusion, to return to Möller’s concept or to accept *Pseudoschwagerina* Dunbar & Skinner?

Since Dunbar and Skinner took the course they did, and since the International Commission did not act promptly in 1937 to save the generic name *Schwagerina* in the sense conceived of by von Möller, I believe that greater stability will be now introduced into zoological nomenclature by adopting the generic name *Schwagerina* von Möller as restricted by Dunbar and Skinner. Professor M. L. Thompson concurs that the Commission should stabilise the nomenclature of this group by rendering such a decision.

II.—THE SUBSEQUENT HISTORY OF THE CASE

4. The application received from Dr. Schenck in 1943 threw an entirely new light upon the present case, the original enquiry regarding which received from Dr. Dunbar in 1935 having evidently become out of date. Before Dr. Schenck’s application could be published in the *Bulletin*, it was necessary to clear up certain bibliographical obscurities, and this led to correspondence between Mr. Hemming and Dr. Carl O. Dunbar, Professor M. L. Thompson and Dr. Myra Keen, who, in the absence from the United States of Dr. Schenck on foreign service, kindly assisted also in this matter. In the following paragraphs extracts are given from this correspondence, in so far as the letters received dealt directly with question of the action which it was desirable should be taken by the Commission.

* The International Commission received a preliminary inquiry in regard to this case from Dr. Carl O. Dunbar in September 1935, but they never received any communication on this subject from Dr. Rauser-Chernoussova. (int’d F.H.)

5. *Comment by Dr. Carl O. Dunbar (Yale University, Peabody Museum of Natural History, New Haven, Connecticut, U.S.A.) (extract from a letter dated 9th June 1943) : The following is an extract from a letter dated 9th June 1943 received from Dr. Carl O. Dunbar (Yale University, Peabody Museum of Natural History, New Haven, Connecticut, U.S.A.) :—*

When I first wrote to Dr. Stiles, on September 23rd 1935, I had just discovered that the types of the species which Möller had designated as genotype of *Schwagerina* do not have the internal characteristics which he supposed they had and which had later been assumed to characterise that genus. At that time it seemed desirable to set aside that genotype in order to avoid the confusion of redefining the genus *Schwagerina*. On the other hand, a strict interpretation of the Rules appeared to make it obligatory to interpret the genus in accordance with its named genotype, and, unless the Commission would agree to set aside the designated genotype, there appeared to be no alternative. In view of the then dormant condition of the Commission, I decided to stick to the Rules and redefine the genus. Since then this new interpretation of the genus has become widely accepted and has been adopted in extensive publications in various parts of the world, and it would now appear to be extremely unfortunate if we should set aside the rules and turn back to the older interpretation.

The essential facts were presented in the following publication : *Schwagerina* versus *Pseudoschwagerina* and *Paraschwagerina*, by Carl O. Dunbar and John W. Skinner, *Journal of Paleontology*, vol. 10, 1936, pages 83—91, and plates 10—11.

The genus *Schwagerina* was proposed by von Möller in 1877 in a short paper in which he redefined and restricted the genus *Fusulina* and proposed three new genera for the excluded species, the first of which genera was *Schwagerina*. The remaining two genera were distinguished essentially on wall structure, but *Fusulina* and *Schwagerina* were distinguished chiefly on the basis of form, the first including long, slender, fusiform species, and the latter those of globular shape. The original diagnosis of *Schwagerina* was followed by the words, "Als eine typische Form derselben sehe ich die *Schwagerina princeps* Ehrenb. an", and this bears a footnote reference to Ehrenberg's original description and figures of that species. This appears to constitute a definite designation of the genotype and has been so considered by later workers. Furthermore, this species, and no other, has been repeatedly cited by subsequent authors as genotype. For example, Staff (1909, p. 506) cited it in this form, "Typus : *Schw. princeps* Ehrenberg".

Möller's paper bore the title "Ueber Fusulinen und ähnliche Foraminiferen-Formen des russischen Kohlenkalkes (Vorläufige Notiz)". It was written in general terms and does not refer to any particular

material which he may have had under study. It may be presumed that it was based upon the literature. In this paper Möller did not describe the genotype species. About a year later, he applied the name *Schwagerina princeps* to a globular shell superficially resembling *Borelis princeps* Ehrenberg, but one which we now know has a very different interior. The shell which he then figured had a tightly coiled juvenarium, followed by abrupt and rapid inflation, and this character subsequently came to be regarded as the diagnostic feature of the genus *Schwagerina*. Meanwhile, however, the real *Borelis princeps* Ehrenberg was never restudied until the original types were loaned to Dunbar through the kindness of Dr. O. H. Schindewolf, director of the Reichmuseum in Berlin. The study by Dunbar and Skinner, in 1936, showed that the expansion of the shell is gradual in the original type of the named genotype and that it has the character for which Dunbar and Skinner had previously proposed the name *Pseudofusulina*. Accordingly, *Pseudofusulina* was thrown into synonymy of *Schwagerina*, and the latter was rediagnosed in accordance with the named genotype. *Schwagerina* was used in this new sense by Dunbar and Skinner in a monograph on the Permian Fusulinidae of Texas, in 1937, and has now been adopted by most all of the specialists in the study of this group, both here and abroad. For example, it was accepted in a postscript to a big monograph by Huzimoto in Japan in 1936, and I know from personal communication is accepted by Hanzawa in Japan, and by Chen in China, and it was accepted by Kahler and Kahler in a monograph on fusulines from the Carnic Alps in 1937, and was adopted by a committee of Russian specialists who published the Atlas of the Leading Forms of the Fossil Fauna of the U.S.S.R., volume 6, The Permian, in 1939. In America it has been adopted by Henbest, and Needham, and Cushman, as well as by Skinner and Dunbar, and it is already widely used by stratigraphers. In fact, the name *Schwagerina* has probably been more extensively used in this new sense since 1936 than it was used in the other sense in all the preceding years. Accordingly, it would now cause more confusion to set aside the Rules of Nomenclature and return to the previous erroneous interpretation than it would to preserve the new usage. In short, the situation has completely changed since I first wrote to Dr. Stiles.

6. *Comment by Professor M. L. Thompson (University of Kansas, Lawrence, Kansas, U.S.A.) (extract from a letter dated 27th September 1944):* The following is an extract from a letter dated 27th September 1944 received from Professor M. L. Thompson (*University of Kansas, Lawrence, Kansas, U.S.A.*):—

It was long recognised by me and by other students of the fusulinids prior to the time that Dunbar and Skinner re-studied the type specimens of *Borelis princeps* Ehrenberg in 1936 that Möller might have misidentified his specimens in 1877 as belonging to Ehrenberg's species.

Therefore, it was recognised that our concept of the genus *Schwagerina* might have been erroneous. The opinion was published by me and others prior to 1936 that after a study of Ehrenberg's types by modern methods, it might be necessary that the genus *Schwagerina* be redefined. However, there was little, if any doubt expressed by anyone prior to 1936 that the type of the genus *Schwagerina* Möller, 1877, was *Borelis princeps* Ehrenberg, 1842.

I cannot feel certain that Möller ever actually examined Ehrenberg's type specimens of *Borelis princeps* before he proposed the genus *Schwagerina* in 1877. Yet I am not sure but that he may have examined Ehrenberg's specimens. At the same time it cannot be demonstrated that in 1877 Möller thoroughly understood the nature of the species which he described the following year as *Schwagerina princeps* and which Rauser-Chernousova renamed *Schwagerina moelleri* in 1936. I believe the correction and reclassification proposed by Dunbar and Skinner has done much to stabilise our classification of the fusulinids, and that the temporary confusion that their discovery may have caused has practically ceased to exist. That is certainly true among most specialists of the fusulinids. At least it is certain that confusion would be repeated again if *Schwagerina* were to be redefined at this time.

7. Dr. Schenck's application (paragraph 3) was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until March 1947 (*Bull. zool. Nomencl.* 1 : 271—272).

8. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America (dated 6th November 1947)*: The publication of the present application in the *Bulletin* elicited support for the action proposed from the Joint Committee on Zoological Nomenclature for Paleontology in America. The views of the Joint Committee were notified to the International Commission in a letter dated 6th November 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was Chairman of the Joint Committee. The following is the text of Dr. Knight's letter :—

On 3rd July 1947 the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval a resolution on the above subject. The resolution (as well as some others submitted on the same date) was the result of a recommendation of Prof. Gayle Scott, a former member of the Committee. Since it contains some points that may be relevant to the Commission's consideration of

Prof. Schenck's petition the Chairman's letter laying the resolution before the Committee is quoted :

Professor Scott comments as follows :—

It is my thought that Dunbar and Skinner were entirely legalistic and followed the correct course. Von Möller did name *princeps* as the type of *Schwagerina*. The fact that he misidentified specimens in his hands does not affect the legal standing of his designation.

In the case Schenck does not ask for suspension of the *Règles* but an affirmation of the course taken by Dunbar and Skinner in recognising "legally" that the type of *Schwagerina* is *Borelis princeps* Ehrenberg, not what von Möller misidentified as that species. Since the action of Dunbar and Skinner, although strictly legal, did cause great confusion for a period of years both in zoological and stratigraphical nomenclature, there might have been made a good cause for suspension at the time they wrote. Actually I am informed that Dunbar did take it up with the Secretary of the Commission but since the Commission was then inactive for various regrettable reasons he received no reply and, in default of one, felt constrained to act strictly in accordance with the *Règles*.

One might argue that, because the great bulk of the really important literature on fusulinids was written in the last few years and embodied the strictly legal action of Dunbar and Skinner in recognising *Borelis princeps* Ehrenberg as the genotype of *Schwagerina* von Möller, no action by the Commission is necessary. However, a small residuum of confusion persists in that a few workers still refuse to abide by the *Règles* and have seemingly considered asking for Suspension. Hence Schenck's proposal that the Commission place *Schwagerina* on the official list with *B. princeps* Ehrenberg as its genotype seems a wise one.

Therefore I present to you the following resolution for your action :—

RESOLVED : That the Joint Committee on Zoological Nomenclature for Paleontology in America support the petition of H. G. Schenck that the generic name *Schwagerina* von Möller, 1877, be placed on the official list with *Borelis princeps* Ehrenberg, 1842, as its genotype.

The vote on the Resolution was 11 committeemen in the affirmative with no committeemen in the negative. Stenzel was away and did not vote. Comments were as follows :—

Romer—Agree to resolution, although with regret that inactivity prevented suspension of the Rules here earlier.

Keen—It should be noted that there is a typographical error in the petition by H. G. Schenck as printed in the *Bull. zool. Nom.* vol. 1, pt. 11, p. 271. The generic name is *Borelis*, not *Borealis*. Although

there seems to be no opportunity of correcting this error, at least the recommendation of our Committee should not perpetuate it.

The Commission will note that the Committee's Chairman has acted on Keen's suggestion and has corrected *Borealis* to *Borelis*. It suggests that the Commission do likewise if it issues an *Opinion*.¹

In view of the above unanimous vote, the Joint Committee hereby transmits its Resolution to the Commission.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

9. Before dealing with the present application, the International Commission on Zoological Nomenclature at its Paris Session in 1948 considered, and formulated recommendations regarding, the provisions which it was desirable should be inserted in the *Règles* on the subject of the species to be accepted as the type species of a nominal genus established on a misidentified species. This general question was considered by the Commission at the Sixth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on 22nd July 1948 at 1700 hours. The recommendation which the Commission then agreed to submit to the Paris Congress and which was later approved by that Congress was that there should be inserted in the *Règles* a provision prescribing: (1) that in any given case the initial assumption to be adopted should be that the author of a generic name had correctly identified the nominal species referred by him to the genus so named; (2) that, where, on evidence being furnished by specialists, the Commission was satisfied that the foregoing assumption, as applied to the species designated or indicated or later selected as the type species of the genus concerned was incorrect, it should be required to use its Plenary Powers to designate, as the type species, the species intended by the original author when citing the name of the erroneously determined species, or, if the identity of that species was doubtful, a species in harmony with current nomenclatorial usage, save that, where the Commission was of the opinion that confusion would result from so doing, it should be its duty to direct the acceptance of the designation, indication, or, as the case might be, the selection, as the type species, of the nominal species cited by the original

¹ This error has been corrected wherever it would otherwise have occurred in the present *Opinion*.

author of the genus. The full text of the recommendation so adopted is given in the Official Record of the Proceedings of the International Commission at its Session held in Paris in 1948 (Paris Session, 6th Meeting, Conclusion 38) (1950, *Bull. zool. Nomencl.* 4 : 158—159). The foregoing decision was reviewed by the Fourteenth International Congress of Zoology at its meeting held at Copenhagen in 1953, but the only changes made were concerned either with matters of drafting or with other aspects of the general problem involved and did not in any way affect the substance of the decision taken by the Paris Congress (1953, *Copenhagen Decisions zool. Nomencl.* : 68—69).

10. The present application was considered by the International Commission on Zoological Nomenclature in the light of the decision summarised in the preceding paragraph at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The Commission then decided that the present was a case where the proper course would be to make use of the escape clause which it had inserted in the provision which it had agreed to submit to the Paris Congress on the general principle involved (paragraph 9), that is, that it should expressly rule that, notwithstanding the error of identification made by von Möller, when in 1877 he established the nominal genus *Schwagerina*, it was not desirable in existing circumstances to use the Plenary Powers to rectify the mistake so made. The Commission decided, therefore, to approve Dr. Schenck's application (paragraph 3) that the true nominal species *Borelis princeps* Ehrenberg, 1842, should be officially accepted as the type species of the genus *Schwagerina* Möller, 1877. The following is an extract from the Official Record of the Proceedings of the International Commission at its Paris Session setting out the decision reached by it at the foregoing meeting in regard to this matter (Paris Session, 14th Meeting, Conclusion 18) (1950, *Bull. zool. Nomencl.* 4 : 461—464) :—

THE COMMISSION agreed :—

- (1) to place on record their regret at the delay which had occurred in reaching a decision on the present case,

a delay which, the Commission recognised, had prejudiced the issues involved ;

- (2) that, under the *Règles* the type species of the monotypical genre *Schwagerina* von Möller, 1877 (Class Rhizopoda, Order Foraminifera) was the species *Borelis princeps* Ehrenberg, 1842, the sole species cited by von Möller, when he first published the name *Schwagerina*, and not the species which that author had misidentified with the foregoing species and had before him when he established the foregoing genus, which, specialists were agreed, was the species that was at that time unnamed but had since received the name *Schwagerina moelleri* Rauser-Chernousova, 1937
- (3) that, having regard to the delay referred to in (1) above, and without prejudice to the decision which might have been taken if the case had been dealt with promptly and before therefore the situation had developed in the way that it did subsequent to 1935, it was not desirable in existing circumstances to use the Plenary Powers to vary the application of the *Règles* in the present case :
- (4) in view of (3) above to place the undermentioned generic names with the type species severally specified below, on the *Official List of Generic Names in Zoology* :—
- Schwagerina* von Möller, 1877 (Class Rhizopoda, Order Foraminifera) (type species, by monotypy : *Borelis princeps* Ehrenberg, 1842)
- Pseudoschwagerina* Dunbar & Skinner, 1935 (Class Rhizopoda, Order Foraminifera) (type species, by original designation : *Schwagerina uddeni* Beede and Kniker, 1924) ;
- (5) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—
- moelleri* Rauser-Chernousova, 1937 (as published in the binominal combination *Schwagerina moelleri*)
- princeps* Ehrenberg, 1842 (as published in the binominal combination *Borelis princeps*)
- uddeni* Beede and Kniker, 1924 (as published in the binominal combination *Schwagerina uddeni*) ;

(6) to render an *Opinion* recording the decisions specified in (2) to (5) above.

11. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

- moelleri*, *Schwagerina*, Rauser-Chernousova, 1937, *Bull. Acad. Sci. URSS* (Cl. sci. math. nat.) **1936** : 578—579
princeps, *Borelis*, Ehrenberg, 1842, *Ber. Bekanntmachung geeign. Verh. K. Preuss. Acad. Wiss. Berlin* **1842** : 274
Pseudoschwagerina Dunbar & Skinner, 1936, *J. Paleont.* **10** : 83—91
Schwagerina von Möller, 1877, *N. Jahrb. Min.* **1877** : 143
uddeni, *Schwagerina*, Beede & Kniker, 1924, *Univ. Texas Bull.* No. **2433** : 27, pl. 1, figs. 1, 2 ; pl. 4, fig. 10 ; pl. 6, figs. 1—2, 5—7

12. The genders of the generic names *Schwagerina* von Möller, 1877, and *Pseudoschwagerina* Dunbar & Skinner, 1935, referred to in the decision quoted in paragraph 10, are feminine.

13. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July, 1948 (1950, *Bull. zool. Nomencl.* **5** : 114).

14. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

15. The ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

16. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

17. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

18. The present *Opinion* shall be known as *Opinion Two Hundred and Thirteen* (213) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Sixth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 4. Pp. 41—50

OPINION 214

Designation, under the Plenary Powers, of a type species of the genus *Actinote* Hübner [1819] (Class Insecta, Order Lepidoptera) in harmony with accustomed usage



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 214

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

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Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

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Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

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Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÄRCK (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 214

DESIGNATION, UNDER THE PLENARY POWERS, OF A
TYPE SPECIES FOR THE GENUS "ACTINOTE"
HÜBNER [1819] (CLASS INSECTA, ORDER
LEPIDOPTERA) IN HARMONY WITH
ACCUSTOMED USAGE

RULING :—(1) Under the Plenary Powers all type selections for the genus *Actinote* Hübner [1819] (Class Insecta, Order Lepidoptera) made prior to the present Ruling are hereby set aside, and *Papilio thalia* Linnaeus, 1758, is hereby designated as the type species of this nominal genus. (2) The generic name *Actinote* Hübner [1819] (gender of name : feminine), with the type species designated under (1) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 648. (3) The specific name *thalia* Linnaeus, 1758, as published in the combination *Papilio thalia*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 26.

I.—THE STATEMENT OF THE CASE

The present application, which is based upon a paper by Mr. Francis Hemming published in March 1936 (Hemming, 1936, *Proc. R. ent. Soc. Lond.* (B.) 5 : 56—57) was submitted to the International Commission on Zoological Nomenclature jointly by Mr. Hemming and Mr. N. D. Riley (*British Museum (Natural History)*, London) in May 1938. The application so

submitted, which on receipt was given the Registered Number Z.N.(S.)63, was as follows :—

**Proposed suspension of the Règles for “Actinote” Hubner [1819]
(Class Insecta, Order Lepidoptera)**

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature),

and

N. D. RILEY

(Keeper of the Department of Entomology, British Museum (Natural History).)

HÜBNER ([1819], *Verz. bekannt. Schmett* (2) : 27) founded the genus *Actinote* Hübner for four species which he cited as follows :—

- 208. *Actinote Thalia* Linn. Syst. Pep. [sic] 67. Cram. 246. A.
- 210. *A. Epaea* Cram. 230. B.C.
- 211. *A. Eurita* Cram. 233. A.B.
- 212. *A. Amesis* Cram. 104. F.

Scudder (1875, *Proc. Amer. Acad. Arts Sci.*, Boston, **10** : 102) designated the third of these species, *Papilio eurita* Cramer, as the type. Accordingly, it is necessary to determine the identity of the species so named by Cramer. An examination both of Cramer's published plate and of the original drawings for that plate now in the British Museum (Natural History) show that Cramer figured two species under this name. Figure A on plate 233, which Cramer regarded as representing the ♂ of *Papilio eurita*, in fact represents a specimen of *Bematistes umbra* (Drury), ♀-form *fasciata* (Auriv).¹ Figure B on the same plate, which Cramer regarded as representing the ♀ of *Papilio eurita* in fact represents a ♀ of *Bematistes macaria* (Fabricius).¹

It is clear from the text given by Cramer (1779, *Uitl. Kapellen* **3** (20) : 69, 70) that he did not regard himself as the author of the name *Papilio eurita*, for on the top of page 70 at the end of his account of this species he added the reference “Linn. Syst. Nat. pag. 757. n. 69. Pap. Helicon. Clerck, icon. Tab. 31 Fig. 7.8”. This is the species first described as *Papilio eurytus* by Linnaeus in 1758 (*Syst. Nat.* ed. **10** : 487 no. 180), which is the species known to-day as *Pseudacraea eurytus* (Linnaeus).

The position is, therefore, that *Actinote* Hübner is a genus, of which the species selected as the type by a later author (Scudder, 1875) is a

¹ Until recently these species were always referred to the genus *Planema* Doubleday. Hemming has shown (1935, *Trans. R. ent. Soc. Lond.* **83** : 435) that this use of the name is invalid and has proposed the name *Bematistes* Hemming (*loc. cit.* **83** : 374) for these species.

species which was erroneously determined by the author of the genus (Hübner), for what Hübner intended to include in the genus as species no. 211 was a species of the genus *Bematistes* Hemming figured by Cramer on plate 233 (though he did not realise that, in fact, Cramer had figured two different species of that genus as Figs. A and B respectively on that plate). Hübner referred the species figured by Cramer to *Papilio eurytus* Linnaeus, 1758, because Cramer had done so and he did not realise that Cramer had made a mistake of identification; Hübner certainly had no intention of including under the name *Actinote euryta* (Cramer) the species of the genus *Pseudacraea* Westwood [1850], to which in fact Linnaeus had given the name *Papilio eurytus* in 1758.

The genus *Actinote* Hübner is, therefore, a genus based upon an erroneously determined species: first, because Cramer confused together two species (of the genus *Bematistes* Hemming), and, second, because he confused his composite *Bematistes* species with the *Pseudacraea* species which in 1758 Linnaeus had named *Papilio eurytus*.

The status of genera based upon erroneously determined species has been dealt with by the International Commission on Zoological Nomenclature in *Opinion* 65 (published in 1914); and the decision there laid down has since been elaborated by the Commission by the further decisions taken at Lisbon in 1935 and now embodied in *Opinion* 168. Under these decisions, it is necessary to assume that the species designated as the type of a genus is correctly identified by the original author of the genus and, where the type is designated by a later author, both by that author and by the original author, when including the species in question in the genus concerned. The Commission have, however, made it clear that, where in the opinion of the specialists in the group concerned any of the foregoing assumptions is at variance with the facts, the case should be submitted to the International Commission for decision.

Under the foregoing decisions of the International Commission, it is necessary therefore to conclude that the type of the genus *Actinote* Hübner is *Papilio eurytus* Linnaeus, 1758. In other words *Pseudacraea* Westwood ([1850], in Doubleday, *Gen. diurn. Lep.* (2) : 281) to which *Papilio eurytus* Linn. has hitherto been assigned, is a synonym of *Actinote* Hübner.

The position is, therefore, that if the rules were strictly applied in this case, the name *Actinote* Hübner, which has till now been used for a genus of the subfamily ACRAEINAE would be transferred from that subfamily to the subfamily NYMPHALINAE, and would replace the name *Pseudacraea* Westwood, the species of which mimic those of the genus *Acraea* Fabricius, the leading genus in the subfamily ACRAEINAE. It is hardly possible to imagine a case in which the strict application of the rules could lead to greater confusion than would arise if the name *Actinote* Hübner were transferred in this way.

All these difficulties could be avoided if the International Commission on Zoological Nomenclature were to cancel Scudder's designation of *Papilio eurita* Cramer as the type of *Actinote* Hübner, and were to declare its type to be *Papilio thalia* Linn., 1758, which is the first of the four species placed in this genus by Hübner, and which has ever since been assigned to that genus.

We accordingly recommend to the International Commission :—

(a) that in virtue of the Plenary Powers conferred upon them by the International Zoological Congress, they should suspend the *Règles* in the case of the generic name *Actinote* Hübner [1819] ;

(b) that they should cancel the designation by Scudder in 1875 of *Papilio eurita* Cramer [1779] (recte *Papilio eurytus* Linn., 1758), as the type of *Actinote* Hübner [1819] ;

(c) that they should declare the type of *Actinote* Hübner [1819] to be *Papilio thalia* Linnaeus, 1758 (*Syst. Nat* (ed. 10) 1 : 467) ; and

(d) that they should add *Actinote* Hübner [1819], with the type designated in (c) above, to the *Official List of Generic Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On 27th June 1939 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913.

3. The outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present case was sent to the printer in September 1944, but owing to paper rationing, shortage of labour at the printing works and similar causes publication did not actually take place until June 1946 (*Bull. zool. Nomencl.* 1 : 186—187).

4. After the re-opening of the London Secretariat but before the present application was sent to the printer for publication in the *Bulletin*, a letter dated 20th October 1943, communicated by Mr. Riley, one of the co-applicants, was received from Dr. Robert W. L. Potts (*University of California, Berkeley, California, U.S.A.*), commenting upon the present case, as presented in Mr. Hemming's original paper of 1936 (paragraph 1) and supporting the action proposed. The following is an extract of the relevant portion of Dr. Potts' letter :—

I am enclosing copies of my very brief summary of certain work I have been doing on the *Acraeinae* As you will note, I decided for *Papilio thalia* Linnaeus, although I had not then come across the excellent discussion of the genotype by Hemming. (Due entirely to a too hurried search through the *Zoological Record*!) I hope that a decision has been, or will soon be, reached by the International Commission. With my feeling that Hübner intended *Actinote* for the American *Acraeinae*, I should hate to see it go off somewhere else.

5. The only comment elicited by the publication of the present application in the *Bulletin* was a letter (dated 20th April 1947) in which Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) indicated his support for the action proposed by writing the word "Yes".

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out (1) the discussion which took place on the present application at the foregoing meeting, and (2) the decision then reached on it by the Commission (Paris Session, 13th Meeting, Conclusion 33) (1950, *Bull. zool. Nomencl.* 4 : 393—395) :—

THE COMMISSION had under consideration an application (file Z.N.(S.)63) submitted jointly by Commissioner

Francis Hemming (United Kingdom) and Mr. N. D. Riley (British Museum (Natural History) London) asking for the use by the Commission of their Plenary Powers for the purpose of designating *Papilio thalia* Linnaeus, 1758, to be the type species of the genus *Actinote* Hübner [1819] (Class Insecta, Order Lepidoptera) (Hemming and Riley, 1946, *Bull. zool. Nomencl.* 1 : 186—187).

THE ACTING PRESIDENT (MR. FRANCIS HEMMING), said that the present application, which had been submitted by Mr. Riley and himself as specialists in the Order Lepidoptera, was concerned to prevent the confusion which would arise if it were necessary to accept as the type species of the genus *Actinote* Hübner not the species intended by the original author of the genus (a species of the subfamily ACRAEINAE of the family NYMPHALIDAE) but the species (of the subfamily NYMPHALINAE) to which the name of the type species properly applied. The present was therefore a case of a genus having as its type species an erroneously determined species, and, as such, was submitted to the Commission in accordance with the invitation given by the Commission when taking the decision later embodied in their *Opinion* 168, a decision which at the meeting noted in the margin held during the present Session was now to be incorporated in the *Règles*. No objection had been received from any source in regard to the action proposed in this case.

ALTERNATIVE COMMISSIONER N. D. RILEY (UNITED KINGDOM) said that this case was of special importance, for the strict application of the *Règles* thereto would not only cause great confusion in the systematics of the family concerned, but would also have the effect of sinking as a synonym the generic name *Pseudacraea* Westwood [1850], a name widely known to, and used by, workers in the field of mimicry. He commended this proposal to the favourable consideration of the Commission.

THE COMMISSION agreed :—

(1) to use their Plenary Powers :—

(a) to set aside all selections of the type species of the genus *Actinote* Hübner [1819] (Class Insecta, Order Lepidoptera) made prior to the present decision ;

(b) to designate *Papilio thalia* Linnaeus, 1758, to be the type species of the foregoing genus ;

(2) to place the generic name *Actinote* Hübner [1819], with the type species designated in (1)(b) above, on the *Official List of Generic Names in Zoology* ;

(3) to place the trivial name *thalia* Linnaeus, 1758 (as published in the binominal combination *Papilio thalia*) on the *Official List of Specific Trivial Names in Zoology* ;

(4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

7. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

Actinote Hübner [1819], *Verz. bekannt. Schmett.* (2) : 27
thalia, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 467.

8. The gender of the generic name *Actinote* Hübner [1819], referred to in the decision quoted in paragraph 6 is feminine.

9. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on Monday, 26th July, 1948 (1950, *Bull. zool. Nomencl.* 5 : 107).

10. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ;

Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

11. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

12. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

13. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

14. The present *Opinion* shall be known as *Opinion* Two Hundred and Fourteen (214) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Sixth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4, Part 5. Pp. 51—62.

OPINION 215

Emendation to *Palaeoneilo* of the generic name *Palaeaneilo*
Hall, 1869 (Class Pelecypoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 215

A. The Officers of the Commission

- President* : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).
- Vice-President* : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).
- Secretary* : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

- Senor Dr. Angel CABRERA (La Plata, Argentina).
- Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).
- Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).
- Dr. Th. MORTENSEN (Universitetets Zoologisk Museum, Copenhagen, Denmark).
- Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

- Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).
- Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).
- Professor Lodovico di CAPORIACCO (University of Parma, Italy).
- Professor J. R. DYMOND (University of Toronto, Canada).
- Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).
- Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

- Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
- Dr. William Thomas CALMAN (Tayport, Fife, Scotland).
- Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).
- Professor Béla HANKÓ (University of Debrecen, Hungary).
- Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).
- Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

- Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
- Dr. Edward HINDLE (Zoological Society of London, London, England).
- Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).
- Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
- Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
- Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).
- Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).
- Mr. N. D. RILEY (British Museum (Natural History), London, England).
- Professor Ragnar SPÆRCK (Universitetets Zoologisk Museum, Copenhagen, Denmark).
- Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
- Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 215

EMENDATION TO "PALAEONEILO" OF THE GENERIC NAME "PALAEANEILO" HALL, 1869 (CLASS PELECYPODA)

RULING :—(1) It is "évident" that the spelling of the generic name *Palaeaneilo* Hall, 1869 (Class Pelecypoda) was a "faute d'orthographe", and the spelling of this name should therefore be emended to *Palaeoneilo*.

(2) The generic name *Palaeoneilo* (emend. of *Palaeaneilo*) Hall, 1869 (gender of name: feminine) (type species, by original designation: *Nuculites constricta* Conrad (T.A.), 1842) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 649.

(3) The specific name *constricta* Conrad (T.A.), 1842, as published in the combination *Nuculites constricta*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 27.

(4) The Invalid Original Spelling *Palaeaneilo* Hall, 1869, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 27.

I.—THE STATEMENT OF THE CASE

On 19th January 1937 Dr. L. R. Cox (*British Museum (Natural History), London*) submitted an application to the International Commission on Zoological Nomenclature asking for the use of the Plenary Powers in order to emend to *Palaeoneilo* the generic name *Palaeaneilo* Hall, 1869. Commenting on this proposal in the covering letter (of the same date) with which the foregoing application was submitted to the Commission, Dr. Cox observed: "The question of the emendation of etymologically incorrect names is a difficult one, but in this case the name in question was emended by its own author and has not been adopted in its original form by a single subsequent writer". Dr. Cox's application, as

subsequently slightly expanded in the light of correspondence with the Secretary, was as follows :—

Proposed Suspension of the “ Règles ” for “ Palaeaneilo ” Hall (J.), 1869 (Class Pelecypoda, Order Protobranchia)

By L. R. COX, Sc.D.

(Assistant Keeper in the Department of Geology, British Museum (Natural History))

I beg to submit the following application to the International Commission on Zoological Nomenclature :—That Rule 19 be suspended in the case of the generic name *Palaeaneilo* J. Hall, 1869, *Prelim. Not. Lamellibr. Shells*, Pt. 2 and that the emended name *Palaeoneilo* be placed on the *Official List of Generic Names in Zoology*.

The genus “*Palaeaneilo*” was founded by J. Hall in 1869 in a pamphlet entitled “Preliminary Notice of the Lamellibranchiate Shells of the Upper Helderberg, Hamilton and Chemung Groups, with others from the Waverly Sandstones, Part 2”, distributed by the New York State Cabinet of Natural History. The generic name was intended to suggest that the genus was ancestral to the living genus *Neilo* Adams, [1854], *Proc. zool. Soc. Lond.* **20** (243) : 93, but it is spelt as above throughout Hall’s paper, occurring no fewer than fifteen times.

A further species belonging to the genus was described in 1873 in a paper by J. Hall and R. P. Whitfield (23rd *Ann. Rep. N.Y. State Cabinet* : 241) in which the emended name *Palaeoneilo* is introduced without comment. This emended form is used in all subsequent papers by Hall, and has been adopted by all subsequent authors, few of whom, probably, have been able to consult the rare pamphlet in which the genus was first described.

Palaeoneilo Hall is an important genus of Palaeozoic Lamellibranchia found in most parts of the world and much cited in the literature. The original form of the word, *Palaeaneilo*, cannot, however, be rejected as a *lapsus calami*, typographical error, or error in transcription, and so, by Article 19 of the International Rules, should be accepted as the valid name for this genus. I consider that this course would be most undesirable, both on etymological grounds, and because unnecessary confusion would result. It would therefore, in my opinion, be preferable for the International Commission to decide upon the official stabilisation of the form “*Palaeoneilo*”.

The type of this genus is *Nuculites constricta* Conrad (T.A.), 1842, *J. Acad. nat. Sci. Philad.* **8** : 249, pl. 15, fig. 8, that species having been so designated by Hall (J.), 1885, *Nat. Hist. New York* (Palaeontology)

5 (1) Lamellibranchiata 2 : xxvii. I recommend that the generic name *Palaeoneilo* (emended from *Palaeaneilo*) Hall, 1869, with the above species as type be added to the *Official List of Generic Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the present application was given the Registered Number Z.N.(S.) 62. It had not been found possible to submit the present case to the International Commission by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and immediate steps were taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in October 1944.

3. Just before the present application was sent to the printer, there was an exchange of correspondence between the Secretary (Mr. Hemming) and the then President of the Commission (Dr. Karl Jordan) on the question whether, as considered by Dr. Cox, the use of the Plenary Powers would be needed in the event of the Commission deciding in favour of granting the application submitted by Dr. Cox, or whether such a decision could be taken by way of an interpretation of Article 19. The meaning to be attached to the provision (Article 19) which at that time governed the emendation of names raised questions of great difficulty. It was accordingly decided that the best course would be to issue at the appropriate time a notice of the possible use of the Plenary Powers in this case in the manner prescribed by the Ninth International Congress of Zoology, Monaco, 1913, since the issue of such a notice would not prejudice the view to be taken on the issue referred to above and would have the advantage that it would free the hands of the Commission to take

immediate action under the Plenary Powers, should it desire so to do. Moreover, the adoption of this procedure would avoid the further delay which would be inevitable if the Commission were to take the view that the grant of this application required the use of the Plenary Powers and if at that date the prescribed notice had not been issued.

4. Although, as explained in paragraph 2 above, the present application was sent to the printer in the autumn of 1944, difficulties arising from paper rationing, shortage of labour at the printing works and similar causes delayed its publication until 26th June 1946 (*Bull. zool. Nomencl.* 1 : 192).

5. The publication of Dr. Cox's application in the *Bulletin* elicited two comments, the first (in order of receipt) being by the late Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*), who supported the action proposed, the second, by the Joint Committee on Zoological Nomenclature for Paleontology in America, which, by a vote of nine to two expressed itself as being opposed to the use of the Plenary Powers in this case but had not taken a stand as to how this case should, in its view, be decided under Article 19. These comments are reproduced in the two immediately following paragraphs.

6. *Comment by Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen)*: In a letter dated 20th April 1947, Dr. Th. Mortensen indicated his support of the recommendation submitted by Dr. Cox by writing the word "Yes".

7. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America*: The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 30th October 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was Chairman of the Joint Committee. Enclosed with Dr. Knight's letter was an offprint of the paper by Cooper (G.A.) entitled "Concerning the authorship of the 'Preliminary notice of the lamellibranch shells of the upper Helderberg, Hamilton and Chemung groups,

etc., Part 2'” referred to in the penultimate paragraph of Dr. Knight's letter. The following is the text of that letter :—

On July 3rd 1947, the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval the following resolution :—

RESOLVED : That the Joint Committee on Zoological Nomenclature for Paleontology in America oppose the petition of Dr. L. R. Cox that the spelling of the name *Palaeoneilo* Hall, 1869, be emended to *Palaeoneilo* under suspension of the Rules. The Joint Committee is unable to see that any serious confusion would result if the provisions of Article 19 of the Rules be strictly enforced in this case.

The vote of the membership was 9 to 2 for approval, Romer, Simpson, Wells, Newell, Palmer, Moore, Keen, Reeside, and Knight voting in the affirmative. Stenzel was away and unable to vote. Those voting the affirmative made no significant comments. Frizzell in voting the negative wrote :

If we want “ stability and uniformity ” we certainly must follow established usage, and have that usage validated once and for all by the Commission.

Cooper opposes both the Resolution and Cox's petition, writing :

I oppose the resolution and Cox's petition because I believe this to be a case that was settled many years ago by James Hall himself. In the article in which *Palaeoneilo* appeared it was shown by me (Cooper, G. A., *Jour, Washington Acad. Sci.*, vol. 21, no. 18, 1931, pp. 459—467) to be a hastily thrown together set of descriptions full of typographical and other errors (p. 466). Hall corrected the spelling to *Palaeoneilo* in later more formal descriptions and I think his correction should stand.

Cooper did not circulate his comments to the membership of the Committee who appear to have been expressing their views on the general question of stabilising amended spellings of names under suspension of the *Règles* and specifically on *Palaeoneilo* only on the premises submitted by Cox.

If the Chairman may comment, he would disagree with Cooper's implication that Hall's position in amending to *Palaeoneilo* was in any way privileged. But on reading Cooper's paper of 1931 he finds several points that might very well influence the Commission's judgment as to the validity of one spelling or another under the *Règles* without suspension. For example, the original pamphlet was apparently anonymous, and there arises the question as to the validity under the *Règles* of any of the names published in it, whatever their orthography. Secondly, Cooper points out that the paper abounds with errors including typographical errors. Thus the Commission might hold that

there is sufficient evidence in the original publication of *Palaeaneilo* (if it adjudges it a valid publication) to make a *lapsus calami* or typographical error in orthography "évident". In this event the name could conceivably be amended without resorting to the Plenary Powers. It seems obvious that the Commission should take no action on Cox's petition until it has studied Cooper's paper referred to above and the significant publications introducing the names *Palaeaneilo* and *Palaeoneilo*. The premises as set forth in Cox's petition and presented to the Joint Committee are manifestly incomplete.

However, the Resolution passed by the Joint Committee is relevant in any case and is hereby transmitted to the Commission. It simply opposes suspension and advocates the enforcement of the *Règles* without specifying the result that enforcement would arrive at.

8. *Issue of Public Notices* : On 29th September 1947, a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913, in accordance with the arrangement agreed upon between the Secretary and the President in 1944 (paragraph 3). The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

9. The present case was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission (1) summarising the points made in the discussion at the foregoing meeting and (2) setting out the decision then reached by the Commission in regard to this case (Paris Session, 13th Meeting, Conclusion 36) (1950, *Bull. zool. Nomencl.* 4 : 399—400) :—

THE COMMISSION had under consideration an application (file Z.N.(S.) 62) submitted by Dr. L. R. Cox (British Museum (Natural History), London) asking the Commission to give a

ruling that the spelling of the generic name *Palaeaneilo* Hall (J.), 1869 (Class Pelecypoda, Order Protobranchia) should be amended to *Palaeoneilo* (Cox, 1946, *Bull. zool. Nomencl.* 1 : 192). Dr. Cox explained in his application that this generic name was intended to suggest that the genus so named was ancestral to the living genus *Neilo* Adams, 1854. The first part of this compound noun should therefore have been spelt “*Palaeo-*”. In fact however it was consistently spelt “*Palaea-*” in the paper in which the name was first published. The genus was of importance in the Palaeozoic Lamellibranchia and, in the submission of the applicant, it would be both objectionable on etymological grounds and calculated to cause confusion if the incorrect spelling used by Hall, when publishing this name, were allowed to stand. Dr. Cox accordingly asked that the required emendation should be authorised by the Commission under their Plenary Powers. Such action would give validity to the universal practice of specialists in the group concerned.

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that two comments had been received in regard to this application : (1) from Commissioner Th. Mortensen (Denmark) supporting the action proposed ; (2) from Dr. J. Brookes Knight, Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America, stating that the Committee had adopted (by a majority of 9 to 2) a resolution opposing the use of the Plenary Powers in the present case, considering that this was a matter which should be determined by the ordinary provisions of the *Règles*. In his application Dr. Cox had taken the view that the result which he sought could not be attained through Article 19 and it was for this reason that he had asked the Commission to use their Plenary Powers. This was a matter however which must not be prejudged and which the Commission would need to consider before they examined the need for, or the desirability of, using the Plenary Powers in this case.

IN THE DISCUSSION which followed, the view was expressed that, having regard to the fact that the compound word selected for this generic name was intended to denote that this genus was regarded by its author as being ancestral to the living genus *Neilo* Adams, it was quite “*évident*” that the first portion of the compound word was based upon the Greek adjective *παλαιός*,

in exactly the same way as the 500 odd other generic names similarly formed. In these circumstances it was "évident" also that the spelling "Palaeaneilo" was incorrect and a "faute d'orthographe". In these circumstances the spelling should be corrected by the emendation of the name to "Palaeoneilo" under the provisions of Article 19. There was therefore no need to consider the portion of the application which related to the possible use of the Plenary Powers in this case.

THE COMMISSION agreed :—

- (1) that it was "évident" that the spelling of the generic name *Palaeaneilo* Hall, 1869 (Class Pelecypoda, Order Protobranchia) was a "faute d'orthographe" and therefore that the spelling of this name should be corrected by emending the name to *Palaeoneilo* under the provisions of Article 19 ;
- (2) to place the generic name *Palaeoneilo* Hall, 1869 (type species : *Nuculites constricta* Conrad (T.A.), 1842, by selection by Hall (1885)) on the *Official List of Generic Names in Zoology* ;
- (3) to place the trivial name *constricta* Conrad, 1842 (as published in the binominal combination *Nuculites constricta*) on the *Official List of Specific Trivial Names in Zoology* ;
- (4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

10. The following are the original references for the names which appear in the decision set out in paragraph 9 above :—

constricta, *Nuculites*, Conrad (T.A.), 1842, *J. Acad. nat. Sci. Philad.* 8 : 249, pl. 15, fig. 8
Palaeoneilo (emend. of *Palaeaneilo*) Hall, 1869, *Prelim. Not. lamellibr. Shells*, Part 2 : 6

11. Under the provisions relating to the *Official Index of Rejected and Invalid Generic Names in Zoology*, the International

Commission is required to place thereon every generic name which it either rejects under its Plenary Powers or declares to be invalid. In the present instance, the entry in this *Official Index*, under the foregoing provisions, of the Invalid Original Spelling *Palaeaneilo* Hall, 1869, was inadvertently omitted from the Official Record of the Proceedings of the International Commission. This omission has been rectified in the Ruling given in the present *Opinion*.

12. The gender of the generic name *Palaeoneilo* Hall, 1869, referred to in the decision quoted in paragraph 9 above, is feminine.

13. Attention is drawn to the fact that the Ruling given in the present *Opinion* was adopted by the International Commission on Zoological Nomenclature in the light of the provisions in the *Règles* at the time (1948) of its adoption and that that decision is unaffected by the substantial modifications in the provisions relating to the emendation of generic and specific names made by the Fourteenth International Congress of Zoology, Copenhagen, 1953, that Congress having afforded express protection to all decisions on this subject previously taken by the International Commission in relation to individual cases, irrespective of whether or not those decisions were in harmony with the revision of the *Règles* carried out in Copenhagen (1953, *Copenhagen Decisions zool. Nomencl.* : 45).

14. The decision relating to the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 107).

15. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ;

Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

16. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

17. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

18. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

19. The present *Opinion* shall be known as *Opinion Two Hundred and Fifteen* (215) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Seventh day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 6. Pp. 63—72

OPINION 216

Suppression, under the Plenary Powers, of the generic names *Clavellarius* Olivier, 1789, and *Clavellaria* Lamarck, 1801 (Class Insecta, Order Hymenoptera) (*Opinion* supplementary to *Opinion* 144)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 216

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

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Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

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Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 216

**SUPPRESSION, UNDER THE PLENARY POWERS, OF
THE GENERIC NAMES "CLAVELLARIUS" OLIVIER,
1789, AND "CLAVELLARIA" LAMARCK, 1801
(CLASS INSECTA, ORDER HYMENOPTERA)
("OPINION" SUPPLEMENTARY TO
"OPINION" 144)**

RULING :—(1) Under the Plenary Powers the under-mentioned generic names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy: (a) *Clavellarius* Olivier, 1789; (b) *Clavellaria* Lamarck, 1801.

(2) The two generic names suppressed under (1) above are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 28 and 29 respectively.

I.—THE STATEMENT OF THE CASE

On 17th February 1937 Dr. Herbert H. Ross (*Systematic Entomologist, Illinois State Natural History Survey, Urbana, Illinois, U.S.A.*) addressed to the International Commission on Zoological Nomenclature the following letter, with enclosure, in which, jointly with his colleague Dr. B. D. Burke of the same Institution, he asked that, by way of supplement to the decision taken by the Commission at Lisbon in 1935 in regard to the generic name *Cimbex* Olivier, 1790 (Class Insecta, Order Hymenoptera), the Commission should use its Plenary Powers to suppress the earlier name *Clavellarius* Olivier, 1789. The following is the text of the letter and enclosure received from Dr. Ross :—

(a) Letter dated 17th February 1937 from Dr. Herbert H. Ross

We wish to petition that as a corollary of the *Opinion* of the Commission to place the generic name *Cimbex* (Hymenoptera) on the *Official List of Generic Names*, the Commission suppress the generic name *Clavellarius* Olivier. The statement of the case accompanies this request.

(b) Paper by H. H. Ross and B. D. Burke (enclosure to Dr. Ross's letter of 17th February 1937)

ON THE STATUS OF THE NAME *CLAVELLARIUS* OLIVIER,
1789 (CLASS INSECTA, ORDER HYMENOPTERA)

By H. H. ROSS and B. D. BURKE
(*Illinois State Natural History Survey, Urbana, Illinois.*)

The vote of the International Zoological Congress, 1935, to place the name *Cimbex* Olivier, 1790, on the *Official List of Generic Names*¹ opens up an interesting piece of historical nomenclature. *Cimbex* has been mentioned in controversies only in connection with *Crabro* Geoffroy. The name *Cimbex* for a group of sawflies, however, is antedated not only by *Crabro* Geoffroy but also by *Clavellarius* Olivier. This latter name has been almost completely ignored since its original publication. Briefly, the history of the situation is as follows.

Geoffroy in 1762 proposed the name *Crabro* for the large sawflies now generally known as *Cimbex*. Thirteen years later Fabricius used the name *Crabro* for a group of wasps. At this time authority and not priority was followed, so that the hymenopterists of that time followed the Fabrician usage without question. In 1789 Olivier, in the *Encyclopédie méthodique*, apparently decided that the group of sawflies called *Crabro* by Geoffroy needed a name, yet felt that the name *Crabro* itself should be preserved in its Fabrician sense. Hence he proposed for Geoffroy's group *Crabro* the name *Clavellarius* (: 22):—

Clavellaire

Clavellarius. *Crabro*, Geoff. *Tenthredo* Lin. Fab.

Antennes en masse, un peu plus courtes que le corcelet.

Quatre antennules filiformes; les deux antérieures un peu plus longues, composées de cinq articles, les deux postérieures de quatre.

In the next volume of the *Encyclopédie méthodique*, 1790, he uses the name *Cimbex* for this group, without any explanation. This appears in the alphabetic part of the *Encyclopédie* and in the next volume, in due course alphabetically, he mentions once more the name *Clavellarius*, indicating that he considered it too close to a name used in botany and hence changed it to *Cimbex*. The passage referred to reads as follows :—

Clavellaire, *Clavellarius*. Ce mot trop ressemblant à celui de *Clavaria*, déjà employé en Botanique, nous avant paru peu convenable, nous lui avons substitué le mot de *Cimbex*, employé par

¹ See *Opinion 144* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 2* : 89—98).

les Grecs pour désigner des insectes semblables à des Abeilles ou à des Guêpes, et qui paroissent être les mêmes que ceux que nous avons à faire connoître sous ce même nom. Voy, *Cimbex*.

Since *Cimbex* was proposed as a new name for *Clavellarius* the type of one automatically becomes the type of the other. Latreille, 1810, designated the genotype of *Cimbex*, so its type becomes the type of *Clavellarius*. Lamarck in 1801 introduced the spelling *Clavellaria* with a sole included species, *Tenthredo lutea* Linnaeus, 1758, *Syst. nat.* (ed. 10) 1 : 555, but this is not, according to *Opinion* 79 of the International Rules, a type designation.

The synonymy is as follows :—

Crabro Geoffroy, 1762, p. 261. Genotype by subsequent designation of Bradley, 1919, *Crabro humeralis* Fourcroy.

Clavellarius Olivier, 1789, p. 22. Genotype by subsequent designation of Latreille, 1810, *Tenthredo lutea* Linnaeus.

Cimbex Olivier, 1790, p. 762. New name for *Clavellarius*, as explained in Olivier, 1791, p. 18. Genotype by subsequent designation of Latreille, 1810, *Cimbex lutea* (Fabricius) (= *Tenthredo lutea* Linnaeus).

Clavellaria Lamarck, 1801, p. 264. Emendation for *Clavellarius* Olivier, 1789.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. In April 1937 the late Dr. C. W. Stiles submitted the present application to the Commission in Circular Letter 348.

3. In June 1939 the documents relating to the present and other current cases were transferred to the care of Mr. Francis Hemming, who in October 1936 had been elected Secretary to the Commission on the retirement of Dr. Stiles. On receipt, the documents relating to this case were given the Registered Number Z.N.(S.) 120. Further progress with the consideration of this case was prevented by the outbreak of war in Europe in September 1939 which led to the evacuation of the records of the Commission from London to the country as a precaution against the risk of

destruction through air raids. The Secretariat in London was re-opened in 1942, and immediate steps were taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding cases with a view to arranging for their publication in the newly established *Bulletin*. Simultaneously with this action, a start was made with the rendering of *Opinions* setting out the decisions reached by the International Commission at its Session held at Lisbon in 1935. The decision then taken by the Commission in regard to the generic names *Crabro* Geoffroy, 1762, *Crabro* Fabricius, 1775, and *Cimbex* Olivier, 1790 (Lisbon Session, 3rd Meeting, Conclusion 2) (1943, *Bull. zool. Nomencl.* 1 : 27—30) was embodied in *Opinion* 144, which was rendered on 9th February 1943 and published on 30th March 1943 (*Ops. Decls. int. Comm. zool. Nomencl.* 2 : 89—98).

4. The supplementary application submitted by Dr. Ross in 1937, being concerned with the status of a name which was both an available name and possessed priority over a name which had been stabilised under the Plenary Powers, raised an issue which, it appeared to Mr. Hemming, as Secretary to the Commission, might give rise to misunderstandings regarding the status of names validated under the Plenary Powers, unless at the time of its publication it were accompanied by an explanation on this subject. Accordingly in 1944 Mr. Hemming prepared such a note which he communicated in draft to the then President of the Commission (Dr. Karl Jordan), asking for his views. On 5th August 1944 Dr. Jordan replied: "Your comments are a necessity and I agree with them". The following is the text of the note so prepared by Mr. Hemming:—

**On the relative status of the generic names "Cimbex" Olivier,
1790, and "Clavellarius" Olivier, 1789 (Class
Insecta, Order Hymenoptera)**

By FRANCIS HEMMING, C.M.G., C.B.E.
(Secretary to the International Commission on Zoological Nomenclature.)

The case of *Cimbex* Olivier, 1790 versus *Crabro* Geoffroy, 1762, was one of thirteen dealt with in a memorial signed by sixty hymenopterists,

which was submitted to the International Commission on Zoological Nomenclature prior to the meeting of the Commission held at Lisbon in September 1935. The object of the petition was to secure a valid nomenclatorial foundation for the commonly accepted use of the generic name *Cimbex* Olivier, 1790, for *Tenthredo lutea* Linnaeus, 1758, and species congeneric therewith. For this purpose, the petitioners recommended that the name *Crabro* Geoffroy, 1762, should be suppressed by the International Commission under their Plenary Powers.

2. The memorial containing this case was referred by the International Commission on Zoological Nomenclature to the International Committee on Entomological Nomenclature for their observations. The International Committee was due to hold a meeting at Madrid in September 1935 immediately before the meeting of the International Commission at Lisbon and it was arranged, therefore, that the recommendations submitted by the International Committee should be considered by the International Commission at their Lisbon Session.

3. The International Committee at their Madrid meeting agreed to recommend the International Commission to grant the request submitted by the petitioners in the present case. This recommendation was considered and approved by the International Commission at their meeting held at Lisbon on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 2, for the text of which see 1943, *Bull. zool. Nomencl.* 1 : 27—30). This decision was embodied in paragraph 27 of the Report (for the text of which see 1943, *Bull. zool. Nomencl.* 1 : 59—60) submitted by the International Commission to the Twelfth International Congress of Zoology, by whom it was unanimously approved and adopted at the final plenary session held on Saturday, 21st September 1935 (see 1943, *Bull. zool. Nomencl.* 1 : 63).

4. In accordance with the procedure agreed upon by the International Commission at their Lisbon Session (2nd Meeting, Conclusion 9, for the text of which see 1943, *Bull. zool. Nomencl.* 1 : 11—12), advertisements relating to this and other cases involving the suspension of the rules dealt with by the International Commission at Lisbon were published in the prescribed manner in the spring of 1936. As respects the present case no objection of any kind was received by the International Commission in the period of twelve months following the action described above. By 1938, therefore, all the necessary formal action had been taken and the stage had been reached at which an *Opinion* giving effect to the Commission's Lisbon decision could be issued. Owing, first to lack of funds and later to the outbreak of war in Europe in 1939, it was not found possible to publish the *Opinion* (*Opinion* 144) dealing with this case until 1943 (*Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 89—98).

5. The object of the International Commission at Lisbon was to take all necessary steps to validate the name *Cimbex* Olivier, 1790, with *Tenthredo lutea* Linnaeus, 1758, as type. It was only because the

Commission had not been apprised of the problem presented by the name *Clavellarius* Olivier, 1789, that they did not suppress that name under their Plenary Powers at the same time that they suppressed the name *Crabro* Geoffroy, 1762. The present position is that, as the result of the Commission's action at Lisbon (now embodied in *Opinion* 144), the only valid generic name for *Tenthredo lutea* Linnaeus, 1758, is *Cimbex* Olivier, 1790, and, therefore, although not formally suppressed, the name *Clavellarius* Olivier, 1789, cannot be used as the generic name for that species. This situation is admittedly not satisfactory and it is accordingly proposed to ask the International Commission to put matters on a logical footing by rendering an *Opinion* suppressing the name *Clavellarius* Olivier, 1789, and the emended form *Clavellaria* Lamarck, 1801, under their Plenary Powers.

6. The fact that from now onwards all such petitions will be published in the Commission's Official Organ, the *Bulletin of Zoological Nomenclature*, before any decisions are taken thereon by the Commission will, it is hoped, prevent difficulties similar to those discussed above from arising in the future.

5. Following the receipt of the letter from Dr. Jordan quoted at the beginning of the preceding paragraph both the application received from Dr. Ross and Dr. Burke and Mr. Hemming's note on it were sent to the printer in September 1944. Owing, however, to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes it was not until 28th February 1947 that these papers were actually published: Ross & Burke, 1947, *Bull. zool. Nomencl.* 1 : 201—202; Hemming, 1947, *ibid.* 1 : 202—203.

6. *Issue of Public Notices*: On 14th September 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth

Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 40) (1950, *Bull. zool. Nomencl.* **4** : 403—404) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers to suppress for the purposes of Article 25 the under-mentioned generic names :—

Clavellarius Olivier, 1789

Clavellaria Lamarck, 1801 ;

- (2) to place the generic names specified in (1) above on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;

- (3) to render an *Opinion*, supplementary to *Opinion* 144, recording the decisions specified in (1) and (2) above.

8. The following are the original references for the names which appear in the decision set out in paragraph 7 above :—

Clavellaria Lamarck, 1801, *Syst. Anim. s. Vertèbr.* : 264

Clavellarius Olivier, 1789, *Ency. méth.* **4**(Ins.) : 22.

9. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on Monday, 26th July, 1948 (1950, *Bull. zool. Nomencl.* **5** : 108).

10. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners

present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

11. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

12. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

13. The present *Opinion* shall be known as *Opinion* Two Hundred and Sixteen (216) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-eighth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 7. Pp. 73—82

OPINION 217

Designation under the Plenary Powers, of a type species
for the genus *Erycina* Lamarck, 1805 (Class Pelecypoda)
in harmony with accustomed usage



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 217

A. The Officers of the Commission

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Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

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Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

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Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

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Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

DESIGNATION, UNDER THE PLENARY POWERS, OF A
TYPE SPECIES FOR THE GENUS "ERYCINA"
LAMARCK, 1805 (CLASS PELECYPODA)
IN HARMONY WITH ACCUSTOMED USAGE

RULING :—(1) Under the Plenary Powers all type selections for the genus *Erycina* Lamarck, 1805, made prior to the present Ruling are hereby set aside and *Erycina pellucida* Lamarck, 1805, is designated as the type species of this nominal genus.

(2) The generic name *Erycina* Lamarck, 1805 (gender of name: feminine), with the type species designated under (1) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 650.

(3) The specific name *pellucida* Lamarck, 1805, as published in the combination *Erycina pellucida*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 28.

I.—THE STATEMENT OF THE CASE

On 31st March 1937 Dr. Harald A. Rehder (*Assistant Curator of Mollusks, Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.*) submitted to the International Commission on Zoological Nomenclature an application for the use of the Plenary Powers for the purpose of designating for *Erycina* Lamarck, 1805 (Class Pelecypoda) a type species in harmony with accustomed usage. In his covering letter Dr. Rehder gave the names of specialists who had indicated support for the application so submitted. The text of Dr. Rehder's letter and of the application submitted therewith was as follows :—

(a) Letter dated 31st March 1937 from Dr. Harald A. Rehder.

I am enclosing a case which I would like to have come up before the International Commission on Zoological Nomenclature, as I believe that it is of sufficient importance to merit consideration. I may say that the request for the suspension of the Rules in the case of the type of *Erycina* has been read and approved by several members of

the staff of the U.S. National Museum and the United States Geological Survey, such as Drs. Paul Bartsch, Ralph B. Stewart, Wendell P. Woodring and Julia Gardner.

(b) Application submitted by Dr. Harald A. Rehder (enclosure to letter of 31st March 1937)

PROPOSED SUSPENSION OF THE *REGLES* FOR THE
GENOTYPE OF *ERYCINA* LAMARCK, 1805
(CLASS PELECYPODA, ORDER
HETERONDONTA)

By HARALD A. REHDER

(Associate Curator, Division of Mollusks, Smithsonian Institution,
United States National Museum, Washington, D.C.)

In 1805, *Ann. Mus. Hist. nat. Paris* 6(36) : 413, Lamarck proposed the genus *Erycina* for a heterogeneous assemblage of six species, all fossils of the Paris basin.

In 1807 Froriep (*Lamarck Neues System der Conchylien*, Weimar : 38) mentioned *Erycina laevis* Lamarck, 1805, *loc. cit.* 6(36) : 414 (the first of the six species cited by Lamarck) as an example of the genus. This is not a type designation, although Dall apparently so considered it (1900, *Trans. Wagner Free Inst. Sci.* 3(5) : 1141 footnote).

In 1823, Children (*Quart. J. Sci.* 14 : 299) selected *Erycina cardioides* Lamarck, 1818, *Hist. nat. Anim. sans Vert.* 5 : 486, as the type, but this choice cannot be accepted, as that species was not one of the six species included in the original description of *Erycina* Lamarck.

In 1844 Recluz (*Rev. zool.* 7 : 291—299, 325—336) monographed the genus *Erycina* Lamarck, having been able, as he states, to examine Lamarck's types. Of the six original species he considered *Erycina fragilis* Lamarck, 1805, *loc. cit.* 6(36) : 415 and *Erycina elliptica* Lamarck, 1805 *loc. cit.* 6(36) : 415 to belong to *Diplodonta* Bronn, 1831, *Ergeb. nat. Reisen* 2 : 484; *Erycina inaequilatera* Lamarck, 1805, *loc. cit.* 6(36) : 415, *Erycina laevis* Lamarck, 1805, to be members of *Tellina* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 674, restricting *Erycina* Lamarck to the single species *Erycina pellucida* Lamarck, 1805, *Ann. Mus. Hist. nat. Paris* 7(37) : 53. *Erycina trigona* Lamarck, 1805, *Ann. Mus. Hist. nat. Paris* 6(36) : 414 he did not mention, probably because it was a single valve in poor condition.

Deshayes, 1858 (*Description des Animaux sans Vert. dec. dans le Bassin de Paris* 1 : 700—704), agreed in general with Recluz, making, however, *Erycina fragilis* Lamarck the type of the new genus *Psathura* Deshayes, 1858, *loc. cit.* 1 : 478, and doubtfully identifying *Erycina trigona* Lamarck as the valve of a species of *Corbulomya* Nyst, [1844], *Mém. cour. Acad. roy. Belgique* 17 : 59.

This has been, on the whole, the view of all subsequent workers. Following this viewpoint, Stoliczka in 1870 (*Cretaceous Fauna of Southern India* 3 (Pelecypoda) : xix) designated *Erycina pellucida* Lamarck as type, which has to the present been generally accepted.

Of course, it may logically be considered that Recluz in 1844 designated *Erycina pellucida* Lamarck as type by restriction, making *Erycina* Lamarck monotypic (See *Opinion* 6).^{*} However, five years before Recluz's careful study, appeared Anton's Catalogue of his collection (1839, *Verzeichniss der Conchylien welche sich in der Sammlung von H. E. Anton befinden*), which contains valid type designations for all the genera and subgenera mentioned. Here, on page 6, he designates *Erycina elliptica* Lamarck as type, the species which Recluz and Deshayes had placed in the genus *Diplodonta* Bronn, 1831 (now known by the name *Taras* Risso, 1826, *Hist. nat. Europe* 4 : 344).

The acceptance of Anton's type designation would mean (i) that the name *Erycina* Lamarck would be used for the group long known as *Diplodonta* Bronn and *Taras* Risso and (ii) that the genus *Erycina* of authors would need a new name. This transposition would cause endless confusion, especially as both groups are common as Tertiary fossils and used as index fossils in stratigraphy.

In view of this, it is advisable that the International Commission stabilise the status of *Erycina* Lamarck, 1805, under suspension of the rules, by placing *Erycina* Lamarck on the *Official List of Generic Names in Zoology* with *Erycina pellucida* Lamarck, 1805, as type.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On the re-organisation of the Secretariat, following the election in 1936 of Mr. Francis Hemming as Secretary in succession to the late Dr. C. W. Stiles, the present case was given the Registered Number Z.N.(S.) 69. It had not been found possible to advance the consideration of this case by the time that in September 1939 the outbreak of war in Europe led to the

^{*} *Opinion* 6 does not provide for the restriction of a genus containing three or more species, such as *Erycina* Lamarck ; but is expressly confined to the case of a genus "A—", established with two species only, where one of the two originally included species is subsequently made the type of a monotypical genus. For the text of *Opinion* 6, with notes thereon, see 1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 127—138.

evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and immediate steps were taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding cases with a view to arranging for their publication in the newly established *Bulletin*. Dr. Rehder's application in the present case was sent to the printer in October 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (*Bull. zool. Nomencl.* 1 : 221—222).

3. The publication of Dr. Rehder's application in the *Bulletin* elicited support from two quarters, the first (in order of receipt), from the late Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*), the second, from the Joint Committee on Zoological Nomenclature for Paleontology in America. These comments are reproduced in the two immediately following paragraphs.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen)*: In a letter dated 8th April 1947, Dr. Th. Mortensen indicated his support for Dr. Rehder's proposal by writing the word "Yes".

5. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America*: The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 5th November 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was Chairman of the Joint Committee. The following is the text of that letter:—

On July 3rd 1947, the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval the following resolution:—

RESOLVED: That the Joint Committee on Zoological Nomenclature for Paleontology in America support the petition

of H. H. Rehder that the designation of *Erycina elliptica* Lamarck as genotype of *Erycina* Lamarck by Anton in 1839 be set aside under suspension of the *Règles* in favor of *Erycina pellucida* Lamarck, first designated by Stoliczka in 1870 on the ground that greater confusion than uniformity would result if the *Règles* be enforced in this case.

The vote of the membership was 10 to 1 for approval, Romer, Simpson, Newell, Palmer, Cooper, Moore, Keen, Frizzell, Reeside, and Knight voted in the affirmative. Wells voted the negative. Stenzel was away and unable to vote. There were only two comments.

Palmer wrote:—This is about a 50—50 case. I vote "Aye" on the case but it is a problem in which suspension would upset a case of a clear cut type designation. This I dislike to do. On the other hand there would be considerable confusion if the common concept of *Erycina* were disrupted. However, as far as disrupting names are concerned, the name *Diplodonta* has had to be eliminated in favor of *Taras* so that suspension will not restore that well-known name. I am not convinced that the suspension should take place but it would save some confusion if it were.

In view of the above vote the Joint Committee hereby transmits to the International Commission the Resolution adopted.

6. *Issue of Public Notices*: On 29th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the

decision reached by it in regard to this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 48) (1950, *Bull. zool. Nomencl.* 4 : 417—418) :—

THE COMMISSION agreed :—

(1) to use their Plenary Powers :—

(a) to set aside all selections of the type species of the genus *Erycina* Lamarck, 1805 (Class Pelecypoda, Order Heterodonta) made prior to the present decision ;

(b) to designate *Erycina pellucida* Lamarck, 1805, to be the type species of the foregoing genus ;

(2) to place the generic name *Erycina* Lamarck, 1805, with the type species specified in (1)(b) above, on the *Official List of Generic Names in Zoology* ;

(3) to place the trivial name *pellucida* Lamarck, 1805 (as published in the binominal combination *Erycina pellucida*) on the *Official List of Specific Trivial Names in Zoology*,

(4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

8. The following are the original references for the names which appear in the decisions set out in paragraph 7 above :—

Erycina Lamarck, 1805, *Ann. Mus. Hist. nat.*, Paris 6(36) : 413
pellucida, *Erycina*, Lamarck, 1805, *Ann. Mus. Hist. nat.*, Paris 6(37) : 53

9. The gender of the generic name *Erycina* Lamarck, 1805, referred to in the decision quoted in paragraph 7 above, is feminine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth

International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on Monday, 26th July, 1948 (1950, *Bull. zool. Nomencl.* 5 : 110).

11. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the

International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion Two Hundred and Seventeen (217)* of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Eighth day of November, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 8. Pp. 83—92

OPINION 218

Addition of the generic name *Liodes* Heyden, 1826
(Class Arachnida) to the *Official Index of Rejected and
Invalid Generic Names in Zoology*



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 218

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

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Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

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Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).

Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

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Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

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Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 218

ADDITION OF THE GENERIC NAME "LIODES" HEYDEN, 1826 (CLASS ARACHNIDA) TO THE "OFFICIAL INDEX OF REJECTED AND INVALID GENERIC NAMES IN ZOOLOGY"

RULING :—The generic name *Liodes* Heyden, 1826 (Class Arachnida) is an invalid junior homonym of *Leiodes* Latreille, 1796 (Class Insecta, Order Coleoptera), is accordingly hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 30.

I.—THE STATEMENT OF THE CASE

The present case was submitted to the International Commission on Zoological Nomenclature by the late Dr. Arthur P. Jacot (*Northeastern Forest Experimental Station, New Haven, Connecticut, U.S.A.*) in the following letter dated 18th March 1937 :—

On the question whether "Liodes" Heyden, 1826 (Class Arachnida, Order Acarina) is a Homonym of "Leiodes" Latreille, 1796 (Class Insecta, Order Coleoptera)

By ARTHUR P. JACOT

Is the genus *Liodes* Heyden, 1826, *Isis* (Oken) 1826 : 611 (Class Arachnida, Order Acarina) a homonym of *Leiodes* Latreille, 1796, *Précis Caract. Ins.* : 22 (Class Insecta, Order Coleoptera) ?

The whole question is whether the two words are different enough both to be available as generic names. In America some beetle specialists spell Latreille's name *Leiodes* in the emended form *Liodes*, as proposed by Erichson, 1845, *Deutschl. Ins.* (Col. 1) 3 : 87, thus engendering confusion.

As a specialist in mites, I should like to know whether the name *Liodes* Heyden, 1826, is available for the mite genus. It has been in use, was subsequently abandoned, and now an acarologist is reviving it. Is it technically available?

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. In May 1938 Dr. Jacot's letter, together with documents relating to other current cases, was transferred to the care of Mr. Francis Hemming, who in 1936 had been elected to be Secretary to the International Commission on the retirement of the late Dr. C. W. Stiles. This case was then given the Registered Number Z.N.(S.)64. It had not been found possible to advance the consideration of this case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and immediate steps were taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding cases with a view to arranging for their publication in the newly established *Bulletin*.

3. When the Secretary (Mr. Hemming) came in 1944 to prepare the present case for publication, he took the view that it was desirable that there should be published at the same time a note referring to the decision in regard to the criteria to be adopted for determining whether any two generic names were homonyms of one another which, on the advice of the International Commission (Lisbon, Session, 4th Meeting, Conclusion 14) (1943, *Bull. zool. Nomencl.* **1** : 39—40), had been taken by the Twelfth International Congress of Zoology, Lisbon, 1935, and which had later been embodied by the Commission in its *Opinion* 147 (1943, *Ops. Decls. int. Comm. zool. Nomencl.* **2** : 123—132). In the same note the Secretary appealed to interested specialists to furnish their views on the question whether the names *Leiodes*

Latreille, 1796, and *Liodes* Heyden, 1826, consisted of words of the same origin and meaning, that being the criterion which, under the foregoing decision, would determine the question whether these two names should be regarded as homonyms of one another. The note so prepared by Mr. Hemming was as follows :—

On the question whether the name “*Liodes*” Heyden, 1826 (Class Arachnida, Order Acarina) and “*Leiodes*” Latreille, 1796 (Class Insecta, Order Coleoptera) are of the same origin and meaning

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

In *Opinion* 147,¹ published on 30th September 1943, the International Commission set out certain decisions which they had taken at Lisbon in 1935 (Lisbon Session, 4th Meeting, Conclusion 14),² regarding the principles to be observed in interpreting Article 34 of the International Code in relation to the rejection, as homonyms, of generic and sub-generic names of the same origin and meaning as names previously published.

Under the decision embodied in *Opinion* 147, “a generic name of the same origin and meaning as a previously published generic name is to be rejected as a homonym of the said name if it is distinguished therefrom only by . . . the use of “*ei*”, “*i*”, and “*v*”. . . .

In the case submitted to the Commission by the late Dr. Jacot, the point which requires to be determined is whether the name *Liodes* Heyden, 1826 (Class Arachnida, Order Acarina) is of the same origin and meaning as the prior name *Leiodes* Latreille, 1796 (Class Insecta, Order Coleoptera). If the examination of the origin and meaning of these two generic names were to show that, in accordance with the provisions of Article 19, the name *Leiodes* Latreille, 1796, should be emended to *Liodes* (as proposed by Erichson, 1845), then the name *Liodes* Heyden, 1826, would fall as a homonym of *Liodes* (emendation of *Leiodes*) Latreille, 1796. If, however, the examination of the origin and meaning of these names were to establish that, although there was no case for emending *Leiodes* Latreille to *Liodes*, the names

¹ See 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 123—132.

² See 1943, *Bull. zool. Nomencl.* 1 : 39—40.

Leiodes Latreille, 1796, and *Liodes*, 1826, were of the same origin and meaning, then, under *Opinion* 147, *Liodes* Heyden would fall as a homonym of *Leiodes* Latreille. If, however, the examination of these names either (i) failed to establish that these names were of the same origin and meaning or (ii) definitely established that they were not, then the name *Liodes* Heyden, 1826, would not be invalidated by *Leiodes* Latreille, 1796, and would, therefore, be an available name.

In order, therefore, to assist the International Commission in reaching a conclusion on the case submitted by Dr. Jacot, specialists commenting on that case are particularly asked to address themselves to the questions indicated above.

4. *Comment by Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts.)*: The then President of the Commission, Dr. Karl Jordan, to whom Mr. Hemming had communicated a copy of the note reproduced above, replied on 5th September 1944, agreeing that the publication of that note at the same time as Dr. Jacot's application would be very useful. At the same time Dr. Jordan furnished the following comment on the question specifically raised by Mr. Hemming in that note:—

Neither Latreille nor von Heyden gives a derivation. Agassiz gives the Greek *λεῖος* for both *Leiodes* and *Liodes*, in which he was right, the beetles in question (*Leiodes*) being smooth, glossy.

5. In October 1944 Dr. Jacot's application and Mr. Hemming's note were sent to the printer but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (Jacot, 1947, *Bull. zool. Nomencl.* 1 : 223 ; Hemming, *ibid.* 1 : 223—224).

6. *Issue of Public Notices*: The present application did not ask for the use by the International Commission of its Plenary Powers, but it was judged useful to issue a notice of the possible use of those Powers in this case, so that, if the Commission were to consider it desirable to deal with this case under that procedure, it should be free to do so, without incurring the further delay which would otherwise be inevitable. Accordingly, on 29th September 1947 a notice of the possible use of the Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, 1913.

7. *Comment by Mr. Charles D. Radford (British Museum (Natural History), London)*: The publication in the *Bulletin* of Dr. Jacot's application and of Mr. Hemming's note elicited a letter dated 1st April 1948 from Mr. Charles D. Radford (then of the *British Museum (Natural History), London*), drawing attention to the fact that in 1888 Berlese (*Bull. Soc. ent. ital.* **10** : 217) had taken the view that the two generic names discussed in Dr. Jacot's application were homonyms of one another and had given the *nom. nov. Neoliodes* to von Heyden's Acarine genus.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission at the foregoing meeting setting out the decision which it then reached in regard to the present case (Paris Session, 13th Meeting, Conclusion 50) (1950, *Bull. zool. Nomencl.* **4** : 420—421) :—

THE COMMISSION agreed :—

- (1) that *Leiodes* Latreille, 1796, and *Liodes* Heyden, 1826, are homonyms of one another and therefore that the name *Liodes* Heyden, 1826, as the later published of the two names, is invalid.
- (2) to place the name *Liodes* Heyden, 1826 (Class Arachnida, Order Acarina) on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

9. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

Leiodes Latreille, 1796, *Précis Caract. Ins.* : 22
Liodes Heyden, 1826, *Isis* (Oken) 1826 : 611

10. Attention is drawn to the fact that the Ruling given in the present *Opinion* was adopted by the International Commission on Zoological Nomenclature in the light of the provisions in the *Règles* at the time (1948) of its adoption and that that decision is unaffected by the substantial modifications in the provisions relating to generic homonymy made by the Fourteenth International Congress of Zoology, Copenhagen, 1953, that Congress having afforded express protection to all decisions on this subject previously taken by the International Commission in relation to individual cases, irrespective of whether or not those decisions were in harmony with the revision of the *Règles* carried out in Copenhagen (1953, *Copenhagen Decisions zool. Nomencl.* : 78).

11. The decision relating to the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 100).

12. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

13. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion Two Hundred and Eighteen (218)* of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Ninth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 9. Pp. 93—102

OPINION 219

Addition to the *Official List of Generic Names in Zoology*
of *Megachile* Latreille, 1802, with *Apis centuncularis*
Linnaeus, 1758, as type species (Class Insecta, Order
Hymenoptera)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 219

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

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Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

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Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

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Professor Ragnar SPÄRCK (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 219

ADDITION TO THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY" OF "MEGACHILE" LATREILLE 1802, WITH "APIS CENTUNCULARIS" LINNAEUS 1758, AS TYPE SPECIES (CLASS INSECTA, ORDER HYMENOPTERA)

RULING :—(1) No type selection within the meaning of Rule (g) in Article 30 was made for the nominal genus *Megachile* Latreille, 1802 (Class Insecta, Order Hymenoptera), by Latreille in 1810 (*Consid. gén. Crust. Arach. Ins.*), and the first valid type selection for this genus under the foregoing Rule is that of *Apis centuncularis* Linnaeus, 1758, by Curtis in 1828.

(2) The generic name *Megachile* Latreille, 1802 (gender of name : feminine), with the above species as type species, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 651.

(3) The specific name *centuncularis* Linnaeus, 1758, as published in the combination *Apis centuncularis*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 29.

I.—THE STATEMENT OF THE CASE

On 16th August 1937, the late Professor A. D. Imms (*President*) and Professor O. W. Richards (*Secretary*), Royal Entomological Society of London, formally communicated to the International Commission on Zoological Nomenclature Part 5 of the work entitled *The Generic Names of British Insects*, published two days earlier, intimating that the Council of the Society concurred in the recommendations set forth in the foregoing Part and commended those recommendations to the favourable consideration of the International Commission. The above Part con-

tained a Report by the Hymenoptera Sub-Committee¹ of the Society's Committee on Generic Nomenclature² setting out the names of the genera of Hymenoptera Aculeata represented in the British fauna. Attached to the Sub-Committee's Report was a detailed survey of the problems involved which had been prepared for the Sub-Committee by Dr. O. W. Richards, one of its members. The Report contained recommendations regarding seventeen generic names and two specific names. Among the former was included the case of the name *Megachile* Latreille, 1802, with which the present *Opinion* is concerned. The Sub-Committee's recommendations in relation to this and other names were set out in a schedule, prepared by Dr. Richards, annexed to its Report. The proposal in regard to the present case was lettered (m) and appeared on pages 91—92 in the Report as published. The applications submitted in the Sub-Committee's Report were later, for purposes of convenience, treated as separate cases, though at the time of their receipt they were all given the same Registered Number—Z.N.(S.)133—in the Secretariat of the Commission. The application submitted in the present case was as follows :—

**Proposed suspension of the "Règles" for "Megachile" Latreille,
1802 (Class Insecta, Order Hymenoptera)**

By R. B. BENSON, M.A.

(Assistant Keeper in the Department of Entomology, British Museum
(Natural History)),

CH. FERRIÈRE

(Imperial Institute of Entomology, London),

and

O. W. RICHARDS, D.Sc.

(Imperial College of Science and Technology, London)

Latreille (1802, *Hist. nat. Fourmis* : 434) published the genus *Megachile*, including a number of species. Latreille (1810, *Consid. génér.* : 439) fixed the type as *Apis muraria* Retzius, 1783, though

¹ At the time of the submission of the foregoing Report the composition of the Hymenoptera Sub-Committee was as follows :—R. B. Benson, M.A. ; Ch. Ferrière ; O. W. Richards, D.Sc.

² The composition of the Committee on Generic Nomenclature was the same at this time as at the date of the submission of Part 4 of the *Generic Names of British Insects*, and has been given in footnote 2 to *Opinion* 211, which deals with a recommendation submitted in that Part.

the name of the type-species was followed by certain other names (including *Apis centuncularis* Linnaeus, 1758), prefixed by the word " *ejusdem* ".

Curtis (1828, *Brit. Ent.* 5 : plate 218) designated *Apis centuncularis* Linnaeus, 1758, as the type of *Megachile*.

Lepeletier (1841, *Hist. nat. Ins. Hymén.* 2 : 309) described a genus *Chalicodoma* of which the type was fixed by Girard (1879, *Traité d'Ent.* 2 : 778) as *Apis muraria* Retzius, 1783.³

Hymenopterists have almost universally used the generic name *Chalicodoma* for *Apis muraria* and its allies and *Megachile* for *Apis centuncularis* and its allies. A large literature, both taxonomic and bionomic, has grown up round this usage. The two groups are generically distinct, or, at least, form very distinct subgenera. In our opinion the transference of the name *Megachile* to the group of which *Apis muraria* Retzius, 1783, is the type would cause far more confusion than uniformity. If the type-fixation of Latreille (1810) were set aside and that of Curtis (1828) upheld, this difficulty would be avoided.

We are therefore of the opinion that in the exercise of the Plenary Powers conferred on them by the International Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Megachile* Latreille, 1802 (type : *Apis centuncularis* Linnaeus, 1758) be added to the *Official List of Generic Names*. The designation by Latreille (1810, *Consid. génér.* : 439) of *Apis muraria* Retzius, 1783,³ as the type is, therefore, to be set aside and the designation by Curtis (1828, *Brit. Ent.* 5 : plate 218) of *Apis centuncularis* Linnaeus, 1758, is to be upheld.⁴

³ There appears to be some doubt as to the real identity of the bee described by Retzius as *Apis muraria*. Until this question is settled, it is suggested that the bee referred to above be regarded as *Chalicodoma muraria* Lepeletier (1841, *Hist. nat. Ins. Hym.* 2 : 309). The position of the genera *Megachile* and *Chalicodoma* is not affected by the name ultimately shown to be the right one for *C. muraria*.

⁴ The above is an extract from the First Report of the Hymenoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London. At that time that Committee was composed as follows :—Sir Guy Marshall, K.C.M.G., F.R.S. (*Chairman*), Dr. K. G. Blair, Dr. F. W. Edwards, Mr. Francis Hemming, C.M.G., C.B.E., Dr. O. W. Richards, Mr. N. D. Riley and Professor W. A. F. Balfour-Browne (*Hon. Secretary*). On receiving the Sub-Committee's Report, the Committee on Generic Nomenclature, in their Fifth Report, recommended the Council of the Royal Entomological Society of London to transmit the Hymenoptera Sub-Committee's recommendations to the International Commission on Zoological Nomenclature for favourable consideration. This recommendation was approved by the Council of the Society and, on the publication of the Committee's Fifth Report on 14th August, 1937, the Sub-Committee's recommendations were forwarded to the International Commission by the Council of the Society.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. It had not been found possible to advance the consideration of the present case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. When in 1944 the present case was being prepared for the printer, Mr. Hemming came to the conclusion that the end desired by the applicants could be attained without the use by the International Commission of its Plenary Powers, for the applicants had not been aware of the decision taken by the Commission at Lisbon in 1935 and later embodied in *Opinion* 136 (1939, *Ops. Decls. int. Comm. zool. Nomencl.* 2 : 13—20) to restrict the acceptance, as type selections, of the citations given by Latreille in 1810 (*Consid. gén. Crust. Arach. Ins.*) to those cases where, unlike the present, Latreille cited the name of a single species only. After communicating with the applicants, Mr. Hemming annexed the following explanatory note to the application in this case before sending it to the printer :—

Supplementary Note by the Secretary to the International Commission : The case of *Megachile* Latreille, 1802, is exactly parallel to that of *Formica* Linnaeus, 1758, for the difficulties apprehended by the applicants have been completely eliminated by the publication of the Commission's *Opinion* 136, clarifying *Opinion* 11, as it is now seen that Latreille in 1810 (*Consid. gén.*) did not make a valid designation of the type of *Megachile* Latreille. In consequence the designation by Curtis (1828) of *Apis centuncularis* Linnaeus, 1758, as the type of this genus is valid and the currently accepted usage is correct. Thus, the name *Megachile* Latreille, 1802, can now be placed on the *Official List of Generic Names in Zoology*, without the prior use by the Commission of their Plenary Powers to suspend the *Règles Internationales*. (int'd) F.H. 11th August 1944.

3. The present application, with Mr. Hemming's annexed note, was sent to the printer in October 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing

works and similar causes, publication did not actually take place until 28th February 1947 (*Bull. zool. Nomencl.* 1 : 211).

4. The publication of the present application in the *Bulletin* elicited a letter of support from the late Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) who on 8th April 1947, wrote :—"The proposals by Benson, Ferrière and Richards should be accepted".

III.—THE DECISION BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it at the foregoing meeting in regard to this case (Paris Session, 13th Meeting, Conclusion 45) (1950, *Bull. zool. Nomencl.* 4 : 411—413) :—

THE COMMISSION agreed :—

- (1) that no type selection within the meaning of Rule (g) in Article 30 having been made for the genus *Megachile* Latreille, 1802, by Latreille in 1810 (*Consid. gén. Crust. Arach. Ins.*) under the *Règles*, the type species of this genus was *Apis centuncularis* Linnaeus, 1758, that species being the first of the originally included species to have been duly so selected under Rule (g) in Article 30 (by Curtis, 1828), and therefore that no question arose of the Commission having to use their Plenary Powers to designate that species as the type species of the foregoing genus ;

- (2) to place the generic name *Megachile* Latreille, 1802 (type species, by selection by Curtis, 1828: *Apis centuncularis* Linnaeus, 1758) on the *Official List of Generic Names in Zoology* ;
- (3) to place the specific trivial name *centuncularis* Linnaeus, 1758 (as published in the binominal combination *Apis centuncularis*) on the *Official List of Specific Trivial Names in Zoology* ;
- (4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

6. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

centuncularis, *Apis* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 575
Megachile Latreille, 1802, *Hist. nat. Fourmis* : 434

The reference to the selection by Curtis of *Apis centuncularis* Linnaeus, 1758, as the type species of *Megachile* Latreille, 1802, is : Curtis, 1828, *Brit. Ent.* **5** : pl. 218.

7. The gender of the generic name *Megachile* Latreille, 1802, referred to in the decision quoted in paragraph 5 above, is feminine.

8. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 109).

9. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

10. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

11. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

12. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

13. The present *Opinion* shall be known as *Opinion* Two Hundred and Nineteen (219) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Ninth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 10. Pp. 103—114

OPINION 220

Validation, under the Plenary Powers, of the generic name *Bombus* Latreille, 1802 (Class Insecta, Order Hymenoptera), in so far as the use of those Powers is required to provide that name with the status of availability

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 220

A. The Officers of the Commission

- President* : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).
Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).
Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

- Senor Dr. Angel CARRERA (La Plata, Argentina).
Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).
Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).
Dr. Th. MORTENSEN (Universitetets Zoologisk Museum, Copenhagen, Denmark).
Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

- Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).
Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di CAPORIACCO (University of Parma, Italy).
Professor J. R. DYMOND (University of Toronto, Canada).
Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).
Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

- Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas CALMAN (Tayport, Fife, Scotland).
Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).
Professor Béla HANKÓ (University of Debrecen, Hungary).
Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

- Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Edward HINDLE (Zoological Society of London, London, England).
Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).
Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).
Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).
Mr. N. D. RILEY (British Museum (Natural History), London, England).
Professor Ragnar SPÄRCK (Universitetets Zoologisk Museum, Copenhagen, Denmark).
Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 220

VALIDATION, UNDER THE PLENARY POWERS, OF THE
GENERIC NAME "BOMBUS" LATREILLE, 1802
(CLASS INSECTA, ORDER HYMENOPTERA)
IN SO FAR AS THE USE OF THOSE POWERS
IS REQUIRED TO PROVIDE THAT
NAME WITH THE STATUS OF
AVAILABILITY

RULING :—(1) Under the Plenary Powers, the name *Bombus* Latreille, 1802 (Class Insecta, Order Hymenoptera) is hereby validated as against the name *Bremus* Panzer-Jurine (as published in Part 85 of the *Faun. Ins. germ.*), a name at present of indeterminate date, in the event of it later being established that that name has priority over the name *Bombus* Latreille, 1802.

(2) The name *Bombus* Latreille, 1802 (gender of name : masculine) with *Apis terrestris* Linnaeus, 1758, as type species, by monotypy, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 652.

(3) The generic name *Bremus* Panzer, [1801—1804], is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 31.

(4) The specific name *terrestris* Linnaeus, 1758, as published in the combination *Apis terrestris*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 30.

I.—THE STATEMENT OF THE CASE

On 16th August 1937, the late Professor A. D. Imms (*President*) and Professor O. W. Richards (*Secretary*), Royal Entomological Society of London, formally communicated to the International Commission on Zoological Nomenclature Part 5 of the work entitled *The Generic Names of British Insects*, published two days earlier, intimating that the Council of the Society concurred in the recommendations set forth in the foregoing Part and commended those recommendations to the favourable consideration

of the International Commission. The above Part contained a Report by the Hymenoptera Sub-Committee¹ of the Society's Committee on Generic Nomenclature setting out the names of the genera of Hymenoptera Aculeata represented in the British fauna. Attached to the Sub-Committee's Report was a detailed survey of the problems involved which had been prepared for the Sub-Committee by Dr. O. W. Richards, one of its members. The Report contained recommendations regarding seventeen generic names and two specific names. Among the former was included the case of the name *Bombus* Latreille, 1802, with which the present *Opinion* is concerned. The Sub-Committee's recommendations in relation to this and other names were set out in a schedule, prepared by Dr. Richards, annexed to its Report. The proposal in regard to the present case was lettered (n) and appeared on pages 92—93 in the Report as published. The applications submitted in the Sub-Committee's Report were later, for purposes of convenience, treated as separate cases, though at the time of their receipt they were all given the same Registered Number—Z.N.(S.) 133—in the Secretariat of the Commission. The application submitted in the present case was as follows :—

**Proposed Suspension of the " Règles " for " Bombus " Latreille, 1802
(Class Insecta, Order Hymenoptera)**

By R. B. BENSON, M.A.

(Assistant Keeper in the Department of Entomology, British Museum
(Natural History)),

CH. FERRIÈRE

(Imperial Institute of Entomology, London),

and

O. W. RICHARDS, D.Sc.

(Imperial College of Science and Technology, London)

Latreille (1802, *Hist. nat. Fourmis* : 437) founded the monobasic genus *Bombus*, type *Apis terrestris* Linnaeus, 1758.

¹ At the time of the submission of the foregoing Report the composition of the Hymenoptera Sub-Committee was as follows :—R. B. Benson, M.A. ; Ch. Ferrière ; O. W. Richards, D.Sc.

² The composition of the Committee on Generic Nomenclature was the same at this time as at the date of the submission of Part 4 of the *Generic Names of British Insects*, and has been given in footnote 2 to *Opinion* 211, which deals with a recommendation submitted in that Part.

Panzer ([1801], *Faun. Ins. germ.*, 85 : plates 19—21) published the genus *Bremus* and included three species, *Bremus fasciatus* (= *Apis terrestris* Linnaeus, 1758), *Bremus agrorum* (= *Apis agrorum* Fabricius, 1787) and *Bremus silvarum* (= *Apis silvarum* Linnaeus, 1758). Morice and Durrant (1914, *Trans. ent. Soc. Lond.* 1914 : 429) fixed the type of *Bremus* as *Apis terrestris* Linnaeus.

Hymenopterists have almost universally employed the generic name *Bombus*, except that since 1914 most American authors have adopted the name *Bremus* Panzer-Jurine, 1801 (*Intelligenzblatt der Literatur-Zeitung*, Erlangen : 160—165, *i.e.* the "Erlangen List").

In view of the extensive literature associated with the name *Bombus*, we are of the opinion that the adoption of the name *Bremus* would cause more confusion than uniformity.

We are of the opinion that in the exercise of the Plenary Powers conferred on them by the International Zoological Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Bombus* Latreille, 1802 (type *Apis terrestris* Linnaeus, 1758) be added to the *Official List of Generic Names*. The name *Bremus* Panzer, 1801 (with the same type) is to be set aside and have no status in nomenclature.³

³ The above is an extract from the First Report of the Hymenoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London. At that time the Committee was composed of :—Sir Guy Marshall, K.C.M.G., F.R.S. (*Chairman*), Dr. K. G. Blair, Dr. F. W. Edwards, Mr. Francis Hemming, C.M.G., C.B.E., Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Hon. Secretary*). On receiving the Sub-Committee's Report, the Committee on Generic Nomenclature, in their Fifth Report, recommended the Council of the Royal Entomological Society of London to transmit the Hymenoptera Sub-Committee's recommendations to the International Commission on Zoological Nomenclature for favourable consideration. This recommendation was approved by the Council of the Society and, on the publication of the Committee's Fifth Report on 14th August 1937, the Sub-Committee's recommendations were forwarded to the International Commission by the Council of the Society.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. It had not been found possible to advance the consideration of the present case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. When in 1944 the present case was being prepared for the printer, Mr. Hemming came to the conclusion that the end desired by the applicants could be attained without the use by the International Commission of its Plenary Powers, for in *Opinion* 135 (1939, *Ops Decls. int. Comm. zool. Nomencl.* 2 : 7—12) the Commission had suppressed the so-called "Erlangen List" under the Plenary Powers, a decision which deprived of availability the name *Bremus* Jurine, 1801, the name which the applicants had looked upon as invalidating the name *Bombus* Latreille, 1802. After communicating with the applicants, Mr. Hemming annexed the following explanatory note to the application in this case before sending it to the printer :—

Since this petition was submitted, the International Commission on Zoological Nomenclature have rendered *Opinion* 135 (*Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 7—12), in which they have suppressed the "Erlangen List" under their Plenary Powers. Accordingly, the name *Bremus* Panzer-Jurine, 1801, referred to in the present petition, no longer has any status in zoological nomenclature, and the object desired in the petition can be obtained by the Commission placing the name *Bombus* Latreille, 1802, on the *Official List of Generic Names in Zoology*, without it being necessary for them first to use their Plenary Powers to suspend the *Règles Internationales*. (int'd) F.H. 11th August 1944.

3. The present application, with Mr. Hemming's annexed note, was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (*Bull. zool. Nomencl.* 1 : 204).

4. The publication of the present application in the *Bulletin* elicited a letter of support from the late Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) who on 8th April 1947, wrote :—" The proposals by Benson, Ferrière and Richards should be accepted ".

5. On receipt of certain additional information relating to this case, the Secretary, when preparing the papers to be submitted to the International Commission at its Paris Session, added the following Minute to the file on 1st May 1948 :—

Dr. O. W. Richards has kindly drawn my attention to a paper by Miss G. A. Sandhouse published in 1943 (*Proc. U.S. nat. Mus.* 92 : 519—619) entitled " The type species of the genera and subgenera of Bees ", which has a bearing on the application relating to the name *Bombus* Latreille, 1802, submitted by the Royal Entomological Society of London.

2. Before dealing with the point made by Miss Sandhouse, I must correct a mistake made in my footnote of 11th August 1944 (1947, *Bull. zool. Nomencl.* 1 : 204), where I expressed the view that the suppression by the Commission of the " Erlangen List " of 1801 under its Plenary Powers (*Opinion* 135) left *Bombus* Latreille, 1802, in undisputed possession of priority for the genus so well known under this name. In making this statement I overlooked the fact that it is necessary to take account not only of the name *Bremus* Jurine, 1801 (*Litt. Ztg. Intell.-Blatt.*, Erlangen, 1801 : 164) (*i.e.* the " Erlangen List ") but also of *Bremus* Panzer, as published in Part 85 (pls 19—21) of the *Faun. Ins. germ.* This latter name is also attributed to the year 1801 by Sherborn in the *Index Animalium* (1924, *Index Anim.*, Pars secund. (4) : 871). Accordingly, if this date were to be accepted for *Bremus* Panzer, that name would have priority over *Bombus* Latreille, 1802, and, if no action were to be taken by the Commission, might replace that name.

3. In the paper referred to above, Miss Sandhouse (1) discusses the date of *Bremus* Panzer, and (2) selects a type species for that nominal species. On point (1) she states that the date is uncertain and that, subsequent to the publication of the *Index Animalium*, Dr. Sherborn gave her " 1804 (?) " as his best guess. On (2) she selected as the type species of this genus *B. agrorum* Jurine (= *Apis agrorum* Fabricius, 1787).

4. In view of Miss Sandhouse's type selection for *Bremus* Panzer, the genus so named and *Bombus* Latreille, 1802, are subjectively identical with one another, the question which has now to be considered is therefore what date should be attributed to *Bremus* Panzer. In 1924 (as already noted) Sherborn dated this name from 1801, thus giving priority to *Bremus* Panzer over *Bombus* Latreille ; at some later

date, however, he gave Miss Sandhouse the date "1804 (?)", thus making *Bombus* an older name than *Bremus*.

5. In these circumstances there seems little risk of its being found that *Bremus* Panzer has priority over *Bombus* Latreille and therefore the Commission would be safe in accepting *Bombus* Latreille as an available name. To be on the safe side, however, it is for consideration whether the Commission would be well advised to use the Plenary Powers conditionally for the purpose of protecting *Bombus* Latreille against any possible attack from *Bremus* Panzer.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. In presenting this case, the Acting President (Mr. Francis Hemming) drew attention to the problem presented by the uncertainty existing as to the date to be attributed to the name *Bremus* Panzer and recommended the Commission to use its Plenary Powers to such extent, if any, as might be necessary, to secure that in no circumstances should it be possible to replace *Bombus* Latreille, 1802, by *Bremus* Panzer on grounds of priority. As noted in the Official Record of the Proceedings at this meeting (1950, *Bull. zool. Nomencl.* 4 : 406), "General agreement was expressed with the view submitted by the Acting President and with the course of action which he had recommended". Notice of the possible use of the Plenary Powers had not been given in the present case, since until a short time before the Paris Session, it had appeared that the end sought by the applicants could be attained without resort to the Plenary Powers. At an earlier stage of the Paris Session it had however been agreed to suspend the By-Laws of the Commission for the duration of that Session (Paris Session, 2nd Meeting, Conclusion 2) (1950, *Bull. zool. Nomencl.* 4 : 7—8), and the present case was accordingly dealt with under that procedure.

7. The following is an extract from the Official Record of the Proceedings of the Commission at the Thirteenth Meeting of its

Paris Session, setting out the decision then reached by it in the present case (Paris Session, 13th Meeting, Conclusion 41) (1950, *Bull. zool. Nomencl.* **4** : 404—407) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers to such extent, if any, as might be necessary, to validate the name *Bombus* Latreille, 1802 (Class Insecta, Order Hymenoptera) as against the name *Bremus* Panzer-Jurine (as published in Part 85 of the *Faun. Ins. germ.*), a name of at present indeterminate date, in the event of it later being established that that name had priority over *Bombus* Latreille, 1802 ;
- (2) to place the name *Bombus* Latreille, 1802 (type species, by monotypy : *Apis terrestris* Linnaeus, 1758), validated, to such extent, if any, as might be necessary, under the decision taken in (1) above, on the *Official List of Generic Names in Zoology* and the name *Bremus* Panzer-Jurine [1801—1804], on the corresponding *Official Index* ;
- (3) to place the trivial name *terrestris* Linnaeus, 1758 (as published in the binominal combination *Apis terrestris*) on the *Official List of Specific Trivial Names in Zoology* ;
- (4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

8. The following are original references for the names which appear in the decision set out in the immediately preceding paragraph :—

Bombus Latreille, 1802, *Hist. nat. Fourmis* : 437

Bremus Panzer, [1801—1804], *Faun. Ins. germ.* **85** : pls. 19—21

terrestris, *Apis*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 578

9. The gender of the generic name *Bombus* Latreille, 1802, referred to in the decision quoted in paragraph 7 above, is masculine.

10. The decision relating to the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 108).

11. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions Rep. zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion Two Hundred and Twenty (220)* of the International Commission on Zoological Nomenclature.

DONE in London this Thirtieth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 11. Pp. 115—124

OPINION 221

Emendation to *macfarlandi* of the specific name published as *mcfarlandi* Cockerell, 1902 in the combination *Chromodoris mcfarlandi* (Class Gastropoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 221

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

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Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

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Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

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Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÄRCK (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 221

EMENDATION TO "MACFARLANDI" OF THE SPECIFIC NAME PUBLISHED AS "MCFARLANDI" COCKERELL, 1902 IN THE COMBINATION "CHROMODORIS MCFARLANDI" (CLASS GASTROPODA)

RULING :—(1) On the evidence submitted, it is "évident" that, when, in publishing a specific name for a new species of the genus *Chromodoris* Alder & Hancock, 1855 (Class Gastropoda), dedicated in honour of a zoologist named "MacFarland", Cockerell (1902) spelt that specific name as *mcfarlandi* instead of *macfarlandi*, a "faute d'orthographe" was committed and therefore that the specific name in question should be emended to read *macfarlandi*.

(2) The specific name *macfarlandi* (emend. of *mcfarlandi*) Cockerell, 1902, as published in the combination *Chromodoris mcfarlandi*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 31.

I.—THE STATEMENT OF THE CASE

On 15th March 1938 Dr. D. P. Costello (*University of North Carolina, Department of Zoology, Chapel Hill, North Carolina, U.S.A.*) submitted to the International Commission on Zoological Nomenclature the following application for the emendation to "*macfarlandi*" of the specific name *mcfarlandi* Cockerell, 1902, as published in the combination *Chromodoris mcfarlandi* (Class Gastropoda) :—

On the interpretation of Article 19 of the "Règles Internationales" in relation to the name "Chromodoris mcfarlandi" Cockerell, 1902 (Class Gastropoda, Order Opisthobranchia)

By D. P. COSTELLO
(*Department of Zoology, University of North Carolina*) .

Cockerell (1901 : 1902) named and described three new species of the genus *Chromodoris* Alder & Hancock, 1855, *Mon. Brit. Nudibranch.*

(*Moll.* 7 App. : xvii) on the basis of animals collected at San Pedro and La Jolla, California. These were :—*Chromodoris universitatis* Cockerell ; *C. porterae* Cockerell ; and *C. mcfarlandi*.

The first of these species was later considered to be identical with *Chromodoris californiensis* Bergh, 1879, *Proc. Acad. nat. Sci. Philad.* 1879 (1) : 71 (see Cockerell, 1908, *Nautilus* 21 : 106 ; O'Donoghue, 1926, *Trans. Roy. Canad. Inst.* 15 : 199). According to O'Donoghue (1926), Bergh intended this species to be called *Chromodoris calensis*, and so named it in his manuscript plate. Later the term "*calensis*" was interpreted as a contraction for "*californiensis*", and so appeared in the text published in 1879 (not 1789, as misprinted in O'Donoghue's article). The trivial name *californiensis* has, therefore, been retained for this species by subsequent writers.

Cockerell (1902) states that *Chromodoris mcfarlandi* was named in honour of Professor F. M. McFarland of Stanford University. The name of this investigator of the Nudibranchiata is F. M. MacFarland. MacFarland (1906) has corrected the spelling of his name, in as much as he refers to the species in question as *Chromodoris macfarlandi*, but no reference is made to the erroneous spelling in Cockerell's paper. The corrected spelling was also used by Cockerell (1908) and by O'Donoghue (1926). However, on the basis of the International Code of Nomenclature, and the same argument that was applied to *Chromodoris californiensis* Bergh, 1879, the trivial name *mcfarlandi* should stand unless modified by an *Opinion* of the International Commission on Zoological Nomenclature.

O'Donoghue, who has made an extensive study of the taxonomy of the Nudibranchiata, has indicated (1926) that the genus *Chromodoris* Alder & Hancock, 1855, should be changed to *Glossodoris* Ehrenberg, 1831, *Symbolae physicae* (Moll.) : sign. "f". Therefore, O'Donoghue considers that the correct name of the first species in question is *Glossodoris californiensis* (Bergh, 1879). The present name of the other species in question is *Glossodoris mcfarlandi* (Cockerell, 1902).

According to Article 19 of the International Code, the original orthography of a name is to be preserved unless an error of transcription, a *lapsus calami*, or a typographical error is evident. The error involved in the first use, by Cockerell, of *mcfarlandi* is probably not typographical, as it occurs in several places in two papers. It is possible, however, to consider it a *lapsus calami*. Judging from *Opinions* 41, 60 and 63, an *Opinion* by the International Commission on Zoological Nomenclature would be required to make the necessary change in this trivial name, *i.e.* the change from *mcfarlandi* to *macfarlandi*.

Literature cited

BERGH, R., 1879, "On the nudibranchiate gasteropod Mollusca of the North Pacific Ocean, with special reference to those of Alaska, Pt. I." *Proc. Acad. nat. Sci. Philad.* 1879 (1) : 71.

BERGH, R., 1880, "On the nudibranchiate gasteropod Mollusca of the North Pacific Ocean, with special reference to those of Alaska, Pt. II." *Proc. Acad. nat. Sci. Philad.* 1880 : 40.

COCKERELL, T. D. A., 1901, "Pigments of nudibranchiate Mollusca". *Nature* 65 : 79.

———, 1902, "Three new species of *Chromodoris*." *Nautilus* 16 : 19.

———, 1908, "Mollusca of La Jolla, California." *Nautilus* 21 : 106.

MACFARLAND, F. M., 1906, "Opisthobranchiate Mollusca from Monterey Bay, California, and vicinity". *Bull. U.S. Bur. Fish.* 25 : 109

O'DONOGHUE, C. H., 1926, "A list of the nudibranchiate Mollusca recorded from the Pacific Coast of North America, with notes on their distribution." *Trans. Canad. Inst.* 15 : 199.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The present application, which had been addressed by Dr. Costello to the late Dr. C. W. Stiles was forwarded by him on 6th June 1938 to Mr. Francis Hemming who in 1936 had succeeded him in the Office of Secretary to the Commission. On receipt in London, these papers were given the Registered Number Z.N.(S.) 122. It had not been found possible to advance the consideration of this case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in October 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and

similar causes, publication did not actually take place until 28th February 1947 (*Bull. zool. Nomencl.* **1** : 232—233).

3. The publication of Dr. Costello's application in the *Bulletin* elicited the following note of support, received on 7th January 1948, from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) :—

The name *Glossodoris mcfarlandi* should be changed to *Glossodoris macfarlandi*. This should be done by suspension of the *Règles*. The question of preserving the orthography of a proper name which is converted to a generic or trivial name is far more complicated than appears at first, and a code of rules is needed for this purpose. There are some proper names whose orthography might be altered advantageously, but MacFarland is not one of them.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 4) (1950, *Bull. zool. Nomencl.* **4** : 430—431) :—

THE COMMISSION agreed :—

- (1) that on the evidence brought forward, it was "évident" that when, in publishing a trivial name for a new species of the genus *Chromodoris* Alder & Hancock, 1855 (Class Gastropoda, Order Opisthobranchia), dedicated in honour of a zoologist named

“MacFarland”, Cockerell (1902) had spelt that trivial name as “*mcfarlandi*” instead of “*macfarlandi*,” a “faute d’orthographe” had been committed and therefore that, under Article 19, the trivial name in question should be emended to read “*macfarlandi*” ;

(2) to render an *Opinion* recording the decision specified in (1) above.

5. The following is the original reference for the specific name dealt with in the decision set out in the immediately preceding paragraph :—

macfarlandi (emend. of *mcfarlandi*), *Chromodoris*, Cockerell, 1901, *Nature* 65 : 79

6. Under the provisions governing the *Official List of Specific Names in Zoology* (at the date of the Paris Congress styled the “Official List of Specific Trivial Names in Zoology”), the International Commission is required (1950, *Bull. zool. Nomencl.* 4 : 270) to place on that *List* any available specific name on which it renders an *Opinion*. By an oversight, a note of the placing on the *Official List* of the specific name *macfarlandi* (emend. of *mcfarlandi*) Cockerell, 1901, as published in the combination *Chromodoris mcfarlandi*, was omitted from the Official Record of the decision by the International Commission quoted in paragraph 4 above. This omission has been rectified in the Ruling given in the present *Opinion*.

7. Attention is drawn to the fact that the Ruling given in the present *Opinion* was adopted by the International Commission on Zoological Nomenclature in the light of the provisions of Article 19 as that Article existed at the time (1948) of the adoption of this *Opinion* and that that decision is unaffected by the substantial modifications of that Article made by the Fourteenth International Congress of Zoology, Copenhagen, 1953, that Congress having afforded express protection to all decisions

relating to the interpretation of the foregoing Article previously given by the International Commission in individual cases, irrespective of whether or not those decisions were in harmony with the revision of this Article carried out in Copenhagen (1953, *Copenhagen Decisions zool. Nomencl.* : 45).¹

8. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 112).

9. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

10. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

¹ It may further be noted : (1) that the Ruling given in the present *Opinion* is not in harmony with the revised provisions of Article 19 adopted by the Copenhagen Congress, for, although in 1902 (*Nautilus* 16 : 19) Cockerell gave the name of the zoologist after whom the species in question was named (though he misspelt that zoologist's surname as "McFarland"), he gave no explanation of the origin of the specific name when he first published it in 1901 ; (2) that, notwithstanding (1) above, the special protection extended (as noted above) by the Copenhagen Congress to past interpretations of Article 19 by the Commission is not needed to give valid force to the Ruling given in the present case, since a provision, quite independent of questions of emendation, has been inserted in Article 14 prescribing that, where a specific name consists of a word based upon a modern patronymic and that patronymic commences with the particle "Mc" (or "M'"), that particle is to be spelled out in full as "Mac" (1953, *Copenhagen Decisions zool. Nomencl.* : 55, 48).

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Two Hundred and Twenty-One (221) of the International Commission on Zoological Nomenclature.

DONE in London, this Thirtieth day of November, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 12. Pp. 125—138

OPINION 222

Designation, under the Plenary Powers, of a type species for the genus *Tremataspis* Schmidt, 1866 (Class Cephalaspidomorphi) in harmony with accustomed usage



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 222

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CARRERA (La Plata, Argentina).

Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).

Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).

Dr. Th. MORTENSEN (Universitetets Zoologisk Museum, Copenhagen, Denmark).

Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

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Professor J. R. DYMOND (University of Toronto, Canada).

Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

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Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).

Professor Béla HANKÓ (University of Debrecen, Hungary).

Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).

Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).

Dr. Edward HINDLE (Zoological Society of London, London, England).

Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).

Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).

Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).

Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).

Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).

Mr. N. D. RILEY (British Museum (Natural History), London, England).

Professor Ragnar SPÄRCK (Universitetets Zoologisk Museum, Copenhagen, Denmark).

Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).

Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 222

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE GENUS "TREMATASPIS" SCHMIDT, 1866 (CLASS CEPHALASPIDOMORPHI) IN HARMONY WITH ACCUSTOMED USAGE

RULING :—(1) Under the Plenary Powers, all type selections for the genus *Tremataspis* Schmidt, 1866 (Class Cephalaspidomorphi) made prior to the present Ruling are hereby set aside and *Tremataspis schmidti* Rohon, 1892, is designated as the type species of this nominal genus.

(2) The generic name *Tremataspis* Schmidt, 1866 (gender of name: feminine), with the type species designated under (1) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 653.

(3) The specific name *schmidti* Rohon, 1892, as published in the combination *Tremataspis schmidti*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 32.

I.—THE STATEMENT OF THE CASE

On 14th May 1938 Dr. George M. Robertson (*Dartmouth College, Hanover, New Hampshire, U.S.A.*) submitted to the International Commission on Zoological Nomenclature the following application for the use of the Plenary Powers to designate for *Tremataspis* Schmidt, 1866 (Class Cephalaspidomorphi), a genus based upon a misidentified type species, a type species in harmony with accustomed usage :—

Proposed suspension of the "Règles" for "Tremataspis" Schmidt, 1866 (Class Cephalaspidomorphi, Order Osteostraci)

By GEORGE M. ROBERTSON

(*Department of Biology, Dartmouth College, Hanover, New Hampshire*)

I wish to submit to the Commission the problem of nomenclature of the Ostracoderm genus *Tremataspis* Schmidt, 1866, *Verh. Russ. min. Ges.*, St. Petersburg. (2) 1 : 233, asking for suspension of the Rules on the grounds that more confusion would result from their application than from setting them aside.

In 1856 Pander (1) described as a new species *Cephalaspis schrenckii* from the Upper Silurian of Oesel. Ten years later, F. Schmidt (2), having acquired a few specimens from the same locality, and regarding them as conspecific with Pander's species, founded the genus *Tremataspis* Schmidt. Since he regarded his material as conspecific with Pander's *Cephalaspis schrenckii*, he adopted the trivial name *schrencki*. He was unable at that time to find the specimens on which Pander's species had been based.

By 1892, when J. V. Rohon (3) published an extensive account of *Tremataspis* Schmidt, three specimens of the Pander species had been discovered. Rohon found them specifically distinct from the specimens which Schmidt had described. He, therefore, gave Schmidt's material the name *Tremataspis schmidtii* and left Pander's species as *Tremataspis schrenckii*.

The taxonomic error came with the next publication by Schmidt (4). In this he recognised the validity of Rohon's distinction between his and Pander's material, but restored Pander's to *Cephalaspis schrenckii*. As I understand these matters, a genus is not founded on a specimen or on specimens, but on a species. One cannot, then, legitimately remove a type species from a genus without reducing the generic name to the synonymy. Since Pander's species was the type of *Tremataspis* Schmidt, that name should have been relegated to synonymy, *i.e.* should have followed its type species. Schmidt's material should not have been left as *Tremataspis schmidtii* Rohon but should have been given a new generic name.

In Rohon's next contribution (5) to the literature on *Tremataspis* he agreed with Schmidt in removing the *schrenckii* species from the genus *Tremataspis* and proceeded to discuss the TREMATASPIDAE, overlooking the taxonomic error.

This tangled nomenclature has escaped the notice of all who have dealt with *Tremataspis* or with "*Cephalaspis schrenckii*", the latest offender being the present writer (6). However, in working through the material in the Patten collection at Dartmouth College, I discovered 57 specimens of the Pander species. Examination of these specimens demonstrated to my satisfaction that the species represented a genus of its own. I proceeded to describe it and give it a new generic name, *Witaaspis*, from the quarry near Rotsikülla in which the fossils were found. The manuscript was submitted to Dr. Romer of Harvard. In looking over the account, he discovered the infraction of taxonomic rules and kindly called my attention to it.

If taxonomic procedure is to be followed, the Pander species, instead of receiving a new generic name, should once more become *Tremataspis schrenckii*, while the various species now known as *Tremataspis* should be given a different generic name.

Schmidt and Rohon identified a number of Pander's other species with *Tremataspis schmidti*. These other species Pander had founded on small fragments of shields. Their microscopic structure, as seen in thin sections, resembles that of *Tremataspis* shields. However, they do not seem to me to resemble *Tremataspis* any more closely than they do *Cephalaspis*, and, since a number of genera of Osteostraci occur together in the formation, it is not sufficiently established that these Pander fragments belong to one rather than to some other of these genera. I would question their identification as *Tremataspis* too much to regard them as possible genotypes, whose generic designation should replace *Tremataspis*.

In the International Code, there is a provision made for suspension of the Rules in certain cases.¹ In the present instance, it seems to me that the inconvenience which would result from adherence to the rules would more than offset the advantage resulting from correcting Schmidt's error. The designation "*Tremataspis*" has attached to the polished shields from Oesel for some 72 years. To redescribe Pander's "*Cephalaspis schrenckii*" and *Tremataspis* and to change the genus and family names of what we have known as *Tremataspis* to something different only makes for confusion.

It appears to the writer that in this case we have a very good instance in which "the strict application of the Rules will clearly result in greater confusion than uniformity".¹ I, therefore, suggest that the Rules be suspended in this case, leaving us the well-established *Tremataspis* with *Tremataspis schmidti* Rohon as the genotype, and giving the Pander species the new generic name *Witaaspis* Robertson, 1939, *J. Geol.* 47(6) : 652.

References :

1. PANDER, C., 1856, "Monographie der fossilen Fische des Silurischen Systems der Russischen-baltischen Gouvernements," St. Petersb. : 47 pl. 4, fig. 2.
2. SCHMIDT, F., 1866, "Ueber *Thyestes verrucosus* Eichwald und *Cephalaspis schrenckii* Pander, nebst einer Einleitung über das Vorkommen silurischer Fischreste auf der Insel Oesel." *Verh. russ. min. Ges. St. Pétersb.* (2)1.
3. ROHON, J. V., 1892, "Die Obersilurische Fische von Oesel. I. Theil. Thyestidae und Tremataspidae." *Mém. Acad. imp. Sci. St. Pétersb.* (7) 38(13) : 61.
4. SCHMIDT, F., 1893, "Ueber neue silurische Fischfunde auf Oesel." *Neues Jahrb. für Mineralogie* 1 : 99.
5. ROHON, J. V., 1894, "Zur Kenntniss der Tremataspiden." *Mel. Geol. et Pal. Bull. Acad. imp. Sci. St. Pétersb.* 1.

¹ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31—40).

6. ROBERTSON, G. M., 1938, "The Tremataspidae." *Amer. J. Sci.* (4) 35 : 172—206, 273—296.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The present application, which had been addressed by Dr. Robertson to the late Dr. C. W. Stiles was forwarded on 6th June 1938 to Mr. Francis Hemming who in 1936 had succeeded Dr. Stiles in the Office of Secretary to the Commission. On receipt in London, these papers were given the Registered Number Z.N.(S.)123. It had not been found possible to advance the consideration of this case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in October 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (*Bull. zool. Nomencl.* 1 : 237—238).

3. The publication of Dr. Robertson's application in the *Bulletin* elicited three communications. These, in order of receipt, were :—(1) a letter dated 8th April 1947, from the late Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) (2) a letter dated 6th November 1947 notifying the decision by the Joint Committee on Zoological Nomenclature for Paleontology in America to support Dr. Robertson's proposal ; (3) a letter dated 19th March 1948 from Dr. Richard E. Blackwelder (*United States National Museum, Washington, D.C., U.S.A.*), expressing the view that the evidence brought forward in this application was insufficient but not commenting upon the application itself.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologisk Museum, Copenhagen)* :—In a letter dated 8th April 1947 Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) indicated his support for Dr. Robertson's proposal by writing the word "Yes".

5. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America* : The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 6th November 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was Chairman of the Joint Committee. The following is the text of that letter :—

Subject : Proposed suspension of the "Règles" for "Tremataspis" Schmidt, 1866. (Bull. zool. Nom., vol. 1, pt. 10, p. 237.)

At the instigation of Prof. Alfred S. Romer, the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America on September 26th, 1947, submitted to the membership of the Committee for consideration and approval a resolution drawn by Prof. Romer on the above subject. Since it contains some points that may be relevant to the Commission's consideration of Prof. Robertson's petition the Chairman's letter laying the Resolution before the Committee is quoted :—

Apparently both Prof. Scott and I overlooked this proposal. Prof. Romer has called it to my attention and has suggested a Resolution on it that I now lay before you for action. I shall quote Romer's remarks in full because they represent the viewpoint of those who are rather extreme in their deprecation of the Law of Priority, which is, after all, the very heart of the *Règles*. The Plenary Powers were granted the Commission expressly to mitigate the harshness of the Law of Priority through special action of the Commission in cases where it can be demonstrated to the Commission that the enforcement of the Law will "result in greater confusion than uniformity." (*Opinions and Declarations, Etc.*, Vol. 1, pt. 5, [*Declaration 5*] pp. 31—40).

It is fairly clear from reading the *Opinions* adopted by the Commission under its Plenary Powers that "greater confusion than uniformity" does not refer primarily to confusion in a small group of specialists some of whom refuse to abide by the *Règles*, but to "confusion" amongst the non-specialist consumers of the specialists product; stratigraphers, physiologists, physicians,

etc., and students using widely employed text books in which the illegally employed name forms an important part. Specialists are accustomed to accommodating themselves to changes of zoological names, by far the greatest part of which are the result of taxonomic progress ; the splitting of large, polyphyletic genera and species, for example. The specialist can accommodate himself as readily to name changes caused by rectification of previously illegal nomenclature as to those caused by taxonomic progress, and by all means should do so. The consumer, however, if the name in question is in wide use by non-specialists and is "deeply embedded" in general literature, is especially disturbed by the changing of names for any cause, and changes for purely legalistic reasons are understandably very irritating and confusing to him. But even in specialistic literature there are cases in which suspension seems justified. For example, the petition on *Fistulipora Rafinesque* vs *Fistulipora McCoy*, which is before you.

Now in the present case, Robertson seems to have had in preparation a manuscript in which he was revising the taxonomy of the TREMATASPIDAE and was preparing to split off a group of species as a new genus *Witaaspis*. This in itself involves a change of names which no-one seems to have found objectionable. But when Dr. Romer quite rightly pointed out to him that the name *Tremataspis* Schmidt legally applied to this newly recognised genus and that the genus that had long passed under this name is the one that legally needs a name, objections are raised and a suspension of the *Règles* is asked for.

As far as one can see from Robertson's petition there is no apparent reason that he could not have followed the *Règles* for he gives no evidence that the name *Tremataspis* has any deep hold on any group other than on a small specialistic one. However, Robertson's petition was seemingly written long ago when the Commission was moribund for various regrettable reasons and was only published this year. In the meantime Robertson very naturally was forced to a decision and took action in the sense of his petition. His paper appeared in 1939 (but *Witaaspis* is still of doubtful validity since Robertson failed to designate its genotype). Furthermore, it is my understanding that considerable literature employing Robertson's nomenclature has appeared since and that Romer's text-book, at least, follows it. This must be reckoned with. Further, Romer states in his letter that "*Tremataspis* is frequently cited in general and elementary works in zoology and anatomy" in its old and invalid sense. This is the most important of all in support of suspension for it involves "consumer industries". It is to be regretted that there is no allusion to it in Robertson's petition. Romer does not document his statement but he is definitely an authority who knows whereof he speaks on such matters and I think we can accept it without question.

I now quote below Romer's remarks from his letter to me of September 17th 1947, including the Resolution he suggests on which I would like to have your votes by October 15th.

I disagree heartily with Gayle Scott's lament that the Commission is doing too much suspending. Contrariwise, here's for more and better changes, in the name of decency, common sense and regard for the general scientific public rather than the petty legalistic quibblings of the specialist who thinks he owns a special field and that the meanings of names are things that should be kept as dark as possible.

Incidentally, if we are to consider all petitions on fossils, what about Robertson's on *Tremataspis*. The case is almost exactly similar to that of *Schwagerina* (i.e. misidentification of material upon which the concept of the genus was based.) Here, however, we can nip the trouble in the bud, and save the anguish of the *Schwagerina* case. "*Tremataspis*" is a genus frequently cited in general and elementary works in zoology and anatomy, and strict adherence to the Rules would certainly cause great confusion. Would a resolution such as the following be appropriate?

RESOLVED, that the Joint Committee on Zoological Nomenclature for Paleontology in America support the petition of George M. Robertson that the Rules be suspended for *Tremataspis* Schmidt, and that the generic name *Tremataspis* Schmidt, 1866 be placed on the *Official List* with *Tremataspis schmidtii* Rohon, 1892 as its genotype.

A further important consideration that is mentioned by neither Robertson nor Romer is that the family name TREMATASPIDAE would fall as a synonym of CEPHALASPIDAE, and a new family name would be needed if the *Règles* are not suspended.

The vote of the Committee was 7 members (Simpson, Cooper, Moore, Keen, Reeside, and Knight) for approval. Romer cast no ballot but since he proposed the resolution is counted in the affirmative. Opposed to the resolution were 3 members, Wells, Palmer and Frizzell. Stenzel was away and Newell preoccupied with other matters so that neither voted.

Simpson, voting the affirmative, commented as follows: "On Romer's resolution to support Robertson's petition regarding *Tremataspis*—I vote "aye", with applause for Romer's wish for more and better suspending of the Rules."

Comments of those voting the negative were as follows:—

Wells—Nay, but it is too bad Robertson allowed this to come about.

Frizzell:—I am forced to vote nay, with the suggestion that the Commission's attention be brought to the following points: (a) Robertson is in error in regarding a *specific name* as the type of a genus.

The evidence presented in the petition indicates that this is a case of a genus based upon an erroneously determined species.

The presumed data are as follows :—

Tremataspis Schmidt, 1866

Genotype : *T. schrenckii* (Pander) (NOT *Cephalaspis schrenckii* Pander)=*T. schmidti* Rohon, 1892

Witaaspis Robertson, 1939

Genotype : *W. schrenckii* (Pander) (designated in J. Geol., 1939, 47(6) : 651)

(b) According to the demands of *Opinions* 65 and 168, *Tremataspis* must be a doubtful name until a decision is made by the Commission either to declare both *Tremataspis* and *Witaaspis* as valid, under the presumptions listed under (a), or to declare them synonymous.

(c) A "decision" from the Commission is required, but "Suspension of Rules" would not seem to enter into the case. (Here again the Committee [Commission ?] should have formulated a general rule that would enable us to deal with these not uncommon cases.)

The Chairman, personally, wishes to comment on some points raised by Frizzell. Frizzell's criticism that Robertson regarded a specific name as the type of a genus is contrary to fact. Robertson clearly states that "Pander's species was the type of *Tremataspis*—" and uses this same concept throughout his petition. In common with many who discuss the question of erroneously determined species as genotypes Frizzell appears to be suffering from semantic confusion as between a name and the thing named. As Robertson clearly indicates the type of a genus is a species and not specimens. But each species is symbolised by a name. Therefore no author should be accused of regarding a *name* as the type of the genus where he actually refers to the species that legitimately bears the name. This is true especially when he defines his position so clearly as Robertson does. In such cases it is the accuser who is confused. But this is no place to argue the merits of the *Opinions* 14, 65 and 168 for it is under the provisions of *Opinions* 65 and 168 that Robertson lays his proposal before the Commission.

Frizzell's categorical statement on the genotype of *Tremataspis* is erroneous as is evidenced by the numerous cases in which the Commission has ruled in the same tenor under *suspension of the Règles*. At best the question is *sub judice*. Likewise his statement that Robertson designated *W. schrenckii* genotype of *Witaaspis* is contrary to fact. At best it is genotype by monotypy. There was no designation. It is not yet certain that monotypy serves to fix a genotype since the Budapest emendations to Article 25 became effective. (See comments by Secretary Hemming, *Opinion* 6, as reissued, p. 131, footnote 9.) Indeed there is doubt that the name *Witaaspis* as published by Robertson in

1939 is valid and available for this very reason.² Parenthetically, the Commission might well use the status of *Witaaspis* as a case on which to base a ruling settling this vital point. The Chairman, personally, disagrees also *in toto* with Frizzell's points b and c, but does not comment further.

In view of the above vote the Joint Committee on Zoological Nomenclature for Paleontology in America hereby transmits Prof. Romer's resolution to the Commission with its approval.

6. *Issue of Public Notices* : On 29th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 6) (1950, *Bull. zool. Nomencl.* 4 : 433—435) :—

THE COMMISSION agreed :—

(1) to use their Plenary Powers :—

(a) to set aside the type designation made by Schmidt

² The issue here referred to by Dr. Brookes Knight was considered in Paris in 1948. The Thirteenth International Congress of Zoology then decided, on the advice of the International Commission, to insert words into Proviso (c) to Article 25 to make it clear that a generic name published after 31st December 1930 with only one included nominal species was to be accepted as a validly published name with the single cited species the type species by monotypy of the nominal genus so established (1950, *Bull. zool. Nomencl.* 4 : 72).

for, and all subsequent selections of type species made prior to the present decision in respect of, the genus *Tremataspis* Schmidt, 1866 (Class Cephalaspidomorphi, Order Osteostraci) ;

- (b) to designate *Tremataspis schmidti* Rohon, 1892, to be the type species of the foregoing genus ;
- (2) to place the generic name *Tremataspis* Schmidt, 1866, with the type species designated in (1)(b) above, on the *Official List of Generic Names in Zoology* ;
- (3) to place the trivial name *schmidti* Rohon, 1892 (as published in the binominal combination *Tremataspis schmidti*) on the *Official List of Specific Trivial Names in Zoology* ;
- (4) to render an *Opinion* recording the decisions specified in (1) to (3) above.

8. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

schmidti, *Tremataspis*, Rohon, 1892, *Mém. Acad. imp. Sci. St. Pétersb.* (7) 38(13) : 61

Tremataspis Schmidt, 1866, *Verh. russ. min. Ges. St. Petersb.* (2) 1 : 233

9. The gender of the generic name *Tremataspis schmidti*, 1866, referred to in the decision quoted in paragraph 7 above, is feminine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 16th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 112).

11. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “ trivial name ” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “ trivial ” appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “ specific name ” was substituted for the expression “ trivial name ” and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion Two Hundred and Twenty-Two (222)* of the International Commission on Zoological Nomenclature.

DONE in London, this First day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 13. Pp. 139—148

OPINION 223

Suppression, under the Plenary Powers, of the generic name *Teleosteus* Volger, 1860, and of the specific name *primaevus* Volger, 1860, as published in the combination *Teleosteus primaevus* (Class Anthozoa)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 223

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

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Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

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Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÆRCK (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 223

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE
GENERIC NAME "TELEOSTEUS" VOLGER, 1860,
AND OF THE SPECIFIC NAME "PRIMAEVUS"
VOLGER, 1860, AS PUBLISHED IN THE
COMBINATION "TELEOSTEUS
PRIMAEVUS" (CLASS
ANTHOZOA)

RULING :—(1) Under the Plenary Powers the following names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy : (a) the generic name *Teleosteus* Volger, 1860 ; (b) the specific name *primaevus* Volger, 1860, as published in the combination *Teleosteus primaevus*.

(2) The generic name *Teleosteus* Volger, 1860, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 32.

(3) The specific name *primaevus* Volger, 1860, as published in the combination *Teleosteus primaevus*, is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 10.

(4) The generic name *Rhipidophyllum* Sandberger, 1889 (gender of name : neuter) (type species, by monotypy : *Rhipidophyllum vulgare* Sandberger, 1889) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 654.

(5) The specific name *vulgare* Sandberger, 1889, as published in the combination *Rhipidophyllum vulgare*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 33.

I.—THE STATEMENT OF THE CASE

On 1st July 1938 an application by Dr. Adolf Zilch (*Natur-Museum Senckenberg, Frankfurt a. M., Germany*), supported by Professor Rudolf Richter of the same Institution, was addressed to the International Commission on Zoological Nomenclature, asking for the use of the Plenary Powers to suppress the generic

name *Teleosteus* Volger, 1860, a name given to a Devonian tetracoral under the mistaken impression that it was a fossil fish. The following is a translation from the German originals kindly prepared by Dr. Karl Jordan, when President of the International Commission :—

**Proposal to suppress the generic name “*Teleosteus*” Volger, 1860,
and the specific name “*Teleosteus primaevus*” Volger, 1860
(Class Anthozoa)**

By ADOLF ZILCH

(Department of Invertebrate Zoology, Natur-Museum Senckenberg,
Frankfurt a. M.)

Volger, 1860, *Ber. Offenbach. Ber. Naturk.* 1 : 37, described from the Hunsrück-slate of Caub (Lower Devonian, Siegen division) a distinctive fossil as *Teleosteus primaevus*, which he believed to be “the first trace of an osseous fish” found “in the Transition Rocks”. Volger said about this find (: 52) : “Everyone who inspects it recognises it at once as the tail-fin, united with the last joints of the spine, of an osseous fish, which shows itself to be a true scaled fish by the strong development of the vertebrae as well as by the absence of any trace of an integumental covering. Moreover, according to this relic, the species is seen to be a perfectly symmetrically forked fish” . . . “This remnant, therefore, is the first and so far the only proof that osseous fishes existed in the Transition Era. Hence, it appears to me provisionally to deserve the name by which I have designated it : ‘der Ur-Gräthenfisch’ (*Teleosteus primaevus*)”. Although Volger preferred “eine treue Abbildung einer auf Grund der Auffassung verdeutlichten Darstellung”, he described this new genus and species as follows :—

Man erkennt drei kräftige Wirbelkörper, ohne eine Spüransitzender Dornen. Von fächerförmig gestellten platten Knochenstücken an der Wurzel der Schwanzfinne oder von einer plattenartigen Ausbildung eines letzten Wirbels ist nichts zu erkennen. Die Wurzel der Schwanzfinne erscheint ziemlich verdickt und ohne deutliche Spur der Strahlen. Um so schärfer treten letztere auf der ganzen ausgebreiteten Fläche der Schwanzfinne hervor. Man erkennt eine nach hinten zunehmende Zahl von solchen Strahlen . . . Jedenfalls haben wir hier auf dem *Uebergangsschiefer von Caub* den *gleichgabeligen Schwanz* eines *Gräthenfisches* vor uns—und damit eine neue *Thatsache*, welche allerdings berechtigt ist, auf bedeutenden Einfluss zu beanspruchen.

According to Volger’s own statements, eminent contemporaries—like von Rath—saw the specimens, but it was less the systematic

position of the fossil and much more the high geological age of the rocks which was doubted. It was assumed to be, perhaps, a fish-slate from Glarus.

During the preparation of the Catalogue of Types in the Natur-Museum Senckenberg, the original specimen of *Teleosteus primaevus* Volger, 1860,¹ has been found, correctly arranged among the corals of the Hunsrück-slate. It is indeed, in fact, a Devonian tetracoral; it belongs to the same species as that which Sandberger (1889, *Jb. nass. Ver. Naturh.* 42 : 100 pl. 1, figs. 1—4) named *Rhipidophyllum vulgare*.

If the International Rules of Zoological Nomenclature are strictly applied, the species *Rhipidophyllum vulgare* Sandberger, 1889, and the genus *Rhipidophyllum* Sandberger, 1889, will have to receive the names *Teleosteus primaevus* Volger, 1860, and *Teleosteus* Volger, 1860, respectively. As the name "*Teleosteus*" would be misleading for a genus of corals and as, further, Sandberger's designation "*Rhipidophyllum-slate*" (=Hunsrück-slate) is of historical importance, the International Commission on Zoological Nomenclature are asked to make use of its Plenary Powers to suspend the rules and to declare the names *Teleosteus* Volger, 1860, and *Teleosteus primaevus*, 1860, to be unavailable.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the papers relating to the present case were given the Registered Number Z.N.(S.) 132. It had not been found possible to advance the consideration of the present application by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, Dr. Zilch's application was

¹ For a figure of the type of *Teleosteus primaevus* Volger, 1860, see Zilch, 1937, *Senckenbergiana* 19 : 431—432.

not actually published until 28th February 1947 (*Bull. zool. Nomencl.* 1 : 228—229).

3. The publication of the present application in the *Bulletin* elicited three comments. These in order of receipt, were :—(1) a letter dated 8th April 1947 from Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) ; (2) a letter dated 30th October 1947 from the Joint Committee on Zoological Nomenclature for Paleontology in America ; (3) a letter dated 13th December 1947 from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*). In each of the foregoing letters support was given to the proposal submitted by Dr. Zilch. In addition, there was received a letter dated 19th March 1948 from Dr. Richard E. Blackwelder (*United States National Museum, Washington, D.C., U.S.A.*), expressing the view that the evidence brought forward in this application was insufficient but not commenting upon the application itself.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologisk Museum, Copenhagen)* : In a letter dated 8th April 1947 Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) wrote : “*Teleosteus* must be suppressed”.

5. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America* : The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 30th October 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was chairman of the Joint Committee. The following is the text of that letter :—

Proposal to suppress the generic name “*Teleosteus*” Volger, 1860, and the specific name “*Teleosteus primaevus*” Volger, 1860.
(*Bull. zool. Nomen.* vol. 1, pt. 10, p. 228.)

On July 3rd 1947, the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval the following resolution :—

Resolved : That the Joint Committee on Zoological Nomenclature in America support the petition of Adolf Zilch that the generic name *Teleosteus* Volger, 1860, and the specific name *Teleosteus primaevus* Volger, 1860, be suppressed under suspension of the *Règles*.

The vote of the membership was 10 to 1 for approval, Romer, Simpson, Newell, Palmer, Cooper, Moore, Keen, Frizzell, Reeside, and Knight voting in the affirmative and Wells in the negative. Stenzel was away and unable to vote.

The only comment was that of Wells who wrote "I fail to see potentialities for danger to stability although it is rather a silly situation."

In view of the above vote the Joint Committee hereby transmits to the International Commission the Resolution adopted.

6. *Comment by Dr. Joshua L. Baily, Jr. (San Diego, California, U.S.A.)*: The following comment was received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) under cover of a letter dated 13th December 1947:—

It would appear wiser to suppress the name *Teleosteus primaevus* Volger, 1860, for the reasons set out in the *Bulletin*, vol. 1, Part 10, pp. 228—229.

7. At Paris in 1948 the International Commission on Zoological Nomenclature suspended its By-Laws for the duration of that Session (1950, *Bull. zool. Nomencl.* 4 : 7—8), and it was in virtue of that decision that the present case was brought before the Commission later during that Session.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4 : 428—430):—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers :—
 - (a) to suppress the generic name *Teleosteus* Volger, 1860, and the trivial name *primaevus* Volger, 1860, (as published in the binominal combination *Teleosteus primaevus*) ;
 - (b) to validate the generic name *Rhipidophyllum* Sandberger, 1889 and the trivial name *vulgare* Sandberger, 1889 (as published in the binominal combination *Rhipidophyllum vulgare*) ;
- (2) to place the generic name *Teleosteus* Volger, 1860 on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (3) to place the trivial name *primaevus* Volger, 1860 (as published in the binominal combination *Teleosteus primaevus*) on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology* ;
- (4) to place the generic name *Rhipidophyllum* Sandberger, 1889, *Jahrb. nassau. Ver. Naturk.* **42** : 100 (Class Anthozoa) (type species, by monotypy ; *Rhipidophyllum vulgare* Sandberger, 1889), on the *Official List of Generic Names in Zoology* ;
- (5) to place the trivial name *vulgare* Sandberger, 1889, (as published in the binominal combination *Rhipidophyllum vulgare*) on the *Official List of Specific Names in Zoology* ;
- (6) to render an *Opinion* recording the decisions specified in (1) to (5) above.

9. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

primaevus, *Teleosteus*, Volger, 1860, *Ber. Offenbach. Ber. Naturk.* **1** : 37

Rhipidophyllum Sandberger, 1889, *Jahrb. nassau. Ver. Naturk.* **42** : 100

Teleosteus Volger, 1860, *Ber. Offenbach. Ber. Naturk.* **1** : 37

vulgare Sandberger, 1889, *Jahrb. nassau. Ver. Naturk.* **42** : 100

10. The gender of the generic name *Rhipidophyllum* Sandberger, 1889, referred to in the decision quoted in paragraph 8 above, is neuter.

11. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 112).

12. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

13. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

14. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

15. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

16. The present *Opinion* shall be known as *Opinion* Two Hundred and Twenty-Three (223) of the International Commission on Zoological Nomenclature.

DONE in London this First day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 14. Pp. 149—160

OPINION 224

Determination, under the Plenary Powers, of the species
of the Class Brachiopoda to which the name *Anomia*
pecten Linnaeus, 1758, shall apply



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 224

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

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Professor Lodovico di CAPORACCO (*University of Parma, Italy*).

Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).

Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÄRCK (*Universitetets Zoologisk Museum, Copenhagen, Denmark*).

Professor Victor van STRAELLEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 224

DETERMINATION, UNDER THE PLENARY POWERS, OF THE SPECIES OF THE CLASS BRACHIOPODA TO WHICH THE NAME "ANOMIA PECTEN" LINNAEUS, 1758 SHALL APPLY

RULING :—(1) Under the Plenary Powers it is hereby directed that the specific name *pecten* Linnaeus, 1758, as published in the combination *Anomia pecten*, shall apply to the species of the Class Brachiopoda described and figured as *Orthis pecten* (Linnaeus) by Dalman (J.W.) in 1828 (*K. svensk. Vetensk. Acad. Handl.* 1827 : 110, pl. 1, figs, 6a—d).

(2) The following specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 34 and 35 :—(a) *pecten* Linnaeus, 1758, as published in the combination *Anomia pecten* and as determined in (1) above ; (b) *papyraceus* Sowerby (J.), 1822, as published in the combination *Pecten papyraceus*.

I.—THE STATEMENT OF THE CASE

In September 1938 Dr. Alan Wood (*Department of Geology, Imperial College of Science and Technology, London*) submitted an application to the International Commission on Zoological Nomenclature for the use of its Plenary Powers to secure that the specific name *pecten* Linnaeus, 1758, as published in the combination *Anomia pecten*, should apply to the species of Brachiopod commonly known by that name and not to the lamellibranch species to which the figure cited by Linnaeus is

referable. Dr. Wood's application, slightly expanded in the light of subsequent correspondence with the Secretary, was as follows :—

Proposed suspension of the " Règles " to identify " Anomia Pecten " Linnaeus, 1758, with the species belonging to the Order Protremata (Class Brachiopoda) commonly known as " Strophomena Pecten " (Linnaeus, 1758)

By ALAN WOOD, Ph.D.

(Department of Geology, Imperial College of Science and Technology, London)

Linnaeus, in 1758, *Syst. Nat.* (ed. 10) 1 : 702, described a fossil shell under the name *Anomia pecten* in the following words :—

103. A. testa semi-orbiculata depressa multistriata : valvula altera plana.

List. angl. 243. t. 9. f. 49.

Habitat *fossilis.*

Testa inferne s. margine cardinis linea recta s. transversa.

No locality was given by Linnaeus, as will be seen from the above quotation, but a specimen is contained in his cabinet at the Linnean Society of London.

Lister's figure cited by Linnaeus, is of a specimen " ex fodinis carbonum Fossilium juxta Hallifax ", and is quite recognisable as the lamellibranch *Dunbarella papyracea* (J. Sowerby, 1822) (= *Pecten papyraceus* Sowerby, 1822, *Min. Conch.* 4 : 75 pl. 354), which is known to occur in the Halifax Hard Marine Band in the Coal Measures. This is the species widely known as *Pterinopecten papyraceus* (Sowerby, 1822). The description given by Linnaeus quoted above could be held to apply to this shell.

On the other hand, the shell preserved in the Linnean cabinet is a Silurian brachiopod to which the name *Strophomena pecten* (Linnaeus, 1758) has long been given. This is the species now known as *Schuchertella pecten* (Linnaeus, 1758). This Silurian form is the shell with which Linnaeus was actually dealing, and knowledge of its characteristics was spread by personal contact among Swedish palaeontologists, till Dalman in 1828 (*K. Vet. Akad. Handl.* 1827) published typical figures.

By strict application to the rules, it would seem that the trivial name *papyraceus* Sowerby should be displaced by *pecten* Linnaeus, and that the brachiopod long known as *Strophomena pecten* (Linnaeus, 1758) is without a valid trivial name.

Since both *Pterinopecten papyraceus* (Sowerby, 1822) and *Strophomena pecten* (Linnaeus, 1758) are widely distributed shells, cited by

many authors for more than 100 years, strict application of the rules in this case would lead to confusion. It is, therefore, asked that the Rules be suspended in this case, so that the trivial name *pecten* Linnaeus, 1758, can be applied to the Silurian brachiopod now commonly known as *Strophomena pecten* (Linnaeus, 1758).

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the papers relating to the present case were given the Registered Number Z.N.(S.) 130. It had not been found possible to advance the consideration of the present application by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. After an exchange of correspondence between the Secretary and the applicant in the early autumn of 1944, the present application was sent to the printer in October of that year. Owing, however, to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes publication did not actually take place until 28th February 1947 (Wood, 1947, *Bull. zool. Nomencl.* 1 : 239).

3. The publication of Dr. Wood's application in the *Bulletin* elicited support from :—(1) Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) ; (2) the Joint Committee on Zoological Nomenclature for Paleontology in America ; (3) Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*). The comments so received are quoted in the following paragraphs.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologisk Museum, Copenhagen)* : In a letter dated 8th April 1947 Dr. Th.

Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) indicated his support for Dr. Wood's proposal by writing the word "Yes".

5. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America*: The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 5th November 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was Chairman of the Joint Committee. The following is the text of the letter :—

Proposed suspension of the "Règles" to identify "Anomia pecten" Linnaeus, 1758, with the species belonging to the Order Protremata (Class Brachiopoda) commonly known as "Strophonema pecten" (Linnaeus, 1758). (Bull. zool. Nom. vol. 1, pt. 10, p. 239.)

On July 3rd, 1947, the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval a resolution on the above proposal. This resolution (as well as some others submitted on the same date) was the result of a recommendation of Prof. Gayle Scott, a former member of the Committee. Since it contains some points that may be relevant to the Commission's consideration of Dr. Wood's petition the Chairman's letter laying the resolution before the Committee is quoted :—

Professor Scott's recommendation reads as follows :—

My thought is that this request should be for the Commission's authority of stabilisation rather than for suspension of the Rules. After all, Linnaeus was describing the shell since commonly known as the Silurian brachiopod *Strophomena pecten*. It should scarcely require a suspension of the Rules to so order it.

Comments. I don't quite understand Professor Scott's remark that this is a case for "stabilisation" rather than for suspension of the *Règles*. I presume he feels that, because the concept was spread among Swedish paleontologists by personal contact that the name referred to the brachiopod and that a specimen of the brachiopod was long afterward found in Linnaeus' collection, all the Commission has to do is to "stabilise" what had long since been customary. On the other hand, I would argue that Linnaeus

in his original proposal of the species, *Anomia pecten*, gave a precise bibliographic reference to a specimen figured by Lister that is "quite recognisable as the lamellibranch" later described as *Pecten papyraceus* Sowerby. He gave a description that could apply to that species (as well as the brachiopod) and that he gave no other "indication". This specimen, then, was his figured type, so to speak. All of this was published information. The information spread by personal contact and the specimens in his collection were unpublished. Therefore this unpublished, esoteric information, however influential on contemporaries, cannot stand legally as against a contrary published and very definite indication. Therefore, it appears to me that Doctor Wood's statement that the trivial name *papyraceus* of Sowerby must be replaced by its senior synonym *pecten* of Linnaeus, a lamellibranch, is legally correct. Hence if the trivial name *pecten* is to continue to be applied to the brachiopod, it can only be done legally under suspension of the *Règles*.

In view of these facts and of the evident confusion that would result if the *Règles* are applied, I propose the following resolution for your action :—

RESOLVED : That the Joint Committee on Zoological Nomenclature for Paleontology in America support the petition of Dr. Alan Wood that the trivial name *pecten* Linnaeus (*Anomia pecten* Linnaeus, 1758), be applied to the brachiopod species now commonly known as *Strophomena pecten* (Linnaeus) under suspension of the *Règles* and that the specimen preserved in the Linnaean Cabinet be designated its holotype.

The vote of the membership was 9 for approval of the Resolution, Romer, Simpson, Newell, Palmer, Cooper, Moore, Keen, Reeside, in the affirmative and 2, Wells and Frizzell in the negative. Stenzel was away and did not vote.

Comments on those voting in the affirmative were as follows :—

Cooper—Vote Aye for petition to fix *Anomia pecten* as the name of a brachiopod now known as *Fardenia (Strophomena) pecten*.

Reeside—Yes, but do not think Commission should designate specimens.

Frizzell, voting in the negative commented as follows :—

There is no problem here, and hence no Suspension of Rules is required! Linné's existing holotype (and not a figure included as a synonymic reference!) is the last court of appeal in regard to the biological entity to which he applied the name. I am opposed to designation of type specimens by the Commission (except as a last resort in exceptional cases, perhaps), and I certainly should not want the precedent started unnecessarily.

Cooper's comment is to be interpreted as indicating that some specialists in brachiopoda (as Cooper) now refer *Anomia pecten* Linnaeus to *Fardenia* Lamont, 1935, rather than to *Strophomena*.

The Chairman personally desires to go on record as disagreeing with Frizzell on every issue raised in his comment and with Reeside on the issue he raises. According to the premises the specimen in Linné's cabinet has never been designated as "holotype" in any publication. A specimen illustrated in a synonymic reference is technically every bit as available for type designation as any specimen in the cabinet of the author proposing the name. The author definitely included that figured specimen in his species and hence there are no valid grounds for excluding it as unavailable until such time as some other available specimen is selected. Indeed, to workers with no personal contact with the author or his collection the figured specimen is the only one that is presented to them for independent objective determination of what species the name was applied to. This is the function—and only function—of the type. If the Commission does not have the power to adjudicate differences of opinion as to what is the type specimen of a species or to set aside a technically valid selection of a type species under the Plenary Powers, then it is cut off from jurisdiction over what is in the final analysis the most vital nomenclatural act that can be performed, the nomenclatural act that gives concrete referents for the whole elaborate framework of zoological nomenclature that without such concrete referents deals entirely with abstractions. This is unthinkable. The act of designating the type of a species is a nomenclatural act, not a zoological one as some seem to suppose. (See Simpson, G. G., Types in modern taxonomy. *Amer. J. Sci.*, vol. 238, p. 413—431).

In view of the above vote, the Joint Committee hereby transmits to the International Commission the Resolution adopted.

6. *Comment by Dr. Joshua L. Baily, Jr. (San Diego, California, U.S.A.)*: The following comment was received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) under cover of a letter dated 13th December 1947:—

It would appear to me wise to grant this request, otherwise we should have a species called *Pterinopecten pecten*, and as this was originally described as a *Pecten* we would have potentially *Pecten pecten*. Repeated names like this are objectionable unless they are names of generitypes, which this is not.

Nothing helps to stabilise nomenclature so much as rulings by the Commission, and every time a ruling is published, I feel intensely grateful to the Commission, even though its decision differs from what mine would have been.

7. *Issue of Public Notices* : On 29th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

THE DECISION BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 7) (1950, *Bull. zool. Nomencl.* 4 : 435—436) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers to direct that the trivial name *pecten* Linnaeus, 1758 (as published in the binominal combination of *Anomia pecten*) should apply to the species of the Order Protremata of the Class Brachio-poda, commonly known as *Strophomena pecten* (Linnaeus, 1758), i.e. the species determined as *Schellwienella pecten* (Linnaeus, 1758) by Dalman (J.W.), 1828, *K. svenska Vetensk. Akad. Handl.*, 1827 : 110 pl. 1, figs. 6a—d (as *Orthis pecten*) ;
- (2) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—
pecten Linnaeus, 1758 (as published in the binominal combination *Anomia pecten*), as identified in (1) above ;

papyraceus Sowerby, 1822 (as published in the binominal combination *Pecten papyraceus*);

- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

9. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

papyraceus, *Pecten*, Sowerby (J.), 1822, *Min. Conch.* **4** : 75
pecten, *Anomia*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 702

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 113).

11. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in

the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion Two Hundred and Twenty-Four* (224) of the International Commission on Zoological Nomenclature.

DONE in London this First day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 15. Pp. 161—176

OPINION 225

Validation, under the Plenary Powers, of *Belone Cuvier*,
1817 (Class Pisces) and *Raphistoma* Hall, 1847 (Class
Gastropoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 225

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (La Plata, Argentina).

Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).

Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).

Dr. Th. MORTENSEN (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).

Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).

Professor Lodovico di CAPORIACCO (University of Parma, Italy).

Professor J. R. DYMOND (University of Toronto, Canada).

Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).

Dr. William Thomas CALMAN (Tayport, Fife, Scotland).

Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).

Professor Béla HANKÓ (University of Debrecen, Hungary).

Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).

Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).

Dr. Edward HINDLE (Zoological Society of London, London, England).

Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).

Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).

Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark).

Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).

Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).

Mr. N. D. RILEY (British Museum (Natural History), London, England).

Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).

Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 225

VALIDATION, UNDER THE PLENARY POWERS, OF “BELONE” CUVIER, 1817 (CLASS PISCES) AND “RAPHISTOMA” HALL, 1847 (CLASS GASTROPODA)

RULING :—(1) Under the Plenary Powers the under-mentioned generic names are hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy : (a) *Raphistoma* Rafinesque, 1815 ; (b) *Belone* Oken, 1815.

(2) The generic names suppressed under (1) above are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 33 and 34 respectively.

(3) The under-mentioned generic names, as validated in (1) above, are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 655 and 656 :—(a) *Raphistoma* Hall, 1847 (gender of name : neuter) (type species, by selection by de Koninck, 1881 : *Maclurea striatus* Emmons, 1842) ; (b) *Belone* Cuvier, 1817 (gender of name : feminine) (type species, by absolute tautonymy : *Esox belone* Linnaeus, 1761).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 36 and 37 :—(a) *striatus* Emmons, 1842, as published in the combination *Maclurea striatus* ; (b) *belone* Linnaeus, 1761, as published in the combination *Esox belone*.

I.—THE STATEMENT OF THE CASE

On 17th November 1938 Dr. J. Brookes-Knight (then of the *Department of Geology, Princeton University, Princeton, New Jersey, U.S.A.*) submitted the following application for the use of the Plenary Powers for the purpose of suppressing the name *Raphistoma* Rafinesque, 1815, thus validating both its junior homonym *Raphistoma* Hall, 1847 (Class Gastropoda) and its

objective junior synonym *Belone* Cuvier, 1817 (Class Pisces). Of the ten signatories to this application, some were specialists in Palaeozoic Gastropods and some in Living fishes.

Proposed suspension of the "Règles" to suppress the name "Raphistoma" Rafinesque, 1815 (Class Pisces, Order Synentognathi) and to validate the name "Raphistoma" Hall, 1847 (Class Gastropoda, Order Archaeogastropoda)

By J. BROOKES KNIGHT

(Department of Geology, Princeton University, New Jersey),

L. R. COX, Sc.D.

(Department of Geology, British Museum (Natural History)),

K. P. OAKLEY

(Department of Geology, British Museum (Natural History)),

JOSIAH BRIDGE

(Palaeontologist, U.S. Geological Survey, Washington, D.C.),

EDWIN KIRK

(U.S. Geological Survey, Washington, D.C.),

J. R. NORMAN

(British Museum (Natural History)),

ETHELWYNN TREWAVAS, D.Sc.

(Department of Zoology, British Museum (Natural History)),

E. O. ULRICH

(U.S. National Museum, Washington, D.C.),

LEONARD P. SCHULTZ

(Division of Fishes, Smithsonian Institution, United States National Museum, Washington, D.C.),

and

GEORGE S. MYERS

(Professor of Biology and Head Curator of Zoological Collections, Natural History Museum, Stanford University, California)

The undersigned, specialists in the fields of Palaeozoic Gastropoda and of living fishes, petition the International Commission on Zoological Nomenclature to suppress the name *Raphistoma* Rafinesque, 1815, *Analyse Nat.* : 89 (Pisces) under suspension of the Rules, in favour of its subsequent homonym *Raphistoma* Hall, 1847, *Nat. Hist. New York* (Pal.) 1 : 28 (Mollusca, Gastropoda), and of its subsequent objective synonym *Belone* Cuvier, 1817, *Règn. anim.* 2 : 185, on the ground that the application of the Rules would lead to greater confusion than uniformity. As matters stand today, the name *Raphistoma*

Rafinesque has been largely overlooked, and is not employed by systematists in fishes, though it is seemingly a valid prior objective synonym of the widely employed name *Belone* Cuvier, 1817, while the invalid *Raphistoma* Hall, 1847, has been widely employed for a genus of Palaeozoic gastropods since its proposal some ninety years ago.

The name *Raphistoma* Rafinesque appeared in that author's *Analyse de la Nature*, published in Palermo in 1815, an excessively rare work. Here we find on page 89 the following :—

III. O. *Gastripta* les Abdominaux

1. Sous-Ordre. Brachistomia, Les Brachistomes [defined]

19. Famille Siagonia, Les Siagéniens.

2. S. F. ESOXIDIA. Les Esoxides. Une seule nageoire dorsale, dos non aquillonne.

G. 5. *Esox*. L. 6. *Raphistoma* R.
Belone Gr. 7. *Lepiosteus* Lac. 8.
Synodus Lac. 9. *Megalops* Lac. 10.
Elops L. 11. *Stomias* R.

In a memorandum furnished in 1934 Mr. J. R. Norman, Assistant Keeper, Department of Zoology, British Museum (Natural History), one of the co-signatories of the present petition, who was consulted relative to the validity of *Raphistoma* Rafinesque and its status among ichthyologists, stated :—

Rafinesque refers to *Belone* Gronovius. No trace of *Belone* is to be found in Gronovius's *Zoophylacium*, 1763—1781, or in the *Museum Ichthyol.*, 1754—1756, except in the index to the former work. Here we find "Bellone No. 362", but on turning up No. 362 in the text we find no trace of this word. However, the species referred to under No. 362 is clearly the Gar-fish of European seas, i.e. *Esox belone* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 314.

Thus it seems that the species *Esox belone* Linnaeus is genotype of *Raphistoma* Rafinesque, 1815, by monotypy. But *Esox belone* Linnaeus is also genotype of *Belone* Cuvier, 1817, by absolute tautonymy and hence *Belone* Cuvier, 1817, a name widely used and currently in good standing for the genus in question, is a subsequent exact or objective synonym of *Raphistoma* Rafinesque, 1815, a name that has been almost wholly overlooked. If the Rules are rigidly enforced, the almost unknown name *Raphistoma* must of necessity replace the well-known and widely used *Belone* Cuvier, 1817, a substitution that is highly undesirable from any point of view save that of the most sterile priority.

Furthermore, unless the name *Raphistoma* Rafinesque, 1815, is set aside under the Plenary Power, the rigid enforcement of the Rules would require the suppression of *Raphistoma* Hall, 1847, *Nat. Hist. New York* (Pal.) 1 : 28, a name widely in use for a genus of Palaeozoic gastropods since it was first proposed, and currently in good standing, as a

subsequent invalid homonym of *Raphistoma* Rafinesque, 1815. This again would serve no good purpose, and would inevitably lead to confusion.

Annex 1 to application

Supplementary Note by L. R. COX, Sc.D.

(Assistant Keeper, Department of Geology, British Museum (Natural History))

Since no bibliographic reference is given by Rafinesque and the trivial name *belone* was not applied by Gronovius to any species, we can only guess that Rafinesque intended to found the genus *Raphistoma* upon the species *Esox belone* Linnaeus. Hence the name *Raphistoma* would appear to have been published without a definition, description, or indication as defined by *Opinion* 1, and may be ignored. It further appears doubtful if the "Bellone" of Gronovius' index can be accepted as more than a vernacular name, and, according to *Opinion* 1 again, "In no case is the word 'indication' to be construed as including vernacular names".

However, since other workers may object to this interpretation of the Rules, it seems desirable to have *Raphistoma* Rafinesque ruled out by a definite *Opinion*.

¹ Dr. J. Brookes Knight has since become Research Associate in Palaeontology, Smithsonian Institution, United States National Museum, Washington, D.C.

Annex 2 to application

Supplementary Note by GEORGE S. MYERS

(Professor of Biology and Head Curator, Zoological Collections, Natural History Museum, Stanford University)

I have not seen the original of Rafinesque's *Analyse*, but, if the passage quoted in the accompanying memorandum is correct, I am inclined to agree with Dr. Cox that *Raphistoma* of Rafinesque, 1815, is not available under the Rules. My reasons are exactly those put forward by Dr. Cox. It should be noted that Mr. Fowler, of the Philadelphia Academy, has rejected *Raphistoma* Rafinesque, evidently with much the same things in mind (see his "Marine Fishes of West Africa" in 1936, *Bull. Amer. Mus. nat. Hist.* 70 (1) : 438).

The late Dr. D. S. Jordan (1917, *Genera of Fishes* (1) : 91) attempts to explain Rafinesque's reference to Gronovius, but says: "This reference does not seem to justify the substitution of *Ramphistoma* [sic] for *Belone*". It will be noted that the accompanying memorandum, as well as Jordan, quotes Rafinesque's page 89, whereas Fowler (*loc. cit.*) gives the page as "15". This should be investigated.

It should be impressed upon the Commission that *Belone* Cuvier is today a universally recognised genus in ichthyology, and the family of the marine gars (a world-wide group) is based on it. I have come across only one recent author who has accepted Rafinesque's name. De Buen (1935, *Instituto esp. Oceanogr.*, Madrid, *Notas y Resúmenes* (2) 88 : 69) quotes "*Rhamphistoma* [sic] Rafinesque 1810, [sic]", and in the synonymy of *Rhamphistoma* [sic] *belone* (Linn.) he lists "1810, *Rhamphistoma* [sic] *vulgaris* Rafinesque". He gives no more exact reference to any of Rafinesque's papers. So far as I know, Rafinesque published only two papers on fishes in 1810 (the *Indice d'ittiologia siciliana* and his *Caratteri*) and I find no reference to a name "*Rhamphistoma*" or a "*R. vulgaris*" in either. The synonymic quotation directly above—"1810, *Belone acus* Risso"—is also non-existent, and I think that we may safely discount these references.

I fully agree with Dr. Cox that, in view of the possibility of disagreement on the availability of Rafinesque's *Raphistoma*, it would be desirable to have this name ruled out definitely by the Commission. Its use, in ichthyology, would certainly lead to greater confusion than uniformity.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the papers relating to the present case were given the Registered Number Z.N.(S.) 145. It had not been found

possible to advance the consideration of the present application by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. After an exchange of correspondence on certain questions of detail between the Secretary and Dr. L. R. Cox, one of the applicants, the present application was sent to the printer in October 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (Knight *et al.*, 1947, *Bull. zool. Nomencl.*, 1 : 225—228).

3. The publication of this application in the *Bulletin* elicited support from four quarters. Arranged in order of receipt, the letters so received were from :—(1) Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*); (2) the Joint Committee on Zoological Nomenclature for Paleontology in America; (3) Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*); (4) Professor Lodovico di Caporiacco (*University of Parma, Italy*). The comments so furnished are quoted in the immediately following paragraphs.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen)* : In a letter dated 8th April 1947 Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*) wrote : “The name *Belone* must be preserved”.

5. *Comment by the Joint Committee on Zoological Nomenclature for Palaeontology in America* : The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 28th October 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that

time was Chairman of the Joint Committee. The following is the text of that letter :—

Proposed Suspension of the "Règles" to suppress the name "Raphistoma" Rafinesque, 1815 (for a fish) and to validate the name "Raphistoma" Hall, 1847 (gastropod). ("Bull. Zool. Nom." vol. 1, pt. 10, p. 225)

The following discussion and resolution were drawn up by Mrs. Katherine Van Winkle Palmer and submitted to the Joint Committee on Zoological Nomenclature for Paleontology in America for its consideration and action.

1. Rarity of a publication is alone no excuse for invalidation of its authenticity but the case of rareness of Rafinesque, 1815, *Analyse de la Nature*, means that for the present purposes, the quotation and accompanying data given on page 226, *Bull. zool. Nom.*, pt. 10, are used as the text for evaluating the status of *Raphistoma* Rafinesque, 1815. The following comments are made on the assumption that the quotation is correct.

2. It seems that Dr. Cox (p. 227, Annex 2, *Bull. Zool. Nom.*, pt. 10) has adequately summed up the status of the proposal of *Raphistoma* by Rafinesque and that the chief argument against its validity is that the name was published without a definition, description or a bona fide indication, and that the reference to *Belone* can be taken to interpret what was meant only by mental gymnastics. Such interpretation means stretching a point as much to retain the name as would be necessary were it to be eliminated.

3. Considering that the retention of *Raphistoma* Rafinesque, 1815, would cause more confusion than its elimination it would seem that a strict interpretation of the Rules would be preferable, i.e., the recognition or agreement that no adequate bibliographic reference exists than to agree on a guess as to what Rafinesque meant by *Belone* Gr.

4. Ordinarily, I do not believe that a long usage is an argument against a clear case of priority. But in this case, it does not seem that *Raphistoma* Rafinesque, 1815 is sufficiently authentic to be given priority.

5. Since the name *Raphistoma* Rafinesque, 1815, is used for a fish and since its suspension would affect the work of ichthyologists, their opinion should be given considerable weight. Therefore, the names of J. R. Norman, E. Trewavas, L. Schultz and G. S. Myers attached to this petition help much in evaluating the importance of the proposal perhaps as much for the usage after suspension as for the opinion on the proposal. In connection

with the forming of this resolution I have consulted Dr. E. C. Raney, Cornell University, one of the well-known younger ichthyologists. He favors the petition as backed by the fish authorities listed above.

On these bases, I submit to you the following :—

Resolved : That the Joint Committee on Zoological Nomenclature for Paleontology in America support the petition of J. Brookes Knight, L. R. Cox, K. P. Oakley, Josiah Bridge, Edwin Kirk, Ethelwynn Trewavas, the late E. R. Ulrich, Leonard P. Schultz and George S. Myers for the proposed suspension of the *Règles* to suppress the name *Raphistoma* Rafinesque, 1815 (Class Pisces, Order Syentognathi) and to validate the name *Raphistoma* Hall, 1847 (Class Gastropoda, Order Archaeogastropoda).

The following 11 committeemen voted to approve the resolution :—
Wells, Simpson, Newell, Palmer, Cooper, Moore, Keen, Frizzell, Romer, Reeside and Knight. No committeeman voted to disapprove. Stenzel was away and did not vote.

The only comment was by Simpson which reads :—

2. On Palmer's resolution to support the petition on Knight and others regarding *Raphistoma*—I vote "aye", with disagreement with Palmer's belief that long usage is not an argument against a clear case of priority. It is, I think, an excellent argument, in fact the best of arguments, although it might not be wholly conclusive in all cases. It is (or most decidedly should be) our purpose to stabilize nomenclature, no more and no less. Surely there is no better way to stabilize nomenclature than to determine long and current usage and to make this official if there is clear weight of such usage. Supporting obscure names merely because they have priority and when they clearly do not correspond with long and current usage is (obviously, I would say) the very worst possible way to try to achieve stability.

In view of the above the Joint Committee on Zoological Nomenclature for Paleontology in America supports the petition of Knight, Cox, et al, which forms the subject of this communication.

6. *Comment by Dr. Joshua L. Baily, Jr. (San Diego, California, U.S.A.)* : The following comment was received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) under cover of a letter dated 13th December, 1947 :—

I believe it would be best for the Commission to suppress the name *Raphistoma* Rafinesque by suspension of the *Règles*. If the *Règles* be interpreted to make their suspension unnecessary, such interpretation will have to be reconsidered every time a case similar to this one arises.

There is another reason why the name *Raphistoma* Hall should be preserved, which has not been touched upon in the *Bulletin*. This genus is a very important one because it is so close to the ancestral gastropod. It is desirable that its name be stabilized because it will continue to be referred to in the discussion of any fossil mollusc which seems to be primitive and whose affiliation cannot be determined accurately.

7. *Comment by Professor Lodovico di Caporiacco (University of Parma, Italy)*: The following comment was received from Professor Lodovico di Caporiacco (*University of Parma, Italy*) under cover of a letter dated 31st December 1947 :—

I fully agree with the view that *Raphistoma* Rafinesque should be suppressed, as its junior synonym *Belone* Cuvier is commonly employed, and its replacement by *Raphistoma* would cause more trouble than uniformity.

8. *Issue of Public Notices* : On 14th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

9. *Minute by the Secretary dated 23rd April 1948* : When preparing the present application for consideration by the International Commission at the meeting arranged to be held at Paris later that year, Mr. Francis Hemming, Secretary to the Commission, placed the following Minute, dated 23rd April 1948, on File Z.N.(S.) 145, drawing attention to the fact that the suppression of *Raphistoma* Rafinesque, 1815, as asked for by the applicants, would not, unaided, provide a firm legal basis for the name *Belone* Cuvier, 1817, which it was the object of the applicants to preserve, for that name would still be threatened by the name *Belone* Oken, 1815 :—

The principal object of this application is to prevent the long-forgotten name *Raphistoma* Rafinesque, 1815, from usurping the place of *Belone* Cuvier, 1817. But, unless supplemented in one respect, the application does not definitely achieve this end, for it would still be possible to claim that the name *Belone* Cuvier was invalid as a junior homonym of *Belone* Oken, 1815.

2. The Commission has before it a request by the late Dr. Wilfrid H. Osgood for a Ruling on the availability of the new names in Oken's *Lehrbuch* (Z.N.(S.) 153), but it is possible that it may be some time before a decision is reached on this subject owing to the great diversity of practice as between workers in different groups in the matter of the acceptance of Oken's names. In the circumstances, the Commission would, I think, be well advised if, when dealing with the *Raphistoma* case, it were to use its Plenary Powers to suppress the name *Belone* Oken, without prejudice to its final decision on the status of the *Lehrbuch* names, at the same time that it uses those Powers to suppress *Raphistoma* Rafinesque.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

10. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 2) (1950, *Bull. zool. Nomencl.* 4 : 426—428) :—

THE COMMISSION agreed :—

(1) to use their Plenary Powers :—

(a) to suppress for all purposes the under-mentioned generic names :—

Raphistoma Rafinesque, 1815 (Class Pisces, Order Synentognathi),

Belone Oken, 1815 (Class Pisces, Order Synentognathi) ;

(b) to validate the under-mentioned generic names :—

Raphistoma Hall, 1847 (Class Gastropoda, Order Archaeogastropoda),

Belone Cuvier, 1817 (Class Pisces, Order Synentognathi) ;

- (2) to place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the two generic names specified in (1) (a) above ;
- (3) to place the undermentioned generic names, with the type species severally specified below, on the *Official List of Generic Names in Zoology* :—
- (a) *Raphistoma* Hall, 1847 (type species, by selection by de Koninck, 1881 : *Maclurea striatus* Emmons, 1842) ;
- (b) *Belone* Cuvier, 1817 (type species, by absolute tautonymy : *Esox belone* Linnaeus, 1761) ;
- (4) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—
- (a) *striatus* Emmons, 1842 (as published in the binominal combination *Maclurea striatus*) ;
- (b) *belone* Linnaeus, 1761 (as published in the binominal combination *Esox belone*) ;
- (5) to render an *Opinion* recording the decisions specified in (1) to (4) above.

11. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

Belone Oken, 1815, *Lehrbuch Naturgesch.* 3 (Zool.) (2) : 102

Belone Cuvier, 1817, *Règne anim.* 2 : 185

belone, *Esox*, Linnaeus, 1761, *Faun. svec.* (ed. 2) : 126

Raphistoma Rafinesque, 1815, *Analyse* : 89

Raphistoma Hall, 1847, *Nat. Hist. New York* (Pal.) 1 : 28

striatus, *Maclurea*, Emmons, 1842, *Nat. Hist. New York* (Geol. 2 dist.) : 312

The reference to the selection by de Koninck of *Maclurea striatus* Emmons, 1842, to be type species of *Raphistoma* Hall, 1847, is : de Koninck, 1881, *Ann. Mus. roy. Hist. nat. Belg.* (Sér. paléont.) 6 : 107.

12. The genders of the generic names *Raphistoma* Hall, 1847, and *Belone* Cuvier, 1817, referred to in the decision quoted in paragraph 10 above, are neuter and feminine respectively.

13. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 112).

14. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

15. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

16. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

17. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

18. The present *Opinion* shall be known as *Opinion Two Hundred and Twenty-Five (225)* of the International Commission on Zoological Nomenclature.

DONE in London this Second day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

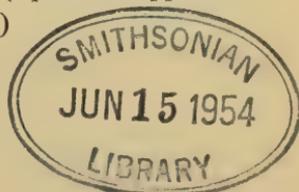
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 16. Pp. 177—200

OPINION 226

Suppression, under the Plenary Powers, of the generic name *Bilharzia* Meckel von Hemsbach, 1856, for the purpose of validating the generic name *Schistosoma* Weinland, 1858 (Class Trematoda) (*Opinion* supplementary to *Opinion* 77)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 226

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (La Plata, Argentina).

Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).

Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).

Dr. Th. MORTENSEN (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

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Professor J. R. DYMOND (University of Toronto, Canada).

Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

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Dr. William Thomas CALMAN (Tayport, Fife, Scotland).

Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).

Professor Béla HANKÓ (University of Debrecen, Hungary).

Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).

Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).

Dr. Edward HINDLE (Zoological Society of London, London, England).

Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).

Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).

Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark).

Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).

Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).

Mr. N. D. RILEY (British Museum (Natural History), London, England).

Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).

Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 226

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE
GENERIC NAME "BILHARZIA" MECKEL VON
HEMSBACH, 1856, FOR THE PURPOSE OF
VALIDATING THE GENERIC NAME
"SCHISTOSOMA" WEINLAND, 1858
(CLASS TREMATODA)("OPINION"
SUPPLEMENTARY TO
"OPINION" 77)

RULING :—(1) The generic name *Bilharzia* Meckel von Hemsbach, 1856, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The generic name *Schistosoma* Weinland, 1858, placed on the *Official List of Generic Names in Zoology* in *Opinion* 77, is hereby confirmed in its position thereon.

(3) The generic name *Bilharzia* Meckel von Hemsbach, 1856, as suppressed under (1) above, and its junior homonym *Bilharzia* Cobbold, 1859, are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 35 and 36.

I.—THE STATEMENT OF THE CASE

On 14th February 1938 Dr. H. Vogel (*Institut für Schiffs- und Tropenkrankheiten, Hamburg, Germany*) submitted to the International Commission on Zoological Nomenclature an application for a Ruling that the name *Bilharzia* Meckel von Hemsbach, 1856 (a name which had hitherto been overlooked), should be accepted in place of the name *Schistosoma* Weinland, 1858, over which it had two year's priority. The following is an English translation

of Dr. Vogel's application as slightly expanded in the light of subsequent correspondence :—

On the relative status of the names " *Bilharzia* " Meckel von Hemsbach, 1856, and " *Schistosoma* " Weinland, 1858 (Class Trematoda, Order Digenea)

By H. VOGEL

(*Institut für Schiffs- und Tropenkrankheiten, Hamburg.*)

Has the generic name *Bilharzia* Meckel von Hemsbach, 1856 (originally spelt *Billharzia* instead of *Bilharzia*, i.e. with a double "l" through what is obviously a spelling mistake), or *Schistosoma* Weinland, 1858, validity under the International Code ?

The original references to the above names are as follows :—

- (a) *Bilharzia* (recte *Bilharzia*) Meckel von Hemsbach, 1856, *Mikrogeologie* : 114 (Über die Concremente im thierischen Organismus von Heinrich Meckel von Hemsbach. Nach dem Tode des Verfassers herausgegeben von Dr. Th. Billroth, Berlin im Juli 1856). (Meckel died on 30th January 1856.)
- (b) *Schistosoma* Weinland, 1858, *Human Cest.* : 87.
- (c) *Bilharzia* Cobbold, 1859, *Trans. linn. Soc. Lond.* 22 (4) : 363—366.

The type of each of the above genera is *Distomum haematobium* Bilharz, 1852, in Siebold, *Z. wiss. Zool.* 4 (1) : 59—62.

Meckel writes in his *Mikrogeologie* (: 114), published in July 1856 : " *Bilharz* beschrieb zuerst in v. Siebold und Kölliker's *Zeitschr. f. Zoologie*, 1852, einen neuen Eingeweidewurm des Menschen, sehr den Distomen ähnlich und deshalb von ihm *Distomum haematobium* genannt. Der Artname ist sehr bezeichnend, der Gattungsname darf nicht füglich *Distoma* bleiben, ist durch *Bilharzia* zu ersetzen. Dies Geschlecht weicht von allen bisher bekannten Arten von Trematoden ab durch getrenntes Geschlecht mit dem idealen Monogamie-Verhältnis, dass das Männchen sein kleines Weibchen mit sich trägt (im Canalis gynaecophorus)". On page 113 he talks about " *Bilharzien-Eiern* " and on page 189 of " *Bilharzia haematobia* (*Distomum haem.*) ".

The chief reason which induces me to stand for the introduction of the old name *Bilharzia* is to honour the memory of Th. M. Bilharz, and to give expression to the appreciation of his great merits. As is known, Bilharz not only discovered the parasite, but also connected it for the first time with the symptoms of the disease. Apart from this he was the discoverer of two other human parasites, *Hymenolepis nana* and *Heterophyes heterophyes*, and the students of natural science

in his time were well acquainted with his name through his pioneer work on the electric organ of the "Zitterwels".¹ At the age of 37 Bilharz died of typhoid, while carrying out his researches. The name *Bilharzia*, which was formerly much in use, was gradually superseded by *Schistosoma* in the literature, as it was erroneously supposed that this name had the right of priority. In spite of this, the name *Bilharzia* is today still well known to all parasitologists and especially to doctors dealing with tropical diseases. Up to this day, the disease, when not called Schistosomiasis, is called either Bilharziosis or Bilharziasis. In the last (1935) edition of his widely read "Manual of Tropical Diseases" Manson-Bahr used the old names *Bilharzia haematobia*, *B. mansoni* and *B. japonica*. If I support the re-introduction of the old name *Bilharzia*, this does not mean that scientific men would have to deal with a name very much out of use, having fallen into oblivion and then been dug up again.

The supersession of the old name *Bilharzia* has been regretted by many workers. As early as 1896 (*Mém. Inst. égypt. 1896* : 158) Looss urged that the name *Bilharzia* should be retained in honour of its discoverer and he even went so far as to express the view that an exception to the Law of Priority would be justified in this case. (The existence of Meckel's prior *Bilharzia* of 1856 was obviously not known to Looss when he made these observations.) My teacher Fülleborn also frequently expressed in his lectures his regret that the name *Bilharzia* should have been displaced. In 1932 Leiper wrote : " Those, who regretted the displacement of the generic name *Bilharzia* Cobbold, 1859, by *Schistosoma* Weinland, 1858, under the Law of Priority will rejoice in the restoration of *Bilharzia* Meckel, 1856, under the same Law " (*Trop. Dis. Bull. 29* : 168).

I am convinced that I am right in believing that students of natural science who support the retention of old-established names will welcome the restoration of the old name *Bilharzia* in its rightful place, which was once disputed as a consequence of an error as regards the question of priority. I desire, therefore, to ask the International Commission to be good enough to give this matter their renewed attention.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the documents relating to the present case were given the Registered Number Z.N.(S.) 138. It had not been found possible to advance the consideration of the present application by the time that the outbreak of war in Europe in

¹ The species here referred to is the " Electric-Wels " or " Electric Catfish " of the Nile.

September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. In the present case no formal statement of the case had been submitted by Dr. Vogel, and it was judged that the best course would be to publish a note consisting mainly of Dr. Vogel's letter of 29th April 1938 (which dealt with the problem in greater detail than did his original application of 14th February 1938) supplemented by information of certain points on which, in response to a request by the Secretary, he had supplied additional particulars in a letter dated 29th April 1938. A translation from German into English was kindly made for the Commission by Dr. Karl Jordan, at that time its President. At the same time, Mr. Francis Hemming, as Secretary to the Commission, judged it desirable that there should be published with Dr. Vogel's application a brief note by himself, (1) explaining the status, as the Rules then stood, of a name which, like *Schistosoma* Weinland, 1858, had been placed on the *Official List of Generic Names in Zoology* but which was later found to be an objective or subjective junior synonym of some older name (in the present case, *Bilharzia* Meckel von Hemsbach, 1856), (2) pointing out that in such a case the only course open to the Commission was to choose between using its Plenary Powers to validate the erroneous entry on the *Official List* on the one hand, or, on the other hand, deleting the name in question from the *Official List*. Mr. Hemming concluded by making a general appeal to specialists for advice as to the choice to be made in the present case. The following is the text of Mr. Hemming's note :—

On the status of the generic name "Schistosoma" Weinland, 1858 (Class Trematoda, Order Digenea) in relation to "Opinion" 77

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature.)

The International Commission on Zoological Nomenclature has the power (granted to it by the Ninth International Congress of Zoology at

Monaco in 1913) to place nomenclatorially available names (with their types) on the *Official List of Generic Names in Zoology*. When such a name is placed on the *Official List*, that name and no other is the correct name for the genus in question and the type of the genus is the species indicated in the *Official List*.

2. Further, the International Commission has the power, also conferred upon it by the Ninth International Congress of Zoology at Monaco in 1913, to suspend the Rules in certain cases. When the International Commission uses the Plenary Powers so conferred upon it either to validate an otherwise invalid name or to designate as the type of a genus some species other than that which is the type under the International Code, the Commission has the power to place the name so validated and with the type so designated on the *Official List* and such action is final and not subject to revision.

3. The International Commission does not, however, possess—nor would it be reasonable that it should possess—the power to place on the *Official List* a name which is invalid under the Code, unless the Commission first uses its Plenary Power to validate the name in question.

4. It follows, therefore, that, if it can be shown that, through a given case having been incompletely presented to the Commission or for some other cause, a nomenclatorially invalid name has been placed on the *Official List*, the decision of the Commission as respects that name is itself invalid, since it is *ultra vires* the powers of the Commission. In such a case, the *Opinion* (or portion or an *Opinion*) embodying the decision in question would remain as the record of the view of the Commission at the time that it was adopted but it would have no binding force.²

5. The “statement of the case” submitted by Dr. Vogel in regard to *Bilharzia* (emendation of *Billharzia*) Meckel von Hemsbach, 1856, shows beyond possibility of dispute that the name *Schistosoma* Weinland, 1858, is no more than an objective synonym of *Bilharzia* Meckel von Hemsbach, 1856, of which the same species (*Distomum haematobium* Bilharz, 1852) is the type. It follows, therefore, that, in placing the name *Schistosoma* Weinland, 1858, on the *Official List* in *Opinion 77*, the International Commission committed an error

² The statement in this paragraph regarding the status of names placed on the *Official List of Generic Names in Zoology* was correct at the time when it was written, but the position in this matter was materially altered by a decision taken by the Thirteenth International Congress of Zoology at Paris in 1948 (1950, *Bull. zool. Nomencl.* 4 : 268). Under this decision, the position now is that, where a mistake is found in an entry made in the *Official List*, the generic name concerned is not on that account to be rejected “unless and until the Commission, on having the facts laid before it, shall so direct”. Corresponding protection was given by the same Congress to entries made in the *Official List of Specific Names in Zoology*.

of the kind discussed in paragraph 4 above and acted *ultra vires* their powers.

6. What happened, no doubt, was that at the time when the International Commission had this case under consideration in connection with *Opinion 77*, they were not aware of the existence of the name *Bilharzia* Meckel von Hemsbach, 1856, and believed that the name was first published by Cobbold in 1859. On these premises, the International Commission were correct in concluding that the name *Schistosoma* Weinland, 1858, was the oldest available generic name for *Distomum haematobium* Bilharz, 1852, and, therefore, that the name was eligible for inclusion in the *Official List*. As shown above, the premises on which the International Commission reached this conclusion were, however, incorrect, because of the existence of the name *Bilharzia* Meckel von Hemsbach, 1856, which has two years' priority over *Schistosoma* Weinland, 1858. It should be noted further, that the genus *Bilharzia* Meckel von Hemsbach is monotypical and was, therefore, published with an "indication" as defined in *Opinion 1*³ and accordingly satisfies the requirements of proviso (a) to Article 25 of the International Code.

7. Clearly, it is essential that the above error should be rectified as soon as possible. It would be possible to do this in either of two ways :—

- (a) The International Commission could delete the invalid name *Schistosoma* Weinland, 1858, from the *Official List* and could insert in its place the valid name *Bilharzia* Meckel von Hemsbach, 1856 ;

or

- (b) The International Commission, if satisfied that the strict application of the Rules as applied to the present case would clearly result in greater confusion than uniformity, could use their Plenary Powers (i) to suppress the name *Bilharzia* Meckel von Hemsbach, 1856, and (ii) to validate the name *Schistosoma* Weinland, 1858, thereby giving retrospectively valid effect to the entry regarding the last-mentioned name in *Opinion 77*.

8. Specialists are, therefore, invited to inform the International Commission which, in their view, of the alternative courses indicated above is the one to be preferred.

³ See 1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 73—86. *Opinion 1* (the *Opinion* here referred to) was cancelled in Paris in 1948, and the provisions of Article 25 which had been dealt with in it were substantially liberalised (1950, *Bull. zool. Nomencl.* 4 : 78—80). Under the revised provisions a generic name published without a verbal diagnosis for the genus so established became an available name (if published before 1st January 1931), even if no type species was designated or indicated and two or more nominal species were referred to the genus so.

3. Dr. Vogel's application and Mr. Hemming's note were sent to the printer in September, 1944 but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (Vogel, 1947, *Bull. zool. Nomencl.* **1** : 193—194 ; Hemming, *ibid.* **1** : 195—196).

4. After Dr. Vogel's application had been sent to the printer but some time before it was published, a letter (dated 5th July 1945) was received from Professor R. T. Leiper, M.D., D.Sc., F.R.S. (*London School of Hygiene and Tropical Medicine, Institute of Agricultural Parasitology, St. Albans, Herts, England*), in which Professor Leiper wrote : “ *Schistosoma* must now give way to *Bilharzia* ; vide a Thesis on the Geology of the Human Body, which has recently come to light which antedates *Schistosoma* Weinland and *Bilharzia* Cobbold by several years ”.

5. The publication, in the *Bulletin*, of Dr. Vogel's application and of Mr. Hemming's appeal to specialists for advice elicited twelve letters of comment signed by sixteen specialists. Of the letters so received ten (signed by fourteen specialists) favoured *Schistosoma* as against *Bilharzia*, and two took the opposite view. One of the foregoing communications contained an analysis of usage since the year 1931 which showed that in the 2,052 papers examined the name *Schistosoma* had been used in 1,415 papers and the name *Bilharzia* had been used in only 637 papers. The letters referred to above are given in date order in the following paragraphs.

6. *Comment by Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen)* : In a letter dated 6th April 1947 Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*) wrote: “ *Bilharzia* should stand ”.

7. *Comment by Dr. H. A. Baylis (British Museum (Natural History), London)* : On 6th June 1947 Dr. H. A. Baylis (*British Museum (Natural History), London*) furnished the following comment :—

I have been turning over in my mind, from time to time, the problem resuscitated by Vogel and by yourself in *Bull. zool. Nomencl.* **1**, pt. 9 (Feb. 1947), concerning the names *Schistosoma* and *Bilharzia*. As you have asked for views as to what action should be taken, I feel that perhaps I ought to give you mine, such as it is.

I do not dispute the logic of the argument brought forward by Vogel, but I feel that, once the International Commission has placed a name on the *Official List*, such action should be final and irrevocable, even if a mistake has been made. The purpose of placing names on this list is to prevent arbitrary changes in the future. If the Commission is to go back on its own decision in such a case, there will never be any stability in names at all, and I think the Commission will bring itself into disrepute. Let it by all means do everything possible at the time to see that its decisions are just, but once having given them let it stick to them.

This particular hare has been started more than once already, and it has been very useful to have a clinching argument in the form of a reference to *Opinion 77*, of which the hare-starters have been unaware, or which they have deliberately ignored.

8. Comment by Dr. W. H. Wright (Chief, Division of Tropical Diseases, National Institute of Health, United States Public Health Service, Bethesda, Maryland, U.S.A.): On 11th August 1947, Dr. W. H. Wright (Chief, Division of Tropical Diseases, National Institute of Health, United States Public Health Service, Bethesda, Maryland, U.S.A.) wrote as follows:—

The writer was very much interested in the two papers appearing in the February 28, 1947 issue of the *Bulletin of Zoological Nomenclature* relative to the status of the generic name *Schistosoma*.

While there can apparently be no argument concerning the priority of the generic name *Bilharzia*, it would seem to the writer that removal of *Schistosoma* from the *Official List* would create a considerable amount of confusion. As you undoubtedly know, nearly all American literature has made use of the term *Schistosoma* having followed over a long period of years the ruling of the International Commission on the status of this generic name. While there is, of course, lack of uniformity at the present time, in this particular case it would appear that greater confusion would result from the change of the name. I feel, therefore, that it might be better for all concerned if the Commission made no change in the present status of the matter.

9. Comment by Professor Harold Kirby (University of California, Department of Zoology, Berkeley, California, U.S.A.): On 27th October 1947, Professor Harold Kirby (University of California, Department of Zoology, Berkeley, California, U.S.A.) wrote as follows:—⁴

In the *Bulletin of Zoological Nomenclature* 1 : 196 you invite expressions of opinion regarding the substitution of *Bilharzia* for *Schistosoma*

⁴ In July 1948 Professor Kirby took part in the discussion on this case at Paris, and then changed his view, voting in favour of the retention of the name *Schistosoma* and the suppression of the name *Bilharzia*.

in the *Official List*. I am in favour of doing this, and I see no sound reason for use of Plenary Powers to suppress *Bilharzia*.

The name *Schistosoma* has come widely into use by parasitologists and medical zoologists, but it seems to me that majority usage should not constitute grounds for abandoning so well-defined a position as that which favors *Bilharzia*.

10. *Comment by Dr. T. W. M. Cameron (Director, Institute of Parasitology, MacDonald College of McGill University, Canada) :* On 10th December 1947, Dr. T. W. M. Cameron (*Director, Institute of Parasitology, MacDonald College of McGill University, Canada*) submitted the following comment :—

With reference to the note in the *Bull. zool. Nom.* 1, pt. 9, p. 196, 1947, I would like to place on record my opinion that the name *Schistosoma* stand as one of the *nomina conservanda*. It is extremely probable that the name *Bilharzia* has strict priority but the whole function of the Rules of Nomenclature is to prevent confusion and to enable zoologists to identify the animal indicated by any given name. I submit that this is the case now with *Schistosoma* and that to change the name to *Bilharzia* again would increase confusion. Every parasitologist knows what is meant by *Schistosoma*—and that—forensic arguments to the contrary notwithstanding—is the function of the Rules.

If, however, one were to admit the desirability of changing the name, it would set a never ending precedent which would completely nullify the value of the *nomina conservanda*. There are many parasites which are described by names in present use, which should, if it were not for the opinions expressed by Commission, be known by entirely different names, *Dracunculus*, *Trichuris*, *Toxocara*, for example, should never have been adopted as valid names. However, they have been and should now remain. I have, myself, in the past been one of the sticklers for the Rule of Priority in these cases but in the case of those names now in every day use in human and veterinary parasitology, I have now accepted the principle that where the strict application of the Rules would lead to confusion, then a generally accepted name should be added to the *nomina conservanda* and used by everyone. I have followed this principle in the new edition of my veterinary parasitology and some names, which are, in my opinion, wrong, are used because of their universal use by others. After all the Rules of Nomenclature were created for the use of zoologists ; to remove names from the *nomina conservanda* would be to reverse this truth.

There is no reason why Bilharz's name should not be used in connection with the disease caused by *Schistosoma haematobium*. This is a medical matter, not a zoological one, and does not really concern the Commission.

11. *Comment submitted jointly by five members of the Staff of the Division of Tropical Diseases, National Institute of Health,*

Bethesda, Maryland, U.S.A. : In December 1947 Mr. Francis Hemming, Secretary to the International Commission, visited the United States for the purpose of holding consultations regarding the subjects to be discussed at the meeting of the International Commission arranged to be held at Paris in July of the following year. While Mr. Hemming was in Washington, the following statement signed by five members of the staff of the Division of Tropical Diseases, National Institute of Health, Bethesda, Maryland, U.S.A., was delivered to him by hand (on 23rd December 1947) :—

The undersigned desire to express to the International Commission on Zoological Nomenclature their views as to the choice of two alternative courses open to the Commission concerning the generic name *Schistosoma* and *Bilharzia*, as outlined by Dr. Francis Hemming (*Bul. zool. Nomenclature*, v. 1, pt. 9, 196 ; 1947). We have attempted in an objective manner to formulate our opinion as to whether deletion of *Schistosoma* Weinland, 1858 from the *Official List* and substitution therein of the name *Bilharzia* Meckel von Hemsbach, 1856 would result in greater confusion than uniformity.

The effect of the change would be felt not only by systematic zoologists but more especially by specialists in human and veterinary parasitology and the audience to whom their publications are addressed. To analyse the early situation as compared with that of recent years, the terminology employed by authors in the titles of their publications which are listed by Khalil in his 1931 "The bibliography of schistosomiasis (bilharziasis)*" has been scanned. *Bilharzia* or bilharziasis appears exclusively in 1163 titles ; *Schistosoma* or schistosomiasis exclusively in 679 titles. To obtain comparable figures on recent terminology, on the other hand, a rapid count has been made of entries dated 1931 to the present year in the subject catalogue of the Index-Catalogue of Medical and Veterinary Zoology, in the files of the Zoological Division, Bureau of Animal Industry, U.S. Department of Agriculture. The results are shown in Table 1 provided herewith. Authors in 28 countries have employed in 637 instances the term *Bilharzia* or its derivatives, as compared with 1415 instances in which they used the name *Schistosoma* and its derivatives. French authors have continued preponderantly the usage *Bilharzia* and bilharziasis ; Italian authors are equally divided. In all other instances the name *Schistosoma* and its derivatives have predominated. This predominance is especially marked in Asia and in the Western Hemisphere ; also if one selects from the table the principal endemic areas, namely, Egypt, South Africa, China, Japan, Brazil, Venezuela, and Puerto Rico, it will be found that the total counts for *Bilharzia* and *Schistosoma* are 243 and 642 titles, respectively.

* Publ. No. 1 The Faculty of Medicine, The Egyptian University, Cairo, 506 pp.

TABLE 1.—Usage since 1931 of terminology *Bilharzia* and bilharziasis as compared with *Schistosoma* and schistosomiasis by authors of various nationalities.

	Terminology based on	
	<i>Bilharzia</i>	<i>Schistosoma</i>
Great Britain	100	159
Egypt	91	101
South Africa	107	135
Canada	1	1
India	1	129
New Zealand	1	—
Australia	—	5
France	155	76
Germany	47	63
Italy	62	62
Holland	9	25
Belgium	10	42
Portugal	1	—
Spain	1	11
Switzerland	1	5
Russia	1	2
Turkey	—	1
China	1	95
Japan	—	63
Philippine Islands ..	—	19
Brazil	6	136
Venezuela	36	41
Honduras	—	1
Yucatan	—	1
Argentina	—	1
Puerto Rico	2	71
Cuba	1	1
United States	13	169
	637	1415

Honor to the memory of Bilharz and his outstanding achievements may well be perpetuated by a continued use of his name in connection with *Schistosoma haematobium* infection, to which it should rightly be restricted for historical accuracy; this correct usage forms the great bulk of the instances cited under that heading in Table 1. Counterparts of this situation are to be found in connection with other parasitic diseases, as for example, Chagas' disease, caused by *Trypanosoma*

cruzi and Weil's disease, caused by *Leptospira icterohemorrhagiae*. On the other hand, since 1922 when *Schistosoma* was placed on the *Official List*, that name has been the only correct name for the genus in question; the disease as it occurs in the Western Hemisphere and in Asia, and caused by *S. mansoni* and *S. japonicum*, respectively, has been rightly called schistosomiasis. One might give extensive bibliographies as indicated by the figures cited in Table 1. Monographic studies include the following:—

- “Studies on schistosomiasis japonica”, 1924, 339 pp., by Faust and Meleney.
- “Studies on schistosomiasis mansoni in Puerto Rico”, 1927, 1933—34, total 282 pp., by Faust, Hoffman et al.
- “La schistosomiasis mansoni en Venezuela”, 1943, 223 pp., by Ruiz Rodriquez.
- “The diagnosis of schistosomiasis japonica”; “The epidemiology of schistosomiasis japonica in the Philippine Islands and Japan”; “The molluscan intermediate host and schistosomiasis japonica”; and “The control of schistosomiasis japonica”;—four series of papers by members of the Commission on Schistosomiasis of the Army Epidemiological Board.
- “Studies on schistosomiasis”. National Institute of Health Bulletin No. 189 to appear December, 1947, about 212 pp. By the present writers and collaborators.

We are therefore of the opinion that to change from *Schistosoma* to *Bilharzia* as the officially recognised name of the genus in question would result in greater confusion than conformity; we recommend therefore that the International Commission on Zoological Nomenclature use their Plenary Powers to suppress the name *Bilharzia* Meckel von Hemsbach, 1856 and to validate the name *Schistosoma* Weinland, 1858.

W. H. Wright, Chief,
Division of Tropical Diseases

Louis J. Olivier,
Sr. Asst. Scientist

Mabelle O. Nolan
Zoologist

Division of Tropical Diseases, National Institute of Health, Bethesda, Maryland.

Eloise B. Cram,
Medical Parasitologist

Myrna F. Jones,
Zoologist

12. *Comment by Dr. Hugh Parkhurst (Gloucester, Massachusetts, U.S.A.):* on 13th January 1948 Dr. Hugh Parkhurst (*Gloucester, Massachusetts, U.S.A.*) furnished the following comment:—

May I respectfully add my bit to the data submitted by those who favor the suppression of the name *Bilharzia*, in favor of *Schistosoma*?

It seems quite evident to the writer that in view of the enormous recent interest in the members of this genus occasioned by experiences in tropical places during the recent war and the preponderance of references to the genus by the name *Schistosoma*, that much greater uniformity would result if that course of action were to be followed.

It would seem to the writer that in addition to the preponderance of scientific opera in which the name *Schistosoma* is used, some consideration should be given to the fact that this designation and its derivatives are familiar to many of the informed laity. At any rate, such seems to be the case in this country.

13. *Publication by Dr. Eloise Cram in January 1948 of an appeal to interested specialists to communicate to the Commission their views on the present case:* In January 1948 Dr. Eloise Cram (National Institute of Health, Bethesda, Maryland, U.S.A.) published a note (Cram, 9th January 1948, *Science* **107** : 38) drawing attention to the fact that it had been found that the name *Bilharzia*, had been first published by Meckel von Hemsbach in 1856 and therefore had priority over the name *Schistosoma* Weinland, 1858, which the Commission had placed on the *Official List of Generic Names in Zoology* in its *Opinion 77*. At the same time Dr. Cram suggested that specialists should communicate to the Commission statements of their views on the question of the action which should now be taken.

14. *Comment by Dr. M. S. Ferguson (United States Public Health Service, Communicable Disease Center, Atlanta, Georgia, U.S.A.):* On 16th January 1948, Dr. M. S. Ferguson (United States Public Health Service, Communicable Disease Center, Atlanta, Georgia, U.S.A.) furnished the following comment:—

In the latest issue of *Science* a note by Dr. Eloise B. Cram, National Institute of Health, reports that the generic name *Bilharzia* has priority over *Schistosoma*. I am writing to express my opinion as to whether the term *Schistosoma* should be invalidated, deleted from the *Official List*, and *Bilharzia* recognised as the generic name of the blood flukes of medical and veterinary interest. Since the term *Schistosoma* describes the organism included in the genus in question and is being more and more widely used by those working in Tropical Medicine I think it would be most unfortunate if the generic name were changed to *Bilharzia*. It seems to me that here is a place where the International Commission should use its Plenary Powers.

15. *Comment by Professor Ernest Carroll Faust (William Vincent Professor of Tropical Diseases and Hygiene, Tulane University of*

Louisiana, New Orleans, Louisiana, U.S.A.) : On 17th January 1948, the following comment was furnished by Professor Ernest Carroll Faust (*William Vincent Professor of Tropical Diseases and Hygiene and Head of the Division of Parasitology, The Tulane University of Louisiana, New Orleans, Louisiana, U.S.A.*) :—

I am writing you with reference to the possible reconsideration of *Opinion 77* concerning the status of the genus *Schistosoma* Weinland, 1858. It is my understanding that since *Opinion 77* was rendered it has been discovered that the name *Bilharzia* was proposed by Meckel von Hemsbach in 1856. It is understood by strict interpretation of the Law of Priority the name *Bilharzia* is technically the correct one for the species of which *haematobium* is type.

As an individual and representative of a group who have given considerable attention and have spent much time in studying the biological and medical aspects of *Schistosoma* infection, may I respectfully request that your Committee regard the strict application of the Rules of this case as undesirable, since it would lead to a vast amount of confusion. I would suggest that your Commission suppress the name *Bilharzia* and validate *Schistosoma* Weinland, 1858.

If you desire additional information in support of my request please write me and I shall be glad to provide you with supporting arguments.

For your information reference is made to the monographic study on schistosomiasis japonica by Faust & Meleney (1924), similarly to studies on schistosomiasis mansoni in Puerto Rico by Faust and others (1934—1937) and the recent findings of the Commission on Schistosomiasis, Army Epidemiological Board, Office of the Surgeon General, U.S.A., of which I was Director.

16. Comment by Dr. David S. Ruhe (*Surgeon, United States Public Health Service, Communicable Disease Center, Atlanta, Georgia, U.S.A.*) : On 19th January 1948 the following comment was furnished by Dr. David S. Ruhe (*Surgeon, United States Public Health Service, Communicable Disease Center, Atlanta, Georgia, U.S.A.*) :—

We are perturbed by the note in the latest issue of *Science*, reporting the priority of the generic name *Bilharzia* over the name *Schistosoma*. We recognise the importance of primacy in nomenclature ; however, in this case we heartily oppose invoking the principle if it can be avoided. The wartime importance of schistosomiasis has provoked such extensive interest in the study of the disease that whereas changing of the nomenclature before the war would have been a relatively minor task, now it has the importance of a major uprooting process. Moreover, it is our feeling that *Schistosoma* adequately acts as a memory hook because it is so descriptive of the male worm. As a parasitologist and

one interested in medical education, it is my hope that you will very seriously consider and perhaps oppose any change of this nomenclature as suggested.

17. Comment by Professor Deane P. Furman (*Assistant Professor of Parasitology, Division of Entomology and Parasitology, University of California, Berkeley, U.S.A.*): On 20th January 1948 the following comment was furnished by Professor Deane P. Furman (*Assistant Professor of Parasitology, Division of Entomology and Parasitology, University of California, Berkeley, California, U.S.A.*):—

Acting upon the suggestion of Eloise Cram in the January 9th issue of *Science*, I am writing to inform you of my personal opinion concerning future status of the generic name *Schistosoma*.

I believe strict application of the Rules of Zoological Nomenclature should be waived in this instance and the name *Schistosoma* considered as valid. My stand is based on the desire to eliminate the confusion of the literature which I feel would result if the name *Bilharzia* is now accepted as valid.

18. Comment by Professor Charles H. Blake (*Associate Professor of Zoology, Department of Biology, Massachusetts Institute of Technology, Cambridge, Mass., U.S.A.*): On 27th January 1948 the following comment was furnished by Professor Charles H. Blake (*Associate Professor of Zoology, Department of Biology, Massachusetts Institute of Technology, Cambridge, Mass., U.S.A.*):—

I find in *Science*, vol. 107, p. 38 (9 Jan. 1948) a note by Dr. Cram calling attention to the possibility that *Schistosoma* might be removed from the *Official List of Generic Names*. Although not a specialist in this field, I feel strongly that all biologists have the right to be heard as to the principles involved here.

It appears that *Schistosoma* has lain undisturbed on the *Official List* for 25 years. The *List* becomes meaningless if, after such lapse of time, registration can be invalidated by the discovery of a paper so obscure or trivial that it was unknown to competent specialists, such as Stiles and Hassall, or misinterpreted by them and was not brought to general attention for 90 years after its publication.

There seem to be but two bases on which a name may be placed on the *Official List*. (1) The title to the name is clear and hence no objection can be raised. (2) Title is clouded and the Commission acts, in full view of the circumstances, to quiet title. The Commission having acted and registered the name, then, I admit, the maxim *stare decisis* becomes obligatory. This maxim is defined by Baldwin's U.S. ed. of Bouvier's Law Dictionary (1928) as "when a point has

been settled by decision, it forms a precedent which is not afterwards to be departed from". A court view applicable to the present case is that "where a decision relates to the validity of certain modes of transacting business, and a change of decision must necessarily invalidate everything done in the mode prescribed by the former case, . . ., the maxim becomes imperative . . . ; 15 Wisc. 691".

There would appear to be only one basis on which the sort of action originally taken in *Opinion 77* could be reversed, namely, that a public hardship, as opposed to a private hardship, would be wrought by a failure to reverse the original action. The grounds of such reversal must, hence, be both broad and weighty. I submit that the grounds are neither broad nor weighty in the instant case.

As I have hinted above the doctrine of laches applies here. This doctrine is defined as unreasonable delay ; neglect to do a thing or to seek to enforce a right at the proper time. "To constitute laches . . . there must be knowledge, actual or imputable, of the facts which should have prompted action or, if there were ignorance it must be without just excuse" (Baldwin). There certainly seems to be no just excuse for the ignoring of Meckel von Hembach's publication at the time of the original presentation of the case. I, therefore, urge that *Schistosoma* remain on the *Official List*.

19. *View of Professor Kamel Mansour (King Fouad University, Cairo, Egypt)* : After the opening of the Thirteenth International Congress of Zoology at Paris in July 1948 but before the present problem had been considered by the International Commission, Professor Kamel Mansour (*King Fouad University, Cairo, Egypt*) spoke to Mr. Francis Hemming, Secretary to (and at that time Acting President of) the International Commission in regard to this case, indicating that he was in favour of reviving the use of the name *Bilharzia*. Mr. Hemming, in taking note of Professor Mansour's communication, expressed the hope that he would be present at the public meeting of the International Commission at which this case would be considered, so that he could present his views in person. Later, Professor Mansour was elected to be an Alternate Commissioner for the duration of the Paris Session, and it was in this capacity that he took part in the discussion on this case.

20. At Paris in 1948 the International Commission on Zoological Nomenclature suspended its By-Laws for the duration of that Session (1950, *Bull. zool. Nomencl.* 4 : 7—8), and it was in virtue of that decision that the present case was brought before the Commission later during that Session.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

21. The present application was considered by the International Commission on Zoological Nomenclature at the Twelfth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1445 hours. This case was presented to the meeting by Mr. Francis Hemming (*Acting President*), who after surveying the comments which had been received in regard to this case, recommended that, in view of the general sense of the advice received, "the Commission should use their Plenary Powers to suppress the name *Bilharzia* Meckel von Hemsbach, 1856, and to validate the name *Schistosoma* Weinland, 1858". The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the discussion which then ensued (1950, *Bull. zool. Nomencl.* 4 : 322) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that in response to the invitation contained in the paper published by himself in the *Bulletin of Zoological Nomenclature* in 1947 and of the notices on the subject to which it had given rise in the journal *Science*, 15 specialists had written to him on this subject, of whom one only was in favour of the strict application in this case of the Law of Priority and in consequence of the use of the name *Bilharzia* Meckel von Hemsbach, while 14 were in favour of the use by the Commission of their Plenary Powers to validate the name *Schistosoma* Weinland. Since his arrival in Paris, Professor K. Mansour (Egypt) had spoken to him in regard to this case and had indicated that he was in favour of reviving the use of the name *Bilharzia*. Of the specialists who had communicated their views on this subject, the two who favoured the name *Bilharzia* were British and Egyptian respectively, while of the 14 who favoured the suppression of that name in favour of the name *Schistosoma*, 12 wrote from the United States, one from Canada, and one from Great Britain. The Acting President added that it appeared clear to him that there was an overwhelming consensus of opinion in favour of the validation of the name *Schistosoma* Weinland. The Commission had placed that name on the *Official List* in good faith, believing it to be the

oldest name for this important genus, it being then thought by all concerned that the name *Bilharzia* had not been published until 1859 (by Cobbold), i.e. not until a year after the publication of the name *Schistosoma*. They certainly would not have taken that action at that time, when the name *Bilharzia* (attributed to Cobbold) was in wide use if they had known what the true position was. In the 26 years that had elapsed since the name *Schistosoma* was placed, though erroneously, upon the *Official List*, that name had very largely replaced the name *Bilharzia*; new issues were therefore raised by the discovery that *Bilharzia* was the older name, for it was necessary to consider also the effect on medical literature of a reversal of the practice which for over a quarter of a century had been believed to possess the highest nomenclatorial authority. In view of the general sense of the advice received from interested specialists, he (the Acting President) recommended that the Commission should use their Plenary Powers to suppress the name *Bilharzia* Meckel von Hemsbach, 1856, and to validate the name *Schistosoma* Weinland, 1858.

In the discussion which followed PROFESSOR R. L. USINGER (U.S.A.) supported the proposal that the Plenary Powers of the Commission should be used to validate the name *Schistosoma* which had become deeply embedded in the literature relating to the Trematoda and in medical literature generally. Nothing but confusion would result if it were necessary to revert to the name *Bilharzia*.

PROFESSOR K. MANSOUR (EGYPT) said that this problem was one of special interest to Egyptian zoologists and Egyptian medical men, for it was in Egypt that the disease bilharziasis was of special importance; the name *Bilharzia* was still universally used in Egypt for the Trematode parasite concerned. Now that it was clear that the name *Bilharzia* had priority over the name *Schistosoma*, it should be brought back into universal use.

DR. ELLSWORTH C. DOUGHERTY (U.S.A.) (a member of the Section on Nomenclature present at the meeting) strongly supported the proposal that the name *Schistosoma* should be

validated. Any other course would lead to confusion in medical literature.

COMMISSIONER H. BOSCHMA (NETHERLANDS) expressed support for the proposal that in the circumstances the name *Schistosoma* should be validated, in spite of the fact that at one time the name *Bilharzia* had been much more frequently used.

PROFESSOR K. MANSOUR (EGYPT) said that he recognised that American workers used the name *Schistosoma* in preference to the name *Bilharzia*, but the medical problem involved and therefore the nomenclatorial issue, was of much more direct concern to Egyptian workers who had never used the name *Schistosoma*. He recognised that the balance of opinion was in favour of validating the entry of the name *Schistosoma* on the *Official List*. Nevertheless, this was not a proposal which he could support, and he would feel bound to vote against it.

22. At the close of the discussion recorded in the preceding paragraph, the International Commission took its decision on the present case. That decision is set out as follows in the Official Record of the Proceedings of the International Commission (Paris Session, 12th Meeting, 10) (1950, *Bull. zool. Nomencl.* 4 : 319—323) :—

THE COMMISSION, Professor Mansour dissenting, agreed:—

- (1) to use their Plenary Powers :—
 - (a) to suppress for the purposes of Article 25 the generic name *Bilharzia* Meckel von Hemsbach, 1856 (Class Trematoda) ;
 - (b) to validate the name *Schistosoma* Weinland, 1858 (Class Trematoda) ;
- (2) to confirm the entry of the name *Schistosoma* Weinland, 1858, on the *Official List of Generic Names in Zoology* ;
- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

23. Under the provisions relating to the *Official Index of Rejected and Invalid Generic Names in Zoology*, the International Commission is required to place thereon every generic name which it either rejects under the Plenary Powers or declares to be invalid. In the present instance, the entry on the *Official Index* of *Bilharzia* Meckel von Hemsbach, 1856 (suppressed under the Plenary Powers), and of its junior homonym, the better-known name *Bilharzia* Cobbold, 1859, was inadvertently omitted from its decision as set out in the Official Record of its Proceedings in the passage quoted in paragraph 22 above. This omission has been rectified in the Ruling given in the present *Opinion*.

24. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

Bilharzia Meckel von Hemsbach, 1856, *Mikrogeologie* : 114
Bilharzia Cobbold, 1859, *Trans. linn. Soc. Lond.* **22** (4) : 363—366
Schistosoma Weinland, 1858, *Human Cestoides* : 87

25. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fourth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 98—100).

26. The Ruling given in the present *Opinion* was concurred in by the following fifteen (15) of the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

27. The decision taken in the present case was dissented from by one Alternate Commissioner, namely : Mansour *vice* Hankó.

28. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in

dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

29. The present *Opinion* shall be known as *Opinion Two Hundred and Twenty-Six (226)* of the International Commission on Zoological Nomenclature.

DONE in London this Third day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part. 17. Pp. 201—208

OPINION 227

Acceptance of the lectotype selected by Braun in 1901
for the nominal species *Fasciola ovata* Rudolphi, 1803
(Class Trematoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 227

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (La Plata, Argentina).

Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).

Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).

Dr. Th. MORTENSEN (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).

Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).

Professor Lodovico di CAPORIACCO (University of Parma, Italy).

Professor J. R. DYMOND (University of Toronto, Canada).

Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).

Dr. William Thomas CALMAN (Tayport, Fife, Scotland).

Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).

Professor Béla HANKÓ (University of Debrecen, Hungary).

Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).

Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).

Dr. Edward HINDLE (Zoological Society of London, London, England).

Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).

Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).

Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark).

Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).

Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).

Mr. N. D. RILEY (British Museum (Natural History), London, England).

Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).

Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

ACCEPTANCE OF THE LECTOTYPE SELECTED BY
BRAUN IN 1901 FOR THE NOMINAL SPECIES
"FASCIOLA OVATA" RUDOLPHI, 1803
(CLASS TREMATODA)

RULING :—(1) Braun (1901) acted in strict conformity with Article 31 of the *Règles* when, on ascertaining, by reference to Rudolphi's original material of *Fasciola ovata* Rudolphi, 1803 (Class Trematoda), that that nominal species was a composite species containing two taxonomically distinct species, he selected one of those species to be the species to which the name *Fasciola ovata* Rudolphi, 1803, should adhere.

(2) The specific name *ovata* Rudolphi, 1803, as published in the combination *Fasciola ovata*, and as determined under (1) above, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 38.

I.—THE STATEMENT OF THE CASE

On 7th April 1938 Dr. G. Witenberg (*Hebrew University, Jerusalem*) submitted the following enquiry to the International Commission on Zoological Nomenclature as to the validity of the action by Braun (1901) in selecting a lectotype for the nominal species *Fasciola ovata* Rudolphi, 1803 (Class Trematoda) :—

On the holotype of "Fasciola ovata" Rudolphi, 1803 (Class Trematoda, Order Digenea)

By G. WITENBERG

(*Department of Parasitology, The Hebrew University, Jerusalem*)

M. Braun (1901, *Zbl. Bakt.* (Abt. 1) **29** : 12—19) found that the original vial containing specimens determined by Rudolphi as *Distoma ovatum* Rudolphi, 1809, *Entoz.* **2** (1) : 357 (= *Fasciola ovata* Rudolphi, 1803, *Archiv. Zool.* (Wiedemann) **3** (2) : 25) contained two species. One of these species was accordingly selected by Braun as being the species described by Rudolphi and the species so selected was treated by Braun as *Prosthogonimus ovatus* (Rudolphi).

Do the rules in the International Code provide for the selection of a lectotype in such a case ?

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The present application, which had been addressed by Dr. Witenberg to the late Dr. C. W. Stiles was forwarded on 6th June 1938 to Mr. Francis Hemming who in 1936 had succeeded Dr. Stiles in the Office of Secretary to the Commission. On receipt in London, these papers were given the Registered Number Z.N.(S.) 126. It had not been found possible to advance the consideration of the present application by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 26th June 1946 (Witenberg, 1946, *Bull. zool. Nomencl.* 1 : 176).

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. One of the earliest acts in regard to the revision of the *Règles* taken by the International Commission on Zoological Nomenclature at its Paris Session was to revise and clarify the provisions of Article 31 relating to the selection of lectotypes for nominal species (Paris Session, 4th Meeting, Conclusion 11) (1950, *Bull. zool. Nomencl.* 4 : 73—76)¹. It was in the light

¹ The provisions in Article 31 were further reviewed and amended by the Fourteenth International Congress of Zoology at Copenhagen in 1953. The changes so made (1953, *Copenhagen Decisions zool. Nomencl.* : 72—78) did not however in any way affect the interpretation of that Article given by the International Commission in the present case at Paris in 1948.

of the decision of principle so taken that the International Commission considered the problem submitted by Dr. Witenberg at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 29) (1950, *Bull. zool. Nomencl.* **4** : 386—387) :—

THE COMMISSION agreed :—

- (1) that Braun (1901) had acted in strict conformity with Article 31 of the *Règles* when, on ascertaining by reference to Rudolphi's original material of *Fasciola ovata* Rudolphi, 1803 (Class Trematoda, Order Digenea), that that species was a composite species containing two taxonomically distinct species, he had selected one of those species to be the species to which the name *Fasciola ovata* Rudolphi, 1803, should adhere ;
- (2) that the trivial name *ovata* Rudolphi, 1803 (as published in the binominal combination *Fasciola ovata*), as determined by Braun (1901), should be placed on the *Official List of Specific Trivial Names in Zoology* ;
- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

4. The following is the original reference for the name which appears in the decision set out in the immediately preceding paragraph :—

ovata, *Fasciola*, Rudolphi, 1803, *Archiv. Zool.* (Wiedemann)
3 (2) : 25

The reference to the selection by Braun of a lectotype for the nominal species *Fasciola ovata* Rudolphi, 1803, is : Braun, 1901, *Zbl. Bakt.* (Abt. 1) **29** : 12—19.

5. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 107).

6. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

7. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

8. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “trivial name” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “trivial” appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “specific name” was substituted for the expression “trivial name” and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

9. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly

hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

10. The present *Opinion* shall be known as *Opinion* Two Hundred and Twenty-Seven (227) of the International Commission on Zoological Nomenclature.

DONE in London this Third day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4, Part 18. Pp. 209—220

OPINION 228

Rejection for nomenclatorial purposes of Geoffroy, 1762,
*Histoire abrégée des Insectes qui se trouvent aux environs
de Paris*



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 228

A. The Officers of the Commission

- President* : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).
- Vice-President* : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).
- Secretary* : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

- Senor Dr. Angel CABRERA (*La Plata, Argentina*).
- Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).
- Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).
- Dr. Th. MORTENSEN (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).
- Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

- Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*).
- Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*).
- Professor Lodovico di CAPORIACCO (*University of Parma, Italy*).
- Professor J. R. DYMOND (*University of Toronto, Canada*).
- Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).
- Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

- Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).
- Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).
- Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).
- Professor Béla HANKÓ (*University of Debrecen, Hungary*).
- Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).
- Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

- Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).
- Dr. Edward HINDLE (*Zoological Society of London, London, England*).
- Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).
- Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).
- Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark*).
- Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).
- Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).
- Mr. N. D. RILEY (*British Museum (Natural History), London, England*).
- Professor Ragnar SPÄRCK (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).
- Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).
- Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 228

REJECTION FOR NOMENCLATORIAL PURPOSES OF GEOFFROY, 1762, "HISTOIRE ABREGÉE DES INSECTES QUI SE TROUVENT AUX ENVIRONS DE PARIS"

RULING :—(1) Names published by Geoffroy (E.L.) in 1762 in the work entitled *Histoire abrégée des Insectes qui se trouvent aux Environs de Paris* are not available for nomenclatorial purposes, for in that work Geoffroy did not apply the principles of binominal nomenclature, as required by Proviso (b) to Article 25 of the *Règles*.

(2) The foregoing work is accordingly hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 1.

(3) Specialists in the groups dealt with in the foregoing work are invited to submit to the International Commission on Zoological Nomenclature applications for the validation, under the Plenary Powers, of any name published in it, the rejection of which would, in their opinion, lead to instability or confusion in the nomenclature of the group concerned.

I.—THE STATEMENT OF THE CASE

On 13th February 1939 Professor H. B. Hungerford (*University of Kansas, Department of Entomology, Lawrence, Kansas, U.S.A.*) submitted to the International Commission on Zoological Nomenclature an application for a ruling on the question of the availability of the generic name *Corixa* Geoffroy, 1762 (*Hist. abrég. 1* : 478) and the type species for the genus so named, and thus also for a ruling on the general question whether in his *Histoire abrégée* Geoffroy complied with the requirements of Proviso (b) to Article 25 (i.e., whether in it he applied what at that date—1939—was styled "les principes de la nomenclature

binaire ") and therefore whether names published in the foregoing work possessed a status of availability under the *Règles*. On receipt, the twofold application received from Professor Hungerford was given the Registered Number Z.N.(S.) 137, but later it was judged better to treat Professor Hungerford's application as relating only to the question associated with the name *Corixa* Geoffroy, 1762, and for the Secretary to submit a separate application dealing exclusively with the general question of principle involved, namely whether Geoffroy's *Histoire abrégée* was an acceptable work from the standpoint of the *Règles*. The application so prepared by Mr. Hemming (to which the Registered Number Z.N.(S.) 168 was given) was as follows :—

On the question whether generic names published by Geoffroy (E. L.), 1762, " Histoire abrégée des Insectes qui se trouvent aux environs de Paris ", are available under Proviso (b) to Article 25 of the International Code

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature.)

In an application to the International Commission for a decision regarding that status and type of the generic name *Corixa* Geoffroy, 1762 (Order Hemiptera),¹ Professor H. B. Hungerford inevitably raises also the much broader question of the status, whether binary or otherwise, of Geoffroy (E. L.), 1762, *Histoire abrégée des Insectes qui se trouvent aux environs de Paris*.

The above work, as is well known, deals with all the principal Orders of insects. Its status must, therefore, be treated as a general entomological problem and not one of special interest to the specialists of a single Order.

As I have explained elsewhere², the whole question of what constitutes, and what should constitute, the meaning properly applicable to the expression " nomenclature binaire " is at present the subject of a special inquiry undertaken by the International Commission at the request of the Twelfth International Congress of Zoology (Lisbon, 1935).

The note referred to above contains an appeal made on behalf of the Executive Committee of the International Commission to specialists to assist the Commission in their inquiry by furnishing them

¹ The application here referred to was published in *Bull. zool. Nomencl.* 1 : 258—259).

² Hemming, 1945, *Bull. zool. Nomencl.* 1 : 98—101.

with factual material regarding (i) the extent to which generic names first published in works employing a system of nomenclature not strictly binominal in character are at present commonly used in the systematic literature of the groups concerned and (ii) the extent to which changes in current nomenclature, whether involving confusion or not, would result (a) from the definite acceptance of generic names published in such works or (b) from their definite rejection.

The full text of the appeal referred to above will be found on pages 98-101 of the present volume.³ Specialists in all Orders of insects affected are particularly requested to assist the International Commission by furnishing them with statements showing the position, as respects their own speciality, which would arise from (i) the acceptance and (ii) the rejection of the generic names first published in Geoffroy, 1762, *Hist. abrég. Ins. Paris*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Within a few months of the receipt of Professor Hungerford's original communication, the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. It was at this point that the short note reproduced in paragraph 1 of the present *Opinion* was written by Mr. Hemming. This was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 26th July 1946 (Hemming, 1946, *Bull. zool. Nomencl.* 1 : 117).

³ See footnote 2.

3. The problem lying at the root of the issue raised by Geoffroy's *Histoire abrégée* was whether an author who, like Geoffroy in 1762, used a system of nomenclature which recognised that a generic name (consisting of a noun substantive in the nominative singular) must form the first portion of the scientific name of an animal but which did not adopt also a single word to be the unique name, within the genus, of any given animal could properly be regarded as having complied with Proviso (b) to Article 25 of the *Règles* and therefore whether a generic name published by such an author possessed a status of availability under the *Règles*. Under a decision taken by the Twelfth International Congress of Zoology at Lisbon in 1935 (1943, *Bull. zool. Nomencl.* 1 : 45), the International Commission on Zoological Nomenclature had been instructed to study this subject and to submit a report thereon to the next (Thirteenth) International Congress. In the early part of 1948 Mr. Hemming completed the survey of this problem which he had undertaken in accordance with the foregoing decision and prepared the draft of a Report on this subject for submission to the International Commission. This draft was laid before the Commission on 5th July 1948 in Paper I.C. (48)5⁴. Shortly afterwards, when preparing the present case for consideration by the International Commission in Paris, Mr. Hemming (on 10th July 1948) placed on the file the following Minute in which he raised the question of the action to be taken to preserve well-known names in Geoffroy's *Histoire abrégée* in the event of the adoption of the proposals which he had submitted on the question of the interpretation of Proviso (b) to Article 25 :—

The question of the status of the generic names first published in 1762 in Geoffroy's *Histoire abrégée des Insectes qui se trouvent aux Environs de Paris* depends solely upon the decision to be given by the coming International Congress of Zoology at Paris on the question of the meaning of the expression "nomenclature binaire" as used in Proviso (b) to Article 25 of the *Règles*. In the draft Report on this subject which, as arranged by the Lisbon Congress of 1935, I have submitted to the International Commission on this subject (Paper I.C. (48) 5, dated 5th July 1948), I have (1) shown that the expression "nomenclature binaire" as used in Article 25 can properly be interpreted only as having a meaning identical with that of the expression

⁴ This Commission Paper was published, with the other papers in this series, in 1950 (*Bull. zool. Nomencl.* 3 : 20—21). For the text of the Report, as adopted by the Commission see 1950, *Bull. zool. Nomencl.* 5 : 152—167.

“ nomenclature binominale ”, and (2) recommend that, to put an end to the existing confusion on this subject, the Congress should substitute the latter expression for the unsatisfactory expression “ nomenclature binaire ”. In the same document, I have recommended (paragraphs 34, 35 and 39(4)—(6)) that special provision should be made to protect well-known names published in books by authors who, though not binominal authors, nevertheless adopted a system of nomenclature which recognised the need for securing that the scientific name of an animal should give expression to two concepts, first, that of the major group to which the animal is considered to belong (i.e., in modern terms, the genus to which it is referred), and, second, the concept of the species itself. For in some cases the rejection of names as first published by such authors would clearly give rise to great confusion.

2. If the foregoing recommendations are approved by the International Commission and adopted by the Paris Congress, it will be necessary to invite the assistance of specialists in the groups of insects concerned, to ensure the validation of important names in Geoffroy's *Histoire abrégée*.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. The question of the interpretation of Proviso (b) to Article 25 was the first of the problems connected with the wording of the *Règles* to be considered by the International Commission on Zoological Nomenclature at its Paris Session in July 1948. The Commission, after examining the draft Report submitted by the Secretary, decided to approve and adopt the recommendations so laid before it. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression “ nomenclature binaire ” as used in the foregoing Proviso had the same meaning as the expression “ nomenclature binominale ”, and (2) to recommend the substitution of the latter expression for the equivocal expression “ nomenclature binaire ” (Paris Session, 4th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4 : 63—66). It was in the light of the decision so taken that the International Commission considered the problem of the status of Geoffroy's *Histoire abrégée* of 1762 at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre

Louis-Liard on Monday, 26th July 1948 at 1730 hours. This case was presented by the Acting President (Mr. Francis Hemming), who, after drawing attention to the fact that the decision on the general question of the interpretation of Proviso (b) to Article 25 automatically involved the rejection of Geoffroy's *Histoire abrégée*, invited the Commission to consider the action which it was desirable should be taken to preserve well-known generic names in common use that had first been published in the foregoing work. The following is an extract from the Official Record of the Proceedings of the International Commission giving a summary of the discussion which then ensued (1950, *Bull. zool. Nomencl.* 4 : 367—368) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) explained that the present belonged to the class of case, to which reference has been made in the discussion of the question of the type species of the genus *Colymbus* Linnaeus, 1758 (Class Aves), where, owing to the difficulty of the problem raised, a decision by the Commission had been inordinately delayed, for it was as far back as 1915 that this issue had been raised by Dr. J. M. Swaine (Department of Agriculture, Forest Investigation Branch, Ottawa, Canada) in connection with the name *Scolytus*.⁵ In addition, the same question had a year later (1916) been raised by Dr. A. D. Hopkins (Bureau of Entomology, Department of Agriculture, Washington, D.C.). No action was taken on these applications, and in its present form the question now before the Commission arose out of an application submitted by Professor H. B. Hungerford (U.S.A.) for a ruling in regard to the name *Corixa* Geoffroy, 1762 (file Z.N.(S.) 137), which would be laid before the Commission as the next following item. Continuing, the Acting President said that the recommendation in regard to the interpretation of the expression “*nomenclature binaire*” and the substitution therefor of the expression “*nomenclature binominale*” agreed upon by the Commission at the meeting⁶ and the subsequent approval of that recommendation by the Section on Nomenclature carried the present case a considerable step further forward. No one disputed that in the work in

⁵ The case of the name *Scolytus* Geoffroy, 1762, is now under consideration by the Commission (File Z.N.(S.) 81).

⁶ Paris Session, 4th Meeting, Conclusion 3.

question Geoffroy had been a "binary" but not a binominal author. Accordingly, under the decision referred to above, new names published by that author in the *Histoire abrégée* did not satisfy the requirements of Proviso (b) to Article 25 and in consequence were not available under the *Règles*. In reaching the foregoing decision in regard to Article 25, the Commission and the Section had agreed, however, that sympathetic consideration should be given to the question of validating the generic names in works rendered unavailable thereunder or to parts of such works, where it could be shown that it was in the interest of stability in nomenclature that names published in such works and at present in common use should be validated. It was therefore for the Commission to consider whether any, and, if so, what special action should be taken to validate generic names as first published by Geoffroy in 1762 in the work now under consideration.

A CONSIDERABLE DISCUSSION took place on the question whether availability should be given to all the generic names published in the *Histoire abrégée* or only to some of them. Some of these names should, it was agreed, certainly be preserved, but the position was not so clear as regards others. It was felt that this was a subject which it would be better to deal with piecemeal, Order by Order, in the light of recommendations submitted by entomologists who were specialists in the Orders concerned.

5. At the close of the discussion recorded in the preceding paragraph, the International Commission took its decision on the present case. That decision is set out as follows in the official Record of the Proceedings of the International Commission (Paris Session, 13th Meeting, Conclusion 14) (1950, *Bull. zool. Nomencl.* 4 : 366—369) :—

THE COMMISSION agreed :—

- (1) that, having regard to the recommendation adopted at their Fourth Meeting⁷ that the expression "nomen-

⁷ See note 6.

clature binominale" should be substituted for the expression "nomenclature binaire" in Proviso (b) to Article 25 of the *Règles* and to the subsequent approval of that recommendation by the Section on Nomenclature (at its First Meeting), names as published by Geoffroy (E. L.) in 1762 in the work entitled *Histoire abrégée des Insectes qui se trouvent aux Environs de Paris* were not available under the *Règles*, as Geoffroy had not applied the principles of binominal nomenclature in that work, as required by Proviso (b) to Article 25, as amended in the manner specified above ;

- (2) that certain of the generic names published in the foregoing work, being in wide use, should certainly be validated in the interest of stability in nomenclature, but that, having regard to the large number of Orders of insects dealt with by Geoffroy in the foregoing work, it would be better to consider separately for each Order, in the light of advice from specialists in the Order concerned, the question whether some or all of the generic names published in the foregoing work should be rendered available rather than to render available *en bloc* all the generic names so published.⁸
- (3) to invite the Secretary to the Commission as soon as possible after the close of the present Session to arrange with specialists in the several Orders of insects concerned for the submission to the Commission of statements examining each of the generic names published for that Order, by Geoffroy in the *Hist. abrég.* and containing proposals for the validation, under the Plenary Powers, of such of the names concerned, the rejection of which would lead to instability or confusion in the nomenclature of the group concerned, so that, in the light of the statements so received, the Commission may validate such of the names concerned as may appear to it to be appropriate and place the remainder on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;

⁸ A general appeal to specialists to assist in this investigation was issued in April 1952 (Hemming, 1952, *Bull. zool. Nomencl.* 7 : 198—199). This led to the receipt of a number of important contributions which will be published in the *Bulletin* as soon as possible.

- (4) to render an *Opinion* recording the decision specified in (1) above, reference being made at the same time to the decisions specified in (2) and (3) above.

6. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of the title of Geoffroy's *Histoire abrégée*.

7. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 106).

8. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

9. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Opinion* shall be known as *Opinion* Two Hundred and Twenty-Eight (228) of the International Commission on Zoological Nomenclature.

DONE in London this Fourth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 19. Pp. 221—230

OPINION 229

Acceptance of the lectotype selected by Lydekker (1891)
for the nominal species *Dinornis novaezealandiae* Owen,
1843 (Class Aves)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 229

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

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Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*).

Professor Lodovico di CAPORIACCO (*University of Parma, Italy*).

Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).

Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÄRCK (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 229

ACCEPTANCE OF THE LECTOTYPE SELECTED BY LYDEKKER (1891) FOR THE NOMINAL SPECIES “DINORNIS NOVAEZEALANDIAE” OWEN, 1843 (CLASS AVES)

RULING :—(1) Lydekker (1891) acted in strict conformity with Article 31 of the *Règles* when he selected from among the three syntypes of the nominal species *Dinornis novaezealandiae* Owen, 1843 (Class Aves) the tibio-tarsus (t2) to be the lectotype of the foregoing nominal species.

(2) In view of (1) above, the specific name *ingens* Owen, 1844, as published in the combination *Dinornis ingens*, is an objective junior synonym of the name *novaezealandiae* Owen, 1843, as published in the combination *Dinornis novaezealandiae*, since the holotype of the former is the same specimen as the lectotype of the latter.

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 39 and 40 :—(a) *novaezealandiae* Owen, 1843, as published in the combination *Dinornis novaezealandiae* and as determined under (1) above; (b) *struthoides* Owen, 1844, as published in the combination *Dinornis struthoides*.

(4) The specific name *ingens* Owen, 1844, as published in the combination *Dinornis ingens*, is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 11.

I.—THE STATEMENT OF THE CASE

In May 1939 Dr. C. W. Stiles, former Secretary to the International Commission, received an undated letter signed by Dr. Gilbert Archey (*Director, Auckland Institute and Museum,*

Auckland, New Zealand) and Dr. R. S. Allan (Canterbury University College, Christchurch, New Zealand), asking for a ruling on the specimen to be accepted as defining the nominal species *Dinornis novaezealandiae* Owen, 1843 (Class Aves). This letter was forwarded to Mr. Francis Hemming who had succeeded Dr. Stiles as Secretary to the Commission. This case was given the Registered Number Z.N.(S.) 136. After correspondence between the Secretary and Drs. Allan and Archey on questions of presentation and form, this application was finally settled in a letter dated 25th September 1939 received from the applicants not long after the outbreak of war in Europe. The application so settled was as follows :—

**On the type of “ *Dinornis novae-zealandiae* ” Owen,¹
1843 (Class Aves, Order Dinornithiformes)**

by GILBERT ARCHEY

(Director, Auckland Institute and Museum, Auckland, New Zealand),

and

R. S. ALLAN

(Canterbury University College, Christchurch, New Zealand)

We are writing to ask for a ruling or an *Opinion* from the Commission as to what specimen should be regarded as the type of Owen's species *Dinornis novae-zealandiae*, in connection with which we give the four relevant references as follows :—

(1) In July 1843, *Proc. zool. Soc. Lond.* **11** (120) : 8, 10, Owen published the name *Dinornis novae-zealandiae*, the species being based on a femur, a tibio-tarsus and a tarso-metatarsus described in that order.

These three specimens are the co-types, and are the f12 (femur), t2 (tibia) and m3 (metatarsus) of No. (3) below.

¹ At the time when this application was submitted, its authors inserted a hyphen between the two portions of this compound specific name, this being the way in which it had been published by Owen. At Paris in 1948 the Thirteenth International Congress of Zoology amended Article 15 by deleting therefrom the option under which authors had till then been free to connect with a hyphen the two portions of a compound name (1950, *Bull. zool. Nomencl.* **4** : 197—198). In accordance with the foregoing decision, the specific name here dealt with is printed in the Ruling given in the present *Opinion* as a single word without a hyphen—thus, as *novaezealandiae*. The hyphen has, however, been retained in printing the application reproduced in paragraph 1 of the present *Opinion* and in the comment by Dr. Joshua L. Baily printed in paragraph 5, since both these documents were written before the foregoing decision was taken by the Paris Congress and in each of them the authors concerned had employed a hyphen in citing the specific name, thus referring to it as “ *novae-zealandiae* ”.

(2) In March 1844, *Proc. zool. Soc. Lond.* **11**(129) : 144, Owen published the names *Dinornis struthoides* and *Dinornis ingens*, both *nomina nuda*.

(3) In June 1844, *Trans. zool. Soc. Lond.* **3**(3) : 244—249, Owen published in full the paper of which No. (2) above was a preliminary notice.

He ignored his earlier proposal of *Dinornis novae-zealandiae* and described instead two species :—

page 244. *Dinornis struthoides*, the holotype of which is the metatarsus m3.

page 247. *Dinornis ingens*, the holotype of which is the tibio-tarsus t2.

On page 249 he referred the femur f12 to *Dinornis struthoides*. It was not, however, a co-type of *Dinornis struthoides*.

(4) In 1891, Lydekker, *Cat. foss. Birds Brit. Mus.* : 224, employed the name *Dinornis novaezealandiae*, and on page 224, footnote, and again on page 227 designated the tibia t2 (type of *Dinornis ingens* Owen) as the lectotype of *Dinornis novae-zealandiae* Owen.

On page 244 he cited *Dinornis struthoides* Owen, accepting the tarso-metatarsus m3 as its type.

The point at issue is whether Owen's designation of the tarso-metatarsus m3 as the type of *Dinornis struthoides*, and of the tibio-tarsus t2 as the type of *Dinornis ingens*, invalidates Lydekker's subsequent selection of t2 as the lectotype of *Dinornis novae-zealandiae* Owen.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. By the time that the present application was received in its final form the records of the International Commission had been evacuated from London as a precaution against the risk of destruction through air raids in the war in which Great Britain had then become involved. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in October 1944, but, owing

to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (Archey & Allan, 1947, *Bull. zool. Nomencl.* **1** : 257).

3. Comment by Dr. Karl Jordan (*British Museum (Natural History) Zoological Museum, Tring, Herts, England*): Shortly before the present application was sent to the printer, there was an exchange of correspondence in regard to it between the Secretary and Dr. Karl Jordan (*British Museum (Natural History) Zoological Museum, Tring, Herts, England*), at that time President of the International Commission. In a letter dated 19th September 1944, Dr. Jordan wrote:—

The name *Dinornis novaezealandiae* Owen, 1843, cannot simply be left on one side. The species so named is the type species of the genus *Dinornis*. No type specimen having previously been selected for this species, Lydekker's action was in order.

4. Issue of Public Notices: Although it appeared unlikely that the International Commission would find it necessary or desirable to use its Plenary Powers in the present case, it was decided in 1947 that, as an insurance against such a contingency, it would be advantageous to take this possibility into account, having regard to the fact that at that time the issue raised by the present application was of a novel character and the meaning of the Article (Article 31) of the *Règles* involved was far from clear. Accordingly, on 29th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications specified by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited one comment which is given in the immediately following paragraph.

5. Comment by Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*): The following comment was received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) under cover of a letter dated 13th December 1947:—

As stated, the solution of this problem seems quite clear to me. Owen had before him in 1844 three specimens designated as f12, t2 and m3. To these he gave three names—*D. novae-zealandiae*, which he had already published in 1843, *D. struthoides*, and *D. ingens*.

If the three specimens are con-specific, the correct name will be *D. novae-zealandiae*, since this was the first name given.

The fact that in 1843 he designated the three specimens as co-types indicates that Owen considered them at first to be con-specific, but the fact that he subsequently published the names *D. struthoides* and *D. ingens* and designated as their respective holotypes m3 and t2 shows that he later changed his mind. Further, his choice of holotypes constitutes presumptive evidence that Owen thought it would automatically follow that f12 would become the holotype of *D. novae-zealandiae*. But according to the Rules a presumptive intention is not sufficient for the establishment of a type specimen; Owen should have stated definitely that f12 was the type specimen of *D. novae-zealandiae* if such was his intention. But he did not do so, and this failure left the door open for Lydekker who designated f2 as the type specimen of *D. novae-zealandiae*. This action makes *D. ingens* and *D. novae-zealandii* identical synonyms, since they have a common type specimen, and the name *D. ingens* must be discarded since it has no priority, and f12 if not con-specific must be given a new name.

But it might be desirable to retain Owen's three names for the three species for which he intended them, if this custom had been established by long usage. This could not, however, be done without suspension of the Rules. Whether suspension would be justified is a question that would have to be answered by the paleornithologists. My point is that Owen's failure to designate a holotype or, later, to select a lectotype for *D. novae-zealandiae* makes it impossible to carry out his obvious intention without suspension of the Rules.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. One of the earliest acts of the International Commission on Zoological Nomenclature at its Paris Session was to revise and clarify the provisions of Article 31 relating to the selection of lectotypes for nominal species (Paris Session, 4th Meeting, Conclusion 11) (1950, *Bull. zool. Nomencl.* 4 : 73—76)¹. It was in the light of the decision of principle so taken that the International Commission considered the problem submitted by Dr. Archey and Dr. Allan at the Fourteenth Meeting of its Paris Session held

¹ The provisions of Article 31 were further reviewed and amended by the Fourteenth International Congress of Zoology at Copenhagen in 1953. The changes so made (1953, *Copenhagen Decisions zool. Nomencl.* : 72—78) did not however in any way affect the interpretation of that Article given by the International Commission in the present case at Paris in 1948.

at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 14) (1950, *Bull. zool. Nomencl.* 4 : 448—450) :—

THE COMMISSION agreed :—

- (1) that Lydekker (1891) did not act in contravention of Article 31 when he selected from among the three syntypes of the nominal species *Dinornis novaezealandiae* Owen, 1843, the tibio-tarsus (t2) to be the lectotype of that species and consequently the foregoing lectotype selection, being the first to have been made under Article 31, was valid under the *Règles*;
- (2) that, in view of (1) above, the trivial name *ingens* Owen, 1844 (published in the binominal combination *Dinornis ingens*), being the trivial name of a nominal species of which the specimen referred to in (1) above was the holotype, was an objective synonym of the older trivial name *novaezealandiae* Owen, 1843 ;
- (3) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—
 - novaezealandiae* Owen, 1843 (as published in the binominal combination *Dinornis novaezealandiae*), determined in the manner specified in (1) above ;
 - struthoides* Owen, 1844 (as published in the binominal combination *Dinornis struthoides*) ;
- (4) to place the trivial name *ingens* Owen, 1844 (as published in the binominal combination *Dinornis ingens*), on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology* ;
- (5) to render an *Opinion* recording the decisions specified in (1) to (4) above.

7. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

ingens, *Dinornis*, Owen, 1844, *Trans. zool. Soc. Lond.* 3(3) : 247
novaezealandiae, *Dinornis*, Owen, 1843, *Proc. zool. Soc. Lond.*

11(120) : 8, 10

struthoides, *Dinornis*, Owen, 1844, *Trans. zool. Soc. Lond.* 3(3) : 244

8. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 113—114).

9. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

10. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

11. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “ trivial name ” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “ trivial ” appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “ specific name ” was substituted for the expression “ trivial name ” and corresponding changes were made in the

titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.*: 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

12. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

13. The present *Opinion* shall be known as *Opinion Two Hundred and Twenty-Nine* (229) of the International Commission on Zoological Nomenclature.

DONE in London this Fifth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 20. Pp. 231—238

OPINION 230

Suppression, under the Plenary Powers, of Gesner (J.),
1758, *Tractatus physicus de Petrificatis* for nomenclatorial
purposes



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 230

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*).

Professor Lodovico di CAPORIACCO (*University of Parma, Italy*).

Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).

Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÄRCK (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 230

SUPPRESSION, UNDER THE PLENARY POWERS, OF GESNER (J.), 1758, "TRACTATUS PHYSICUS DE PETRIFICATIS" FOR NOMENCLATORIAL PURPOSES

RULING :—(1) The work by Gesner (J.) entitled *Tractatus physicus de Petrificatis* published in 1758 is hereby suppressed for nomenclatorial purposes under the Plenary Powers, in so far as the use of those Powers is necessary to secure this end.

(2) The foregoing work is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 2.

I.—THE STATEMENT OF THE CASE

On 28th June 1939 Dr. J. Brookes Knight (then of *Princeton University, Department of Geology, Princeton, New Jersey, U.S.A.*) submitted the following application to the International Commission on Zoological Nomenclature for a ruling on the question whether the work by Gesner (J.) entitled *Tractatus physicus de Petrificatis* published in 1758 was an available work and therefore whether names published in it possessed a status of availability under the *Règles* :—

Proposal that Gesner (J.), 1758, "Tractatus physicus de Petrificatis", should be suppressed for nomenclatorial purposes.

By J. BROOKES KNIGHT

(*Department of Geology, Princeton University, Princeton, New Jersey.*)

I wish to have an *Opinion* from the International Commission on the status of the names Gesner (J.), 1758, *Tractatus physicus de Petrificatis* . . .

Gesner apparently names and describes (in Latin) genera, without referring species to them. Later authors have used the same generic names, usually without any statement as to the authorship of the names, and have included species in them. However, since about 1830 most of these names, all ending in “-ites”, have gone out of fashion. Such as are still used are attributed to authors subsequent to Gesner. A few authors have noted Gesner's names and have rejected them out of hand as not being binominal. As a rule, they are overlooked. Sherborn accepted Gesner's names as available.

If the International Commission should decide that Gesner's generic names are technically available, it is suggested that the whole work be made unavailable under suspension of the rules, on the grounds that the adoption, as from 1758, of the names that appear in Gesner's *Tractatus physicus* would cause considerable confusion in various fields of taxonomy. Nothing would be gained by retaining them as available, save priority of the most sterile sort. Such of the names as are taken up by later authors (with, or without, reference to Gesner) should be considered valid or not on the merits of such later usage and should date from such usage, without jeopardy of homonymy with Gesner's names.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the present application was given the Registered Number ZN.(S.) 146. The outbreak of war in Europe in September 1939, barely two months after the receipt of this application, rendered impossible any immediate progress in its consideration, for, as a precaution against the risk of destruction through air raids, all the records of the International Commission were evacuated from London to the country within a few days of the commencement of hostilities. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually

take place until 28th February 1947 (Knight, 1947, *Bull. zool. Nomencl.* **1** : 222).

3. The publication of the present application in the *Bulletin* elicited two comments :—(1) from Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*); (2) from Dr. J. Brookes Knight giving particulars of the views of certain members of the Joint Committee on Zoological Nomenclature for Paleontology in America.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen)* : In a letter dated 8th April 1947 Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*) made the following comment on this case :—“Suppression of Gesner’s *Tractatus* : Yes”.

5. *Views of four members of the Joint Committee on Zoological Nomenclature for Paleontology in America* : In a letter dated 12th November 1947, Dr. J. Brookes Knight, the present applicant, who at that time was Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America, wrote :—

Committeeman Stenzel was asked to draw up a Resolution on this proposal. However, he has been in the field ever since then and has had no opportunity to consider matters of nomenclature. Even without a Resolution, four committeemen, Wells, Moore, Cooper and Keen, expressed themselves as favoring suppression.

6. *Issue of Public Notices* : In view of the fact that in the present application the International Commission had been asked to use its Plenary Powers to suppress Gesner’s *Tractatus* in the event of its finding that this work had been published in conditions which satisfied the provisions of Article 25 of the *Règles*, it was decided in 1947 that the best course would be at once to take the action prescribed in Plenary Powers cases, so that, if the Commission were to decide to make use of that procedure, it should be free at once to do so. Accordingly, on 14th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 49) (1950, *Bull. zool. Nomencl.* 4 : 418—420) :—

THE COMMISSION :—

- (1) took note that the specialists who had expressed an opinion on the application submitted in regard to the treatment of new “names” published in 1758 in Gesner’s *Tractatus physicus de petrificatis* were unanimous in considering that those “names” should not be accepted ;
- (2) without prejudice to the question whether in his *Tractatus* of 1758 Gesner applied the principles of binominal nomenclature and therefore whether new “names” in that work possessed any availability under the *Règles*, agreed to use their Plenary Powers in so far as necessary to suppress the foregoing work for all nomenclatorial purposes ;
- (3) placed on record that, in view of the decision specified in (2) above, any “name”, the first publication of which subsequent to 1757 was in Gesner’s *Tractatus* of 1758, ranks for purposes of the Law of Priority (Article 25) and of the Law of Homonymy (Article 34) as from the date subsequent to the *Tractatus* on which it was first published in conditions which satisfy the requirements of Article 25 and is to be attributed to the author by whom it was so published ;
- (4) agreed to render an *Opinion* recording the decisions specified in (1) to (3) above.

8. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 110).

9. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hinde *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

10. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

11. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an " Official Index " to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of the title of Gesner's *Tractatus*.

12. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International

Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

13. The present *Opinion* shall be known as *Opinion* Two Hundred and Thirty (230) of the International Commission on Zoological Nomenclature.

DONE in London this Sixth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 231

Rejection for nomenclatorial purposes of Martin (W.), 1793, *Figures and Descriptions of Petrifications collected in Derbyshire* and of the work by the same author published in 1809 under the title *Petrificata Derbiensia*

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 231

A. The Officers of the Commission

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Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

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Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

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Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 231

REJECTION FOR NOMENCLATORIAL PURPOSES
OF MARTIN (W.), 1793, "FIGURES AND
DESCRIPTIONS OF PETRIFACTIONS
COLLECTED IN DERBYSHIRE" AND
OF THE WORK BY THE SAME
AUTHOR PUBLISHED IN 1809
UNDER THE TITLE "PET-
RIFICATA DERBIENSIA"

RULING :—(1) Martin (W.) did not apply the principles of binominal nomenclature in the under-mentioned works, which are accordingly unavailable for nomenclatorial purposes :—(a) Martin, 1793, *Figures and Descriptions of Petrifications collected in Derbyshire* ; (b) Martin, 1809, *Petrificata Derbiensia : or Figures and Descriptions of Petrifications collected in Derbyshire*.

(2) The foregoing works are accordingly hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Works Nos. 3 and 4.

(3) The International Commission on Zoological Nomenclature is prepared to give sympathetic consideration to any application which may be submitted to it by interested specialists for the validation, under the Plenary Powers, as from Martin, 1809, of any specific name first published by that author in the *Petrificata Derbiensia* where that name is in common use and it can be shown that, in consequence of the decision given in (1) above, it would be necessary to change that name and that such change would lead to confusion in nomenclature.

I.—THE STATEMENT OF THE CASE

On 28th June 1939 Dr. J. Brookes Knight (then of *Princeton University, Department of Geology, Princeton, New Jersey, U.S.A.*) submitted the following application to the International Commission on Zoological Nomenclature for a ruling on the question of the availability of names published in the work by William Martin entitled *Figures and Descriptions of Petrifications collected in Derbyshire* published in 1793 and in the work by the same author entitled *Petrificata Derbiensia: or Figures and Descriptions of Petrifications collected in Derbyshire* published in 1809:—

On the status of Martin (W.), 1793, “ Fig. Descr. Petrif. Derbyshire”, and 1809, “ Petrificata Derbiensia ”

By J. BROOKES KNIGHT

(*Department of Geology, Princeton University, Princeton, New Jersey*)

I wish to have an *Opinion* from the International Commission on the status of the names in Martin (W.), 1809, *Petrificata Derbiensia*; or *Figures and descriptions of petrifications collected in Derbyshire*.

Martin seems to have been familiar with Linnean binominal nomenclature (see *Petrif. Derb.*: footnote bottom page opposite Plate 41) and yet he consistently employs for fossils trinominals such as *Conchylolithus Anomites productus*, where, for example, he calls *Conchylolithus* the “genus”, *Anomites* the “family”, and *productus* the “species”. He even employs designations of four terms such as *Conchylolithus Nautilites Ammonites listeri*. He explains his system of terms, I am uncertain as to whether or not they are names, in a separate work published at about the same time and referred to in *Petrif. Derb.* on page VIII. This separate work is: *Outlines of an attempt to establish a knowledge of extraneous fossils on scientific principles*, 1809.

To make my question more precise:—

- (1) Have the names that Martin considered “generic”, for example *Conchylolithus*, any standing in nomenclature?
- (2) Have the names that Martin considered as pertaining to “families”, for example *Anomites*, *Ammonites*, *Nautilites*, any standing in nomenclature from Martin’s usage of them, and more specifically standing as generic names?
- (3) Have the names that Martin considered as “specific” any standing in nomenclature as trivial names?

Later authors have almost universally adopted Martin's trivial names, citing them from *Petrificata Derbiensia*, 1809. His terms of higher rank have been universally ignored. His earlier usage of some of the terms may help throw some light on the matter. Thus in 1809 he uses the name *Conchylolithus Helicites catillus*. In 1793 (Martin (W.), *Figures and descriptions of petrifications collected in Derbyshire* (which is not his *Petrificata Derbiensia* of 1809, but a predecessor of that work)) he describes this species for the first time as "CONCHYLIOLITHUS (catillus) HELICIS"—followed by a Latin diagnosis. It is perfectly clear here from the discussion in English in the following paragraph that he does not here regard "*Conchylolithus*" as a name but merely a designation for fossilised shells. He begins his English discussion: "A fossil shell, of the genus *Helix*". Thus to rewrite the name in its correct form and in the nominative¹ case we would have "*Helix catillus*". Are the trivial names that appear in Martin, 1793, for example *catillus* as cited above, valid?

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the present application was given the Registered Number Z.N.(S.) 147. The outbreak of war in Europe in September 1939, barely two months after the receipt of this application, rendered impossible any immediate progress in its consideration, for, as a precaution against the risk of destruction through air raids, all the records of the International Commission were evacuated from London to the country within a few days of the commencement of hostilities. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31 March 1947 (Knight, 1947, *Bull. zool. Nomencl.* 1 : 260).

¹ See Opinion 183 (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 3 : 13—24).

3. *Issue of Public Notices* : In view of the possibility that the International Commission might take the view that one or other of Martin's two works were available for nomenclatorial purposes but that it was desirable that the work in question should be suppressed for those purposes, it was judged desirable in 1947 to put the Commission in a position at once to use its Plenary Powers in this case in the event of its deciding to make use of this procedure. Accordingly, on 29th September 1947, a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the use of the Plenary Powers in this case.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 15) (1950, *Bull. zool. Nomencl.* 4 : 450—452) :—

THE COMMISSION agreed :—

- (1) that in the undermentioned works Martin (W.) did not apply the “ principes de la nomenclature binominale ” as required by Proviso (b) to Article 25 and that therefore no name, whether an apparent generic name or an apparent trivial name, published in either of

these works possessed any availability under the *Règles* as from the date of being so published :—

(a) Martin, 1793, *Figures and Descriptions of Petrifications collected in Derbyshire* ;

(b) Martin, 1809, *Petrificata Derbiensia : or Figures and Descriptions of Petrifications collected in Derbyshire* ;

(2) to give sympathetic consideration to any application which might be submitted by interested specialists for the validation as from Martin, 1809, of any trivial name first published by that author in his *Petrificata derbiensia* where that name was in general use for a common species and it could be shown that under (1) above it would be necessary to change the name of that species and that such change would lead to confusion in nomenclature ;²

(3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

5. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 114).

6. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice*

² The invitation so extended by the International Commission has elicited from Dr. Helen Muir-Wood and Dr. C. J. Stubblefield a joint application for the validation, under the Plenary Powers, of two specific names for species of the Class Anthozoa and of eight such names for species of the Class Brachiopoda (Z.N.(S.) 461) (1951, *Bull. zool. Nomencl.* **6** : 7—17).

Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

7. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

8. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name". Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The change in terminology so adopted has been incorporated in the Ruling given in the present *Opinion*.

9. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of Martin's *Figures and Descriptions of Petrifications* of 1793 and of the same author's *Petrificata Derbiensia* of 1809.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission

by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Opinion* shall be known as *Opinion Two Hundred and Thirty-One (231)* of the International Commission on Zoological Nomenclature.

DONE in London this Sixth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 22. Pp. 249—274

OPINION 232

Suppression, under Plenary Powers, of twelve generic names in the Order Lepidoptera (Class Insecta) published by Illiger in 1807 in senses different from those in which those names were published by Fabricius later in the same year



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Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 232

SUPPRESSION, UNDER THE PLENARY POWERS, OF
TWELVE GENERIC NAMES IN THE ORDER
LEPIDOPTERA (CLASS INSECTA) PUBLISHED
BY ILLIGER IN 1807 IN SENSES
DIFFERENT FROM THOSE IN
WHICH THOSE NAMES WERE
PUBLISHED BY FABRICIUS
LATER IN THE SAME
YEAR

RULING :—(1) Under the Plenary Powers the under-mentioned generic names (Class Insecta, Order Lepidoptera) are hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy :—(a) *Apatura* [Illiger], 1807 ; (b) *Brassolis* [Illiger], 1807 ; (c) *Castnia* [Illiger], 1807 ; (d) *Emesis* [Illiger], 1807 ; (e) *Euploea* [Illiger], 1807 ; (f) *Helicopis* [Illiger], 1807 ; (g) *Mechanitis* [Illiger], 1807 ; (h) *Neptis* [Illiger], 1807 ; (i) *Nymphidium* [Illiger], 1807 ; (j) *Pontia* [Illiger], 1807 ; (k) *Urania* [Illiger], 1807.

(2) Under the Plenary Powers the generic name *Thymele* [Illiger], 1807, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—(a) the eleven names suppressed under (1) above, as Names Nos. 37 to 47 ; (b) *Thymele* [Illiger], 1807, as suppressed under (2) above, as Name No. 48 ; (c) *Thymele* Fabricius, 1807, as Name No. 49.

(4) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Nos. 657 to 663, with the gender severally specified below and with the type species specified in Point (3) of the Paris Conclusions quoted in paragraph 6 of the present *Opinion* :—(a) *Apatura* Fabricius, 1807 (feminine) ; (b) *Brassolis* Fabricius, 1807 (feminine) ; (c) *Castnia*

Fabricius, 1807 (feminine) ; (d) *Emesis* Fabricius, 1807 (feminine) ; (e) *Mechanitis* Fabricius, 1807 (feminine) ; (f) *Neptis* Fabricius, 1807 (feminine) ; (g) *Urania* Fabricius, 1807 (feminine).

(5) The under-mentioned generic names are hereby confirmed in their position on the *Official List of Generic Names in Zoology* with the Numbers previously allotted thereto in the *Opinions* cited below : (a) *Helicopsis* Fabricius, 1807, and *Pontia* Fabricius, 1807, as Nos. 565 and 566 (*Opinion* 137) ; (b) *Euploea* Fabricius, 1807, as No. 611 (*Opinion* 163) ; (c) *Nymphidium* Fabricius, 1807, as No. 614 (*Opinion* 171).

(6) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 41 to 51 :— (a) *aceris* Esper, 1783, as published in the combination *Papilio aceris*, without prejudice to the prior rights of the specific name *hylas* Linnaeus, 1758, as published in the combination *Papilio hylas*, if that name is held to belong to a sub-species of the same collective species ; (b) *caricae* Linnaeus, 1758, as published in the combination *Papilio caricae* ; (c) *cereus* Linnaeus, 1767, as published in the combination *Papilio cereus* ; (d) *corus* Fabricius, 1793, as published in the combination *Papilio corus* ; (e) *cupido* Linnaeus, 1758, as published in the combination *Papilio cupido* ; (f) *daplidice* Linnaeus, 1758, as published in the combination *Papilio daplidice* ; (g) *hylas* Linnaeus, 1758, as published in the combination *Papilio hylas* ; (h) *iris* Linnaeus, 1758, as published in the combination *Papilio iris* ; (i) *leilus* Linnaeus, 1758, as published in the combination *Papilio leilus* ; (j) *polymnia* Linnaeus, 1758, as published in the combination *Papilio polymnia* ; (k) *sophorae* Linnaeus, 1758, as published in the combination *Papilio sophorae*.

(7) The question of placing on the *Official List of Specific Names in Zoology* the specific name of the type species of *Castnia* Fabricius, 1807, is postponed for further consideration.

I.—THE STATEMENT OF THE CASE

The subject dealt with in the present *Opinion* was first raised in a paper by Mr. Francis Hemming entitled "The Question of the Work in which ten Generic Names in the Lepidoptera Rhopalocera hitherto attributed to Fabricius were first published in 1807: a Case for Decision by the International Commission on Zoological Nomenclature" published on 15th September 1939 (*Proc. R. ent. Soc. Lond.* (B) 8 : 181—191). In this paper Mr. Hemming showed that a number of extremely well-known generic names published by Fabricius in 1807 had been published slightly earlier in the same year by Illiger, by whom they had been used for entirely different species and therefore that the utmost confusion would be caused in the nomenclature of the Rhopalocera if through the strict application of the *Règles* it were necessary to discard the Fabrician usage of these names. Mr. Hemming then indicated that he proposed to ask the International Commission on Zoological Nomenclature to suppress the names in question as published by Illiger and to validate them as published by Fabricius. In the year 1943 Mr. Hemming, as Secretary to the International Commission, had occasion to re-study the early *Opinions* of the Commission and, in doing so, he found it necessary, in a note dated 21st November 1943 (*Ops. Decls. int. Comm. zool. Nomencl.* 1 : 79—82), to draw attention to the fact that under the interpretation of Proviso (a) to Article 25 given in that *Opinion* a generic name published, prior to 1st January 1931, without a definition or description in words of the genus so named, was available only if a type species was designated or indicated for the genus in question¹. In these circumstances Mr. Hemming deleted from his application four Illiger names (*Brassolis*, *Euploea*, *Mechanitis*, *Thymele*) which had been included in his paper of 1939 but which, under *Opinion* 1, were seen to be invalid and which it was therefore now unnecessary to suppress under the Plenary Powers. Mr. Hemming's application so modified was submitted to the International Commission on 20th June 1943. It was as follows :—

¹ As explained in paragraph 6 of the present *Opinion*, the interpretation of Proviso (a) to Article 25 given in *Opinion* 1 was repealed by the Thirteenth International Congress of Zoology, Paris, 1948.

On the question whether eight generic names in the Order Lepidoptera (Class Insecta) commonly accepted as having been published by Fabricius in 1807 were published by Illiger earlier in the same year

By FRANCIS HEMMING, C.M.G., C.B.E.
(Secretary to the International Commission on Zoological Nomenclature.)

In volume 6 of the *Magazin für Insektenkunde* (Illiger), the title page of which is dated 1807, there appeared an article (pp. 277, 278) entitled "Die neueste Gattungs-Eintheilung der Schmetterlinge aus den Linnéischen Gattungen *Papilio* und *Sphinx*", to which was attached a synopsis (pp. 279—289) of the characters of 49 genera entitled "Schmetterlings-Gattungen. A. Nach Fabricii Systema Glossatorum Tom. I". The article itself was anonymous, but there is practically no doubt that it was written by Illiger. The synopsis of genera was, as the title shows, taken from Fabricius' unpublished *Systema Glossatorum*, and it is therefore perfectly correct to attribute to Fabricius² the new generic names included therein and not to Illiger or whoever was the anonymous author of the article beginning on p. 277. M. Felix Bryk in 1938 edited a facsimile (published by the Verlag Gustav Feller, Neubrandenburg) of one of the two surviving proof copies of Fabricius' unpublished *Systema Glossatorum*, in which all the 49 genera mentioned in the synopsis given in Illiger's *Magazin* are given in a preliminary Key ("Characteres Generum"), which also includes a fiftieth name for a genus of butterflies (*Casinia* Fabricius) which did not appear in the synopsis in the *Magazin*.

2. In the issue dated 19th December 1807 of the *Allgemeine-Literatur Zeitung*, which, though normally treated as being of Jena, was in fact at this time published at Halle, there is an anonymous article written by Illiger, which contains a detailed review of the first 34 plates of the *Sammlung exotischer Schmetterlinge* published by Jacob Hübner. A facsimile of this article is given on pp. 43—45 of volume 2 of my *Hübner* published by the Royal Entomological Society of London in

² In order to prevent any possibility of misunderstanding from arising, it should be made clear that, although (as stated) it is likely that Illiger (as the editor of the *Magazin für Insektenkunde*) actually compiled the paper here under discussion, there is no reason whatever to suppose that he was the author of the diagnoses given for the new genera, the names of which appear in the synopsis entitled "Schmetterlings-Gattungen". On the contrary, there is every reason to believe that these were the diagnoses written by Fabricius for these new genera and that Illiger's share in this matter was confined to picking out these diagnoses from the unpublished material written by Fabricius for his projected *Systema Glossatorum*—to which work the anonymous author (supposedly Illiger) of the paper under consideration attributed these names by the use of the sub-title "Nach Fabricii Systema Glossatorum". It may therefore be concluded that Fabricius and not Illiger devised the new generic names in question and wrote the diagnoses for the genera so named and that Illiger's role in the matter was no more than that of editor and publisher. It is for this reason that it is correct to attribute these names to Fabricius, as has always been done by subsequent authors. [F. H. 6th December 1953].

1937. In this article each of the species figured on the 34 plates in question is considered critically, and, as explained in a preliminary note, the generic name according to the system of Fabricius is added. In the following table, I give the names of the species figured by Hübner, the number of the plate on which each species is so figured, the genus assigned to each species by Hübner, and the genus of the Fabrician system allotted to each species by Illiger in the review referred to above:—

Generic names applied to the species figured on the first 34 plates published of Hübner's *Samm. exot. Schmett.* by Illiger in his anonymous review of the species so figured which appeared in the issue of 19th December 1807 of the *Allgem. Lit. Ztg.* Halle (Jena).

Name of species	Pl. no.	Generic name used by Hübner	Generic name used in <i>Allgem. Lit. Ztg.</i> Halle (Jena)
<i>aetolus</i>	[102]	<i>Rusticus</i>	<i>Hesperia</i>
<i>gnidus</i>	[104]	<i>Rusticus</i>	<i>Helicopsis</i>
<i>demoleas</i> [sic]	[116]	<i>Princeps</i>	<i>Papilio</i>
<i>hellica</i>	[141]	<i>Mancipium</i>	<i>Pontia</i>
<i>fabius</i>	[148]	<i>Consul</i>	<i>Brassolis</i> ?
<i>licus</i>	[150]	<i>Urbanus</i>	<i>Castnia</i>
<i>thraso</i>	[151]	<i>Urbanus</i>	<i>Thymeles</i>
<i>proteus</i>	[155]	<i>Urbanus</i>	<i>Thymeles</i>
<i>niveus</i>	[159]	<i>Urbanus</i>	<i>Thymeles</i>
<i>cymo</i>	[2]	<i>Nereis</i>	<i>Hymenitis</i>
<i>doto</i>	[1]	<i>Nereis</i>	<i>Hymenitis</i>
<i>neso</i>	[5]	<i>Nereis</i>	<i>Hymenitis</i>
<i>ninonia</i>	[6]	<i>Nereis</i>	<i>Hymenitis</i>
<i>polymnia</i>	[7]	<i>Nereis</i>	<i>Hymenitis</i>
<i>dianasa</i>	[8]	<i>Nereis</i>	<i>Mechanitis</i>
<i>eunice</i>	[9]	<i>Nereis</i>	<i>Neptis</i>
<i>vesta</i>	[11]	<i>Nereis</i>	<i>Mechanitis</i>
<i>thelxiope</i>	[12]	<i>Nereis</i>	<i>Mechanitis</i>
<i>thamar</i>	[15]	<i>Nereis</i>	<i>Mechanitis</i>
<i>dido</i>	[17]	<i>Nereis</i>	<i>Mechanitis</i>
<i>cora</i>	[25]	<i>Lemnas</i> [sic]	<i>Euploea</i>
<i>nemertes</i>	[26]	<i>Lemnas</i> [sic]	<i>Euploea</i>
<i>halimede</i>	[27]	<i>Limnas</i>	<i>Eurybia</i>
<i>leucosia</i>	[29]	<i>Limnas</i>	<i>Nymphidium</i>
<i>pharea</i>	[32]	<i>Limnas</i>	<i>Emesis</i>
<i>genutia</i>	[21]	<i>Limnas</i>	<i>Euploea</i>
<i>zygia</i>	[35]	<i>Lemonias</i>	<i>Lemonias</i>
<i>julia</i>	[43]	<i>Dryas</i>	<i>Mechanitis</i>
<i>vanillae</i>	[44]	<i>Dryas</i>	<i>Mechanitis</i>
<i>amphinome</i>	[47]	<i>Hamadryas</i>	<i>Apatura</i>
<i>astina</i>	[56]	<i>Hamadryas</i>	<i>Brassolis</i>
<i>themis</i>	[60]	<i>Najas</i>	<i>Brassolis</i>
<i>leonte</i>	[79]	<i>Potamis</i>	<i>Brassolis</i>
<i>leilaria</i>	[200]	<i>Lars</i>	<i>Urania</i>

3. It will be seen from column 4 of the preceding table that Illiger distributed the 34 species in question among 17 of what he called genera of the Fabrician system. Of these genera 15 belong to the sub-order Rhopalocera and 2 to the sub-order Heterocera, although

(as can be seen from the synopsis of Fabrician genera published in volume 6 of Illiger's *Magazin* and also from the unpublished *Systema Glossatorum* of Fabricius, discussed in paragraph 1 above) it is clear that both Illiger and Fabricius regarded these two genera as also belonging to what is now accepted as the sub-order Rhopalocera.

4. Two of the generic names used by Illiger in 1807 in the *Allgemeine-Literatur Zeitung* (namely *Papilio* and *Hesperia*) were published by other authors (Linnaeus and Fabricius respectively) long before 1807. These names are, therefore, not involved in the problem with which this paper is concerned.

5. Three of the names used by Illiger in the *Allgemeine-Literatur Zeitung* were not used by Fabricius in the paper published in volume 6 of Illiger's *Magazin*. These three names (*Eurybia*, *Hymenitis*, and *Lemonias*) are, therefore, also not involved in the present problem.

6. There are thus 12 names, the first publication of which may have occurred either (i) in the *Allgemeine-Literatur Zeitung* (in which case they should be attributed to Illiger) or (ii) in volume 6 of Illiger's *Magazin* (in which case they should be attributed to Fabricius).

7. Each of the generic names published by Fabricius in volume 6 of Illiger's *Magazin* was accompanied with a short definition and these names accordingly satisfy the requirements of proviso (a) to Article 25 of the International Code. The names published by Illiger in the *Allgemeine-Literatur Zeitung* stand in an altogether different position. Illiger gave no description or definition of these genera and it is necessary, therefore, to consider whether he gave an "indication" for these genera within the meaning of that expression as used in Article 25. The meaning to be attached to that expression has been laid down by the International Commission in *Opinion 1* (see 1944, *Opinions and Declarations rendered by the International Commission of Zoological Nomenclature 1* : 73—86). Of the provisions in *Opinion 1* relating to generic names, the only one under which any of the names published by Illiger in 1807 could qualify as having been published with an "indication" (and, therefore, as being available under Article 25) is the provision which lays it down that the "definite citation or designation of a type" is to be accepted as constituting an "indication". As pointed out in Note 5 to *Opinion 1* (1944, *ibid.* 1 : 79—82), it is clear from *Opinion 17* that, where a genus is monotypical, it is to be deemed for this purpose to have been published with "definite citation or designation of a type". In the case of the names published by Illiger in 1807 in the *Allgemeine-Literatur Zeitung*, it is necessary, therefore, to reject, as failing to satisfy proviso (a) to Article 25, any name published for a genus, for which no explanatory matter is given and in which two or more species were cited, none being specified as the type.

8. An examination of the table given in paragraph 2 above shows that 5 of the genera established by Illiger were cited with more than

one contained species and must, therefore (for the reasons explained above), be rejected as not being available nomenclatorially as from the date of their publication by Illiger in the *Allgemeine-Literatur Zeitung*. The names which must be rejected on these grounds are : *Brassolis* ; *Euploea* ; *Hymenitis* ; *Mechanitis* ; and *Thymele*. Of these, all except *Hymenitis* were published by Fabricius in volume 6 of Illiger's *Magazin* and this accordingly becomes the undisputed place of their first publication. All 5 of these names cease to be involved in the problem dealt with in the present paper, since none of them was validly published both by Illiger (in the *Allgemeine-Literatur Zeitung*) and by Fabricius (in volume 6 of Illiger's *Magazin*).

9. It will be seen, therefore, that of the 17 generic names used by Illiger in the *Allgemeine-Literatur Zeitung* (i.e. the names enumerated in column 4 of the table given in paragraph 2 above), 9 are not affected by the question of the relative dates of publication of Illiger's article in the above journal and of the paper giving the list of Fabrician genera which appeared in volume 6 of Illiger's *Magazin*. Of these names, 2 were eliminated because they were published by previous authors (paragraph 4) ; 3 were eliminated because they were not included in the list given in volume 6 of Illiger's *Magazin* (paragraph 5) ; and 4 were eliminated because in the *Allgemeine-Literatur Zeitung* they were not published in such a way as to satisfy the requirements of Article 25 of the Code (paragraph 8). There remain therefore 8 generic names, the first publication of which may have been in (i) the *Allgemeine-Literatur Zeitung* or (ii) volume 6 of Illiger's *Magazin*. These names are :—*Apatura* ; *Castnia* ; *Emesis* ; *Helicopis* ; *Neptis* ; *Nymphidium* ; *Pontia* ; and *Urania*.

10. It is necessary therefore at this stage to consider what evidence, whether direct or indirect, is available to determine whether or not the article in volume 6 of Illiger's *Magazin* appeared before that in the *Allgemeine-Literatur Zeitung* ; and therefore whether Fabricius is the author of the 8 names given in paragraph 9 above (as he would be in the former event) or whether Illiger through his review of Hübner's plates is the author of the 8 names in question (as would be the case in the latter event). This is not a matter of theoretical interest only, but is one of great practical importance, since in most cases the included species in the two papers are different, with the result that, if it proved to be the case that Illiger's review of Hübner's plates was published before the extract from Fabricius' *Systema* given in Illiger's *Magazin*, the types of the genera in question would need to be changed. The evidence available on the point at issue is given in the following paragraphs.

11. Illiger's review of Hübner's plates which appeared in the *Allgemeine-Literatur Zeitung* is known to have been published in 1807 on 19th December, since it was included in Number 303 of that journal which bears that date. As regards the article in Illiger's *Magazin*, the volume in question (vol. 6) is dated 1807, and in the absence of definite

evidence to the contrary must be accepted as having been published in that year. There is no direct evidence as to what month in that year the portion concerned (pp. 277—289) was published.

12. In paragraph 1 above, I have shown that the title of the article in Illiger's *Magazin* expressly states (p. 277) that the genera (49 in number) given in the synopsis (pp. 279—289) represent the latest revision of the Linnean genera *Papilio* and *Sphinx*, and that the title to the synopsis shows that this revision was the work of Fabricius. Further, in the same paragraph, I have shown that at the time in 1807, when Fabricius finished the manuscript of his *Systema Glossatorum* he had slightly modified the ideas set out in the article in Illiger's *Magazin* and had increased the number of genera from 49 to 50. There can therefore be no doubt that the article in Illiger's *Magazin* was not only written but also passed for final printing on some date in 1807 prior to the date in the same year on which Fabricius wrote the manuscript of his *Systema Glossatorum*.

13. Illiger's unsigned article published in the 19th December 1807 issue of the *Allgemeine-Literatur Zeitung* was concerned only with the first 34 plates of Hübner's *Sammlung exotischer Schmetterlinge* and the genera of Fabricius are mentioned only incidentally in relation to the species figured by Hübner on the plates under review. Nevertheless of the 17 Fabrician genera among which (as shown in paragraph 2 above) the species figured on these 34 plates were distributed, there were not less than 3 genera which appeared neither in the article in volume 6 of Illiger's *Magazin* nor in the proof of Fabricius' *Systema Glossatorum*, both of which expressly claimed, as at the dates concerned, to set out the latest revision by Fabricius of the genera *Papilio* Linnaeus and *Sphinx* Linnaeus. There can therefore be no doubt whatever that Illiger's review of Hübner's plates published on 19th December 1807 in the *Allgemeine-Literatur Zeitung* was written and therefore printed, subsequent to the date on which the paper in volume 6 of Illiger's *Magazin* was printed and passed for publication, and subsequent also to the date still later in 1807 on which Fabricius sent the manuscript of his *Systema Glossatorum* to the printer.

14. There thus remains one question only for consideration, namely the possibility that the Illiger *Magazin* article, though admittedly written before Illiger's review of the Hübner plates, was nevertheless actually published after the appearance of that review. Both are dated 1807 and the latter is dated 19th December of that year. In order therefore to sustain an argument that these articles were published in 1807 in the reverse order to that in which they were written, it would be necessary to show (i) that the publication of vol. 6 of Illiger's *Magazin* was delayed until after 19th December 1807 and therefore took place during the twelve-day period from 20th December 1807 to 31st December 1807; and (ii) that, although by 19th December Fabricius had subdivided the Linnean genera *Papilio* and *Sphinx* into

53 genera (50 given in the proof of the *Systema Glossatorum* which was sent to the printer in 1807 prior to the date on which Illiger wrote his review of Hübner's plates, plus three genera, the names of which appeared for the first time in the said review), both Fabricius, as author, and Illiger, as editor of the *Magazin*, allowed the publication of a paper which expressly claimed to give the latest particulars relating to Fabricius' system but which was in fact already out of date, in that it omitted 4 of the 53 genera which, on the hypothesis here under consideration, Fabricius had already adopted.

15. I must, however, add that in correspondence with me the late Dr. Foster H. Benjamin put forward the view that vol. 6 of Illiger's *Magazin* was published after the close of 1807 (although it bears the date of that year), and therefore that Illiger's review in the *Allgemeine-Literatur Zeitung* was published well before the synopsis of Fabricius' genera given in vol. 6 of Illiger's *Magazin*. Dr. Benjamin based this view upon the following considerations. In the first place, he considered that the fact that volumes 3 and 4 of Illiger's *Magazin* were not reviewed in the *Allgemeine-Literatur Zeitung* until the early part of 1807, and that vol. 5 was reviewed in the same journal later in that year indicated that for some reason the publication of the successive volumes of Illiger's *Magazin* was retarded and did not necessarily take place in the years given on the title pages of the volumes concerned. Dr. Benjamin then drew attention to the fact that in the case of one set of Illiger's *Magazin* preserved in the United States which appeared to be in contemporary binding, volumes 3 and 4 were bound in a single volume. From this he deduced that some cause—perhaps lack of funds—led to a delay in the distribution of vol. 3 with the result that that volume was not distributed until 4 was ready for distribution also. Dr. Benjamin then referred to the Reichard fire in which admittedly a large part of the stock of vol. 6 of Illiger's *Magazin* was destroyed. He stated that he was aware of three copies in the United States, which he accepted as originals, but he took the view that this volume was not distributed (i.e. was not published) in 1807 or indeed at any date sufficiently early to permit of it being reviewed by Illiger in the *Allgemeine-Literatur Zeitung*. In other words, according to this argument, this volume was not distributed at least until the end of 1808. Dr. Benjamin considered that, having regard to the fact that the *Allgemeine-Literatur Zeitung* was issued at intervals of three days only and that Illiger would be the first person in the world to have at his disposal for review purposes a copy of vol. 6 of his own *Magazin*, he would certainly have reviewed that volume if it had been published during the period in which he was writing reviews for the *Allgemeine-Literatur Zeitung*. Finally, Dr. Benjamin drew attention to the fact that the main text of vol. 4 of Latreille's *Gen. Crust. Ins.*, published in 1809, contained no reference to vol. 6 of Illiger's *Magazin*, while the addenda to the above volume of Latreille's work was full of such references. From this, Dr. Benjamin concluded that Latreille did not receive vol. 6 of Illiger's *Magazin*.

until about 1809, when it was too late for him to include any references thereto in the main portion of vol. 4 of his own work.

16. It is now necessary to examine the various arguments summarised in the preceding paragraph. Dr. Benjamin, it should first be noted, attached great importance to the slow and spasmodic way in which Illiger reviewed his own *Magazin* in the *Allgemeine-Literatur Zeitung*, and to the fact that vol. 6 of the *Magazin* was never reviewed in it at all. It must be remembered, however, that the *Allgemeine-Literatur Zeitung* was primarily concerned with the reviewing of separate works and not with that of journals; and, in so far as journals were reviewed, it would not cause surprise if the reviewer (in this case Illiger) exhibited a certain modesty in reviewing a journal (in this case Illiger's *Magazin*) of which he was himself the editor, except perhaps when there was a shortage of other material and it was necessary to fill up a space. The point made by Dr. Benjamin that in one set of Illiger's *Magazin* preserved in the United States volumes 3 and 4 are bound in a single volume in what appears to be contemporary binding, cannot mean more than that the original owner of that copy found it convenient to bind up these two volumes in this way, since there are numerous copies in Europe which equally appear to be in contemporary binding, though volumes 3 and 4 are separately bound. In any case, the way in which the volumes of this work were bound depended on the choice of the purchaser and not upon Illiger, since there was certainly in this case no such thing as a publisher's binding. As regards the Reichard fire, there is no doubt that part of the stock of vol. 6 of Illiger's *Magazin* was destroyed in this way, but, judging from the number of complete sets of Illiger's *Magazin* extant in Europe, a considerable number of copies had either been sold before the fire took place or escaped destruction on that occasion. The evidence afforded by vol. 4 of Latreille's *Gen. Crust. Ins.* certainly shows almost beyond doubt that Latreille did not obtain a copy of vol. 6 of Illiger's *Magazin* until some time in 1809; but it throws no light upon the question of the date on which that volume of Illiger's *Magazin* was published. Indeed, when it is remembered that the Napoleonic wars were in full swing during the period in question, it is perhaps surprising to find that in 1809 a French naturalist was able to secure a copy of a German publication within two years of its publication. As regards the suggestion that perhaps Illiger found himself in financial difficulties—a suggestion supported by no concrete evidence whatever—it must be observed that vol. 6 of Illiger's *Magazin* is dated 1807 on the title page and therefore that the type at least must have been set up in that year. This being so, the main cost, that of printing, had already been incurred in 1807, and, if Illiger had been in financial difficulties, he would certainly not have delayed the actual publication of the volume on that account. On the contrary, his first consideration would have been to secure that publication took place at the earliest possible moment in order that through sales he might recoup himself to some extent at least in respect of the expenditure already incurred on printing.

17. The considerations advanced in the preceding paragraph appear to me to show, as conclusively as is possible in the absence of direct evidence, that there are no grounds for concluding that the publication of volume 6 of Illiger's *Magazin* was postponed until after the close of 1807. Nor do there appear to me to be any grounds for holding that the portion of volume 6 of Illiger's *Magazin* containing the list of Fabrician genera was published after the publication (on 19th December 1807) of Illiger's paper in the *Allgemeine-Literatur Zeitung*, which (as shown in paragraph 13 above) was undoubtedly written (even it was not published) after, and not before, the compilation of the list of Fabrician genera in volume 6 of Illiger's *Magazin*. I recognise, however, that these are no more than personal opinions on a question on which opinions may differ. I recognise also that there is always a chance that, in spite of the care with which the early entomological literature has been examined by many workers, evidence may some day be found which may show that, in fact, the publication of volume 6 of Illiger's *Magazin* was delayed and in consequence that the list of Fabrician genera contained in that volume was not published until after the publication of Illiger's review in the *Allgemeine-Literatur Zeitung*.

18. The fact that there is a doubt regarding the place where these important generic names were first published and in consequence that there is a doubt regarding the types of the genera concerned introduces a serious element of uncertainty into the nomenclature of some of the most representative genera in the sub-order Rhopalocera. Further, the risk that the Illiger names may at anytime be found to have been published before their Fabrician counter-parts means that there is a serious contingent risk of confusion arising in the nomenclature of the groups concerned. How serious the confusion would be if the Illiger names were to take priority over those proposed by Fabricius can be gauged from the following examples :—

- (1) If *Neptis* Illiger, 1807, were found to be an older name than *Neptis* Fabricius, 1807, the type of the genus bearing the name "*Neptis*" would cease to be *Papilio aceris* Esper [1783], and would become *Nereis eunice* Hübner [1807], the sole species placed by Illiger in the genus *Neptis*. In other words, the generic name *Neptis* would cease to apply to the very large group of Old World species universally referred to the genus *Neptis* and would be transferred to the equally well-known New World genus now universally known as *Phyciodes* Hübner [1819], *Verz. bekannt. Schmett.* (2) : 29.
- (2) If *Apatura* Illiger, 1807, were found to be an older name than *Apatura* Fabricius, 1807, the type of the genus bearing the name "*Apatura*" would cease to be *Papilio iris* Linnaeus, 1758, and would become *Papilio amphinome* Linnaeus, 1767. In

other words, the generic name "*Apatura*" would cease to apply to the extremely well-known European and Asiatic genus now universally so named and would be transferred to the very well-known Neotropical genus, the oldest available name for which is *Hamadryas* Hübner [1806], but which is commonly known as *Ageronia* Hübner [1819], *Verz. bekannt. Schmett.* (3) : 42.

- (3) If *Emesis* Illiger, 1807, were found to be an older name than *Emesis* Fabricius, 1807, the type of the genus bearing the name "*Emesis*" would cease to be *Hesperia ovidius* Fabricius, 1793, and would become *Limnas pharea* Hübner [1807]. In other words, *Emesis*, which is a very well-known genus in the family RIODINIDAE, would be transferred from the extensive group now universally known by that name to the genus in the same family now known by the name *Mesene* Doubleday, 1847, *List Spec. lep. Ins. Brit. Mus.* 2 : 7.

19. It will be seen from the foregoing examples that, unless and until definite evidence is forthcoming regarding the relative dates of publication of the Illiger and Fabrician names, the strict application of the Rules to the eight generic names enumerated in paragraph 9 above can never secure any stability in the nomenclature of the groups concerned. On the contrary, it would be open to any worker to form his own conclusion regarding the relative dates of publication of these names and, having done so, either to accept these names as having been first published by Fabricius or to accept them as having been first published by Illiger. In either case, the worker concerned would be acting perfectly correctly under the Code. The result could only be confusion rather than uniformity. The present problem, is, therefore, one which can only be resolved by the International Commission on Zoological Nomenclature deciding to use for this purpose the Plenary Powers conferred upon them in 1913 for settling cases where, in their judgment, the strict application of the Rules would clearly lead to greater confusion than uniformity.

20. In 1935 the International Commission were confronted with a very similar case which involved the question whether a particular paper by Fabricius (actually the paper in volume 6 of Illiger's *Magazin*, with which also the present case is concerned) was published before, or after, certain plates in volume 1 of Hübner's *Sammlung exotischer Schmetterlinge*. In the absence of a decision by the Commission, it was in that case a matter of doubt whether the oldest available names for the three genera concerned were the names published by Fabricius or those published by Hübner. This case was considered by the Commission at Lisbon on 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 21, published in 1943, *Bull. zool. Nomencl.* 1 : 20) and the decision then taken has been embodied in *Opinion* 137 (1942,

Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 2 : 21—28). That *Opinion* provides that, unless and until evidence to the contrary is forthcoming the names proposed by Fabricius shall have precedence over those proposed for the same genera by Hübner and that, in the event of evidence later being found to show that Hübner's plates (on the legends of which the names in question occur) were published before the paper by Fabricius, the names proposed by Hübner are, under suspension of the Rules, to be suppressed in favour of the names proposed by Fabricius. This decision represented a complete and satisfactory solution of the difficulty presented by that case and a parallel decision in the present case would provide an equally satisfactory solution.

21. I accordingly petition the International Commission on Zoological Nomenclature to render an *Opinion* stating :—

- (i) that unless and until further evidence is forthcoming regarding the precise date on which was published the paper by Fabricius in volume 6 (: 277—289) of Illiger's *Magazin für Insektenkunde*, issued under the date "1807", the generic names published in that paper shall have precedence over the names proposed by Illiger in the review of the portions so far published of volume 1 of Hübner's *Sammlung exotischer Schmetterlinge* published on pages 1177—1181 of Part 303 of the *Allgem. Lit. Ztg.*, Halle [Jena], issued on 19th December 1807 ; and
- (ii) that in the event of evidence later being found to show that Illiger's review was published before Fabricius's paper, the names *Apatura*, *Castnia*, *Emesis*, *Helicopis*, *Neptis*, *Nymphidium*, *Pontia*, and *Urania*, as published by Illiger are, under suspension of the Rules, to be suppressed in favour of the same names as published by Fabricius.

22. In order that the position may be settled beyond possibility of further argument, I consider that it is desirable that the names *Apatura*, *Castnia*, *Emesis*, *Helicopis*, *Neptis*, *Nymphidium*, and *Urania* as published by Fabricius should be placed on the *Official List of Generic Names in Zoology*. If the recommendation in paragraph 21 above is approved, no such action is needed as regards *Pontia* Fabricius, 1807, since that name was added to the *Official List* as the result of the decision embodied in *Opinion* 137.

23. I accordingly further petition that the International Commission when acting in the manner recommended in paragraph 21 above, should place on the *Official List of Generic Names in Zoology* the under-mentioned generic names, with types as shown, each of which has been

duly designated in accordance with the provisions of Article 30 of the International Code :—

Name of genus	Type of genus
(1) <i>Apatura</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 280	<i>Papilio iris</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 476 (type designated by Curtis, 1831, <i>Brit. Entom.</i> 8 : pl. 338)
(2) <i>Castnia</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 280	<i>Papilio icarus</i> Cramer [1775], <i>Uitl. Kapellen</i> 1 (2) : 26 (type designated by Latreille, 1810, <i>Consid. gén. Crust. Arach. Ins.</i> : 440)
(3) <i>Emesis</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 287	<i>Hesperia ovidius</i> Fabricius, 1793, <i>Ent. syst.</i> 3 (1) : 320 (type designated by Westwood [1851], in Doubleday, <i>Gen. diurn. Lep.</i> (2) : 421, 446)
(4) <i>Helicopsis</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 285	<i>Papilio cupido</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 482 (type designated by Scudder, 1875, <i>Proc. Amer. Acad. Arts Sci.</i> , Boston 10 : 186)
(5) <i>Neptis</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 282	<i>Papilio aceris</i> Esper [1783], <i>Die Schmett.</i> 1 (Bd. 2) Forts. Tagschmett. : 142, pl. 81, figs. 3, 4 (type designated by Crotch, 1872, <i>Cistula ent.</i> 1 : 66)
(6) <i>Nymphidium</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 286	<i>Papilio caricae</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 484 (type designated by Crotch, 1872, <i>Cistula ent.</i> 1 : 66)
(7) <i>Urania</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 279	<i>Papilio leilus</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 462 (type designated by Latreille, 1810, <i>Consid. gén. Crust. Arach. Ins.</i> : 440)

II.—THE STATEMENT OF THE CASE

2. On receipt, the present application was given the Registered Number Z.N.(S.) 148. At that time the *Bulletin of Zoological Nomenclature* had just been established as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision, and work was in active progress on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (Hemming, 1947, *Bull. zool. Nomencl.* 1 : 261—269).

3. At the time of the submission of the present application, Mr. N. D. Riley (*British Museum (Natural History), London*) and Mr. W. H. T. Tams of the same Institution had already signified their support for the action proposed.

4. The publication of the present application in the *Bulletin* elicited support from Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*) who in a letter dated 8th April 1947 wrote the word "Yes" against this proposal.

5. *Issue of Public Notices* : On 14th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. At an early stage of its work during the Session held at Paris in 1948 the International Commission on Zoological Nomenclature reviewed the interpretation of Proviso (a) to Article 25 of the *Règles* given in 1907 in its *Opinion* 1 and decided to repeal that interpretation and to substitute therefor a provision under which a generic name published prior to 1st January 1931, should possess a status of availability when published without a definition or description in words, when the name or names of one or more previously established nominal species were cited by the original author of the generic name as belonging to the genus in question (Paris Session, 4th Meeting, Conclusion 13) (1950, *Bull. zool. Nomencl.* 4 : 78—80). The adoption of the foregoing decision had the effect, *inter alia*, of providing a status of availability for the four names cited in paragraph 1 above which in his paper of 1939 Mr. Hemming had proposed should be suppressed by the International Commission under its Plenary Powers but which for the reasons explained in that paragraph he had omitted from the revised proposals which he had submitted in his application of June 1943. In view of the decision taken, as explained above, to liberalise the provisions of Proviso (a) to Article 25, Mr.

Hemming at once reinstated his earlier proposals for the suppression of the four names referred to above. It was on this basis that the present application was considered by the International Commission at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 16) (1950, *Bull. zool. Nomencl.* 4 : 452—459):—

THE COMMISSION agreed :—

(1) to use their Plenary Powers, in so far as that might be necessary :—

(a) to suppress for the purposes of Articles 25 and 34 the undermentioned generic names published in the issue of 19th December, 1807, of the *Allgemeine-Literatur Zeitung*, Halle [Jena], in an anonymous review by Illiger of the first 34 plates of Jacob Hübner's *Sammlung exotischer Schmetterlinge* to have been published :—

Apatura [Illiger], 1807.

Brassolis [Illiger], 1807.

Castnia [Illiger], 1807.

Emesis [Illiger], 1807.

Euploea [Illiger], 1807.

Helicopis [Illiger], 1807.

Mechanitis [Illiger], 1807.

Neptis [Illiger], 1807.

Nymphidium [Illiger], 1807.

Pontia [Illiger], 1807.

Thymele [Illiger], 1807.

Urania [Illiger], 1807.

(b) to render available under Article 25 and 34 all the generic names specified above other than *Thymele*,

as published by Fabricius in 1807 in Volume 6 of Illiger's *Magazin für Naturkunde* ;

(2) to place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the 12 generic names specified in (1) (a) above ;

(3) to place the undermentioned generic names, with the type species severally specified below, on the *Official List of Generic Names in Zoology* :—

<i>Name of genus</i> (1)	<i>Type species of genus</i> <i>specified in Col. (1)</i> (2)
<i>Apatura</i> Fabricius, 1807	<i>Papilio iris</i> Linnaeus, 1758 (type species selected by Curtis, 1831)
<i>Brassolis</i> Fabricius, 1807	<i>Papilio sophorae</i> Linnaeus, 1758 (type species selected by Blanchard, 1840)
<i>Castnia</i> Fabricius, 1807	<i>Papilio icarus</i> Cramer [1775] (type species selected by Latreille, 1810)
<i>Emesis</i> Fabricius, 1807	<i>Hesperia ovidus</i> Fabricius, 1793 [= <i>Papilio cereus</i> Linnaeus, 1767] (type species selected by West- wood [1851])
<i>Mechanitis</i> Fabricius, 1807	<i>Papilio polymnia</i> Linnaeus, 1758 (type species selected by Scudder, 1875)
<i>Neptis</i> Fabricius, 1807	<i>Papilio aceris</i> Esper [1783] [= <i>Papilio hylas</i> Linnaeus, 1758, ssp.] (type species selected by Crotch, 1872)
<i>Urania</i> Fabricius, 1807	<i>Papilio leilus</i> Linnaeus, 1758 (type species selected by Latreille, 1810) ;

- (4) to confirm the entries on the *Official List of Generic Names in Zoology* relating to the undermentioned generic names, with the type species severally specified below :—

<i>Name of genus</i> (1)	<i>Type species of genus</i> <i>specified in Col. (1)</i> (2)
<i>Euploea</i> Fabricius, 1807	<i>Papilio corus</i> Fabricius, 1793 (type species designated under the Plenary Powers in <i>Opinion</i> 163)
<i>Helicopsis</i> Fabricius, 1807	<i>Papilio cupido</i> Linnaeus, 1758 (type species selected by Scudder, 1875)
<i>Nymphidium</i> Fabricius, 1807	<i>Papilio caricae</i> Linnaeus, 1758 (type species selected by Crotch, 1872)
<i>Pontia</i> Fabricius, 1807	<i>Papilio daplidice</i> Linnaeus, 1758 (type species selected by Curtis, 1824)

- (5) to place the generic name *Thymele* Fabricius, 1807 (type species, by selection by Westwood, 1840 : *Papilio tages* Linnaeus, 1758), on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;

- (6) to place on the *Official List of Specific Trivial Names in Zoology* the undermentioned trivial names, being the trivial names of the type species of certain of the genera, the names of which had been placed on the *Official List of Generic Names in Zoology* under (3) above, with the exception of the trivial name *hylas* Linnaeus, 1758, which, from the standpoint of some specialists, was the trivial name of a sub-species of the same collective species as, and had priority over, the trivial name *aceris* Esper [1780], the type species of the genus *Neptis* Fabricius, 1807 :—

aceris Esper [1783] (as published in the binominal combination *Papilio aceris*) (without prejudice to

the prior rights of the trivial name *hylas* Linnaeus, 1758, if that name is held to apply to a sub-species of the same collective species)

cereus Linnaeus, 1767 (as published in the binominal combination *Papilio cereus*)

hylas Linnaeus, 1758 (as published in the binominal combination *Papilio hylas*)

iris Linnaeus, 1758 (as published in the binominal combination *Papilio iris*)

polymnia Linnaeus, 1758 (as published in the binominal combination *Papilio polymnia*)

sophorae Linnaeus, 1758 (as published in the binominal combination *Papilio sophorae*);

(7) to take note that, under the decisions adopted at the time of the establishment of the *Official List of Specific Trivial Names in Zoology*, the trivial names of the type species of the genera specified in (4) above, being all the oldest available names for the species severally concerned, were to be placed on the foregoing *Official List*;

(8) to invite the Secretary of the Commission, in consultation with other specialists in the Order Lepidoptera, to submit proposals for the determination by the Commission, under the procedure agreed upon at the meeting³ of the relative priority to be assigned to different names for the same species and to the same name for different species published in 1775 (a) by Cramer in volume 1 of his *Uitlandsche Kapellen* (b) by von Rottemburg in a paper entitled *Anmerkungen zu den Hufnagelischen Tabellen der Schmetterlinge* published in volume 6 of the journal *Naturforscher* (c) by Schiffermüller & Denis in the anonymous work *Ankündigung eines systematischen Werkes von den Schemtterlingen der Wiener Gegend*, and (d) by Fabricius in his *Systema Entomologiae*;

³ See *Paris Session, 7th Meeting, Conclusion* 18 (1950, *Bull. zool. Nomencl.* 4 : 223); *Paris Session, 9th Meeting, Conclusion* 23 (*ibid.* 4 : 257).

- (9) to place on the *Official List of Specific Trivial Names in Zoology* whichever might, in the light of the decision on (8) above, be found to be the oldest available trivial name for the type species of the genus *Castnia* Fabricius, 1807 ;
- (10) to place on the *Official List of Specific Trivial Names in Zoology* whichever, after consultation with specialists, was found to be the oldest available trivial name for the type species of the genus *Urania* Fabricius, 1807 ;
- (11) to render *Opinions* recording the decisions specified in (1) to (6), and, when completed, in (9) and (10) above.

7. On the publication in 1950 of the Official Record of the Proceedings of the International Commission during its Session held in Paris in 1948, it was possible for Mr. Hemming to initiate the investigation entrusted to him on the question of the order of priority which it was desirable should be allotted to the four works on Palaearctic butterflies published in 1775 specified in Point (8) in the immediately preceding paragraph. Towards the close of the year 1951 Mr. Hemming judged that the stage had been reached at which it was desirable that a general appeal should be made to interested specialists to furnish the Commission with statements of their views on the foregoing question. Mr. Hemming accordingly prepared a short note which was published in April 1952 (Hemming, 1952, *Bull. zool. Nomencl.* 7 : 204—206). It is hoped that it will be possible for the Commission at an early date to reach a decision on this question. Pending such a decision it is impossible to determine what is the oldest available name for the type species of the genus *Castnia* Fabricius, 1807. Accordingly, in the Ruling given in the present *Opinion* it has been necessary to reserve this question for further consideration.

8. In the spring of 1951, the Secretary entered into the consultations prescribed on the question reserved for further consideration under Point (10) of the Paris Conclusions quoted in paragraph 6 above with a view to determining whether the specific name *leilus* Linnaeus, 1758, as published in the combination *Papilio leilus* (the specific name of the type species of *Urania* Fabricius,

1807) was the oldest available name for the species in question and whether, therefore, under the foregoing Conclusion, that name should be placed forthwith on the *Official List of Specific Names in Zoology*. On this subject Mr. N. D. Riley (*British Museum (Natural History), London*) wrote as follows on 20th June 1951 :—" I have discussed with Tams the question regarding the availability of the name *Papilio leilus* Linnaeus, 1758, the type species of *Urania* Fabricius, 1807, about which you wrote to me on 15th May. I find that the decision at Paris to leave this matter over temporarily for further examination was an unnecessary precaution, for the name *leilus* is an available name and there is no doubt at all regarding the identification of *leilus* with the well-known species habitually known by this name. There is no doubt also that this species is the type species of *Urania*, as it was so selected by Latreille in 1810 only three years after the establishment of this genus." In these circumstances, the name *leilus* Linnaeus, 1758, as published in the combination *Papilio leilus*, has, in accordance with the decision recorded in the Conclusion referred to above, been placed on the *Official List of Specific Names in Zoology* in the Ruling given in the present *Opinion*.

9. The following are the original references for the names which appear in the decision set out in paragraph 6 above :—

- aceris*, *Papilio*, Esper [1783], *Die Schmett.* 1 (Bd. 2) Forts. Tagschmett. : 142, pl. 81, figs. 3 ♂, 4 ♀
Apatura [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] 1807 (No. 2) : 1181
Apatura Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 280
Brassolis [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] 1807 (No. 2) : 1181
Brassolis Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 282
caricae, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 484
Castnia [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] 1807 (No. 2) : 1180
Castnia Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 280
cereus, *Papilio*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 : *Errata*
corus, *Papilio*, Fabricius, 1793, *Ent. syst.* 3 (1) : 41
cupido, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 482
daplidice, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 468

- Emesis* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180
- Emesis* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 287
- Euploea* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180, 1181
- Euploea* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 280
- Helicopsis* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180
- Helicopsis* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 285
- hylas*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 486 ♂ nec ♀
- iris*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 476
- leilus*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 462
- Mechanitis* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180, 1181
- Mechanitis* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 284
- Neptis* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180
- Neptis* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger), **6** : 282
- Nymphidium* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180
- Nymphidium* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 286
- polymnia*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 466
- Pontia* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180
- Pontia* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 283
- sophorae*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 471
- Thymele* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1180
- Thymele* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 287
- Urania* [Illiger], 1807, *Allgem. Lit. Ztg*, Halle [Jena] **1807** (No. 2) : 1181
- Urania* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 279

10. The following are the references to the type selections referred to in the decision quoted in paragraph 6 above ; the genera to which these selections refer are cited in brackets (parentheses).

- Blanchard, 1840, *Hist. nat. Ins.* **3** : 453 (*Brassolis* Fabricius)
- Crotch, 1872, *Cistula ent.* **1** : 66 (*Neptis* Fabricius)
- Crotch, 1872, *Cistula ent.* **1** : 66 (*Nymphidium* Fabricius)

- Curtis, 1824, *Brit. Entom.* **1** : pl. 48 (*Pontia* Fabricius)
 Curtis, 1831, *Brit. Entom.* **8** : pl. 338 (*Apatura* Fabricius)
 Latreille, 1810, *Consid. gén. Crust. Arach. Ins.* : 440 (*Castnia* Fabricius)
 Latreille, 1810, *Consid. gén. Crust. Arach. Ins.* : 440 (*Urania* Fabricius)
 Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston **10** : 186 (*Helicopsis* Fabricius)
 Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston **10** : 212 (*Mechanitis* Fabricius)
 Westwood [1851], in Doubleday, *Gen. diurn. Lep.* (2) : 421, 446 (*Emesis* Fabricius)

11. The genders of the generic names *Apatura* Fabricius, 1807, *Brassolis* Fabricius, 1807, *Castnia* Fabricius, 1807, *Emesis* Fabricius, 1807, *Mechanitis* Fabricius, 1807, *Neptis* Fabricius, 1807, and *Urania* Fabricius, 1807, referred to in the decision quoted in paragraph 6 above, are feminine.

12. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 114)

13. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

14. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

15. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.*: 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

16. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

17. The present *Opinion* shall be known as *Opinion* Two Hundred and Thirty-Two (232) of the International Commission on Zoological Nomenclature.

DONE in London this Seventh day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 23. Pp. 275—296

OPINION 233

Suppression, under the Plenary Powers, of the name
Octopodia Schneider, 1784 (Class Cephalopoda), and of
certain reputed names published by the same author in
1784



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 233

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

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Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

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Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologiske Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÄRCK (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE
 NAME "OCTOPODIA" SCHNEIDER, 1784 (CLASS
 CEPHALOPODA), AND OF CERTAIN REPUTED
 NAMES PUBLISHED BY THE SAME AUTHOR
 IN 1784

RULING :—(1) Under the Plenary Powers the following names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy :—(a) the generic name *Octopodia* Schneider, 1784 (Class Cephalopoda); (b) the undermentioned specific names, all published in combination with the generic name *Octopodia* : (i) *moschites* Schneider, 1784; (ii) *nautilus* Schneider, 1784; (iii) *polypus* Schneider, 1784; (iv) *sepia* Schneider, 1784; (v) *teuthis* Schneider, 1784.

(2) The undermentioned reputed generic names were never published by Schneider, the names so attributed to that author being cheironyms, owing their alleged existence to a misreading by later authors of the relevant passages of Schneider's work *Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte* of 1784, where Schneider used, as specific names of species referred by him to his own genus *Octopodia*, the words later wrongly thought to have been published by him as generic names, the error arising, presumably, from the fact that, following the practice of many XVIIIth century authors, he printed the words in question with capital initial letters and did not actually combine the specific names in question with the name of the genus (*Octopodia*) to which he referred those species, that generic name being cited only at the head of the account given for the genus :—(a) *Loligo* Schneider, 1784; (b) *Moschites* Schneider, 1784; (c) *Nautilus* Schneider, 1784; (d) *Polypus* Schneider, 1784; (e) *Pompilus* Schneider, 1784 (as already recorded in *Opinion* 166); (f) *Sepia* Schneider, 1784; (g) *Sepiola* Schneider, 1784; (h) *Teuthis* Schneider, 1784.

(3) The undermentioned generic names are hereby placed on the *Official List of Generic Names in Zoology*

as Names Nos. 664 and 665 :—(a) *Eledone* Leach, 1817 (gender of name : feminine) (type species, by monotypy : *Octopus moschatus* Lamarck, 1798) (Class Cephalopoda) ; (b) *Octopus* Cuvier, [1797] (gender of name : masculine) (type species, by Linnean tautonymy (*Opinion* 16) : *Octopus vulgare* Cuvier, [1797]) (Class Cephalopoda).

(4) The undermentioned generic and alleged generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 50 to 60 :—(a) *Octopodia* Schneider, 1784, as suppressed under (1)(a) above ; (b) the eight reputed but non-existent names enumerated in (2) above ; (c) *Ozoena* Rafinesque, 1814 ; (d) *Polypus* Leach, 1817.

(5) The undermentioned names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 52 and 53 :—(a) *moschatus* Lamarck, 1798, as published in the combination *Octopus moschatus* ; (b) *vulgare* Cuvier, [1797], as published in the combination *Octopus vulgare*.

(6) The five specific names, suppressed under (1)(b) above, are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Names Nos. 12 to 16.

I.—THE STATEMENT OF THE CASE

The preparation in the early part of 1943 of the *Opinion* (*Opinion* 166) (1945, *Ops. Decls. int. Comm. zool. Nomencl.* 2 : 375—398) required to give effect to the decision taken by the International Commission on Zoological Nomenclature under its Plenary Powers at Lisbon in 1935 in regard to the status of the name *Pompilus* Fabricius, 1798 (Class Insecta, Order Hymenoptera) involved consideration of the alleged generic name *Pompilus* Schneider, 1784, to which reference had been made in the application on which the foregoing *Opinion* was based. The investigation so undertaken by Mr. Francis Hemming, Secretary to the Commission, in conjunction with Dr. Karl Jordan, then President of the Commission, disclosed the existence of a complex of mis-

understandings regarding the names published by Schneider in 1784. This subject was dealt with in the following special Report prepared by Mr. Hemming, which was annexed to *Opinion* 166 as an Appendix (Hemming, 1945, *ibid.* 2 : 388—394) :—

On the status of the name "Pompilus" and certain other names commonly alleged to have been published as generic names by Schneider (J. G.) in 1784, "Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte", and on matters incidental thereto

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature.)

At their Session held at Lisbon in 1935 the International Commission on Zoological Nomenclature agreed to use their Plenary Powers for the purpose of validating the generic name *Pompilus* Fabricius, 1798, *Suppl. Ent. syst.* : 212 (type : *Pompilus pulcher* Fabricius, 1798, *Suppl. Ent. syst.* : 249) (Lisbon Session, 3rd Meeting, Conclusion 2(b)(18) and (c)(27), published in 1943, *Bull. zool. Nomencl.* 1 : 28, 29). The principal question involved in that case was the situation created by the existence of the older name *Psammochares* Latreille, 1796, for this genus. There was, however, a secondary problem arising from the alleged publication of the name *Pompilus* as a generic name by Schneider (J. G.) in 1784, *Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte* : 128, since, if there had been such a generic name as *Pompilus* Schneider, 1784, the name *Pompilus* Fabricius, 1798, would have been invalid as a homonym, quite apart from the difficulties created by the existence of the name *Psammochares* Latreille, 1796. After careful consideration, the International Commission unanimously agreed to overcome these difficulties (i) by suppressing the name *Psammochares* Latreille, 1796, under their Plenary Powers and (ii) by suppressing under the same Powers the name *Pompilus* Schneider, 1784, "if intended as a generic name".

2. It was not possible at Lisbon to consult a copy of Schneider's *Sammlung* and, in order to provide for this and certain similar cases, the International Commission at their meeting held at Lisbon on 18th September 1935 agreed "to authorise Commissioner Hemming to examine the report after the close of the Congress when works of reference were available to him, for the purpose of checking the accuracy of the bibliographical and other references cited therein, and to correct any errors which might be found before the text of the report was officially printed" (Lisbon Session, 5th Meeting, Conclusion (1c), published in 1943, *Bull. zool. Nomencl.* 1 : 44). Accordingly, the problem created by the alleged existence of the generic name *Pompilus* Schneider, 1784, was examined by Commissioner Francis Hemming, Secretary to the Commission, jointly with Commissioner

Karl Jordan, President of the Commission, in the early part of 1943, when the text of *Opinion* 166, containing the Commission's decision in regard to *Pompilus* Fabricius, 1798, was in course of preparation.

3. The results of the examination of Schneider's *Sammlung* of 1784 may be summarised as follows :—

- (a) The title of the article in Schneider's *Sammlung* in which the name "*Pompilus*" appears is : "Charakteristik des ganzen Geschlechts und der einzelnen Arten von Blakfischen", the article in question extending from page 103 to page 134.
- (b) In the above article, Schneider :—
 - (i) referred (: 105) to the 10th edition of the *Systema Naturae* of Linnaeus and quoted the diagnosis there given by Linnaeus for the genus *Sepia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 658 (though he did not cite the date of the 10th edition or give the page reference) ;
 - (ii) referred to the above diagnosis by the expression "Geschlechtskarakter" ;
 - (iii) said that he could not retain in its entirety and without alteration the "Geschlechtskarakter" (diagnosis) given by Linnaeus for the genus *Sepia* Linnaeus ;
 - (iv) gave a new "Geschlechtskarakter" for this genus covering all the species ("Arten") which he regarded as referable thereto ;
 - (v) set out (: 108) the revised "Geschlechtskarakter" in Latin accompanied with a version in German, thus :—
Octopodia. Caput cum oculis inter pedes et ventrem . . . (and so on)
 Blakfisch. Kopf und Augen zwischen Leib und Füssen . . . (and so on)
 - (vi) stated that he had selected as the name of the "Geschlecht" the word "*Octopodia*" employed in late Greek, in place of the ancient name *Polypus* ("Ich habe zum allgemeinen Geschlechtsnamen ein Wort gewählt, welches die neuern Griechen statt des alten *Polypus* brauchten"), and accordingly placed the name *Octopodia* at the head of the Latin text of the "Geschlechtskarakter" (quoted in (v) above) of this genus, the counterpart in the German version being "Blakfisch" (that name being derived from the German word "blaken", used to denote the "smoking" of a candle or lamp) ;
 - (vii) divided the "Geschlecht" *Octopodia* Schneider into two groups ("Klassen"), to which, however, he applied no names ;

(viii) stated that he gave to each species its old Greek or Latin name (“ damit ich hernach einer jeden Art ihren alten griechischen oder lateinischen Namen wieder geben möchte ”).

(ix) enumerated under the names shown in (c) below the eight species which he referred to the genus *Octopodia* Schneider.

(c) The following are the species referred by Schneider to the genus *Octopodia* Schneider :—

NOTE :—The following points should be noted : (a) Schneider cited the generic name *Octopodia* Schneider only on page 108 and did not repeat it in combination with the specific trivial names of the eight species referred by him to that genus, each of those species being cited by him only by its specific trivial name, that name being printed with a capital initial letter (as “ *Sepia* ”, “ *Loligo* ”, etc.) ; (b) As explained in (b) (viii) above, Schneider did not regard as new names the specific trivial names which he employed, but looked on them as old names revived, though in fact five of them are new names nomenclatorially, since Schneider was the first author to publish them after 1757 as the specific trivial components of binominal names formed in accordance with the system instituted by Linnaeus in 1758.

ERSTE CLASSE (: 109)

(i) *Octopodia sepia* Schneider, 1784

Schneider showed that his “ *Sepia* ” was the same species as *Sepia officinalis* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 658, no. 2. (“ Diese Art hält sich in Meer näher am Strande auf ”.)

(ii) *Octopodia loligo* (Linnaeus, 1758)

This species is *Sepia loligo* Linnaeus 1758, *Syst. Nat.* (ed. 10) 1 : 659, no. 4. (“ Dies soll nach Linnee [sic] die grosse Art des Rondelet und Needham sein ”.)

(iii) *Octopodia teuthis* Schneider, 1784

This species is the same as *Sepia media* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 659, no. 3. (“ Dies ist die Art, welche Linnee [sic] *Media* nennt ”.)

(iv) *Octopodia sepiola* (Linnaeus, 1758)

This species is *Sepia sepiola* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 659, no. 5. (Schneider says of this species : “ Diese Art ist bunt ”.)

ZWEYTE [sic] CLASSE (: 116)

(v) *Octopodia polypus* Schneider, 1784

This species is the same as *Sepia octopodia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 658, no. 1. Schneider

used the specific trivial name *polypus* because it was the old Greek name for this and, therefore, preferable, in his opinion, to the name *octopodia* used by Linnaeus in 1758. (Schneider says of this species : "Die Hauptschriftsteller von dieser Art, welche in dem angeführten Kennzeichen mit einander übereinstimmen, sind Herr Hasselquist und Koelreuter".)

(vi) *Octopodia moschites* Schneider, 1784

The name *moschites* does not appear in the 10th edition of Linnaeus. The description given by Schneider was based on classical and later accounts. The name *moschites* is derived from modern Greek : "Die neuern Griechen sollen ihn *μοσχίτης* nennen".

(vii) *Octopodia nautilus* Schneider, 1784

Schneider made it clear that this species is the same as *Argonauta argo* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 708, no. 231. Schneider added : "Diese Art hat Aristoteles mit Recht zu dem Geschlechte der Meerpolypen gezählt".

(viii) *Octopodia pompilus* [[recte] *pompilius*] (Linnaeus, 1758)

This is the species named *Nautilus pompilius* by Linnaeus in 1758, *Syst. Nat.* (ed. 10) 1 : 709, no. 233. The spelling of the specific trivial name as "*pompilus*" instead of "*pompilius*" was due either to an error of transcription on the part of Schneider or to a deliberate return to classical spelling. Schneider said of this species : "Ich gebe dieser Art den Namen, welchen Linnee [sic] aus dem Plinius beigelegt hat, ob er ihr gleich nicht zukommt".

- (d) In view of the fact that Linnaeus erroneously placed the genera *Argonauta* Linnaeus, 1758, and *Nautilus* Linnaeus, 1758, among the univalve mollusca, Schneider, when uniting these genera with *Sepia* Linnaeus, 1758, to form the genus *Octopodia* Schneider, 1784, was quite justified in using the expression "des ganzen Geschlechts" in the title of his article and in saying, as regards his own diagnosis ("Geschlechtscharakter") of the genus *Octopodia* Schneider, that it covered all the species referred by him to that genus.

4. It will be seen from the foregoing analysis of Schneider's *Sammlung* of 1784, that there is no such generic name as *Pompilus* Schneider, 1784,

and in consequence that the name *Pompilus* Fabricius, 1798, has at no time been a homonym. Accordingly, no difficulty arises under this head in connection with *Opinion* 166.

5. Certain nomenclatorial issues, unconnected with *Opinion* 166, are, however, disclosed by the examination of Schneider's *Sammlung*. As it is clearly most desirable that, where it is necessary in a given *Opinion* (as in *Opinion* 166) to examine the status of a particular name (as *Octopodia pompilus* Schneider, 1784), account should be taken of the effects of the conclusions reached not only as regards the particular name in question but also as regards any other name or names, the status of which is identical with that of the name examined. In the present case it is desirable, therefore, to examine the status of the other names used by Schneider in the article in which he described the species *Octopodia pompilus* [sic] (Linnaeus, 1758). The following notes are accordingly added, in order to show how the conclusions reached in regard to the specific trivial name "*pompilus*" used by Schneider for species no. 8 in his genus *Octopodia* affect the other names used by him in the same article. Finally a note is added in regard to the position of the generic name *Octopodia* Schneider, 1784.

6. The position as regards the specific trivial names used by Schneider in 1784 for species placed by him in the genus *Octopodia* Schneider may be summarised as follows :—

- (1) There is no force in either of the two arguments which at different times have been advanced against accepting as available under the *Règles Internationales* the names first published by Schneider in his *Sammlung* in 1784, namely :—
 - (a) that it is not clear that he used the expression "Geschlecht" as the equivalent of the expression "genus" of Linnaeus ; and
 - (b) that he divided the "Geschlecht" *Octopodia* into "Classen", thereby departing from the binary system of nomenclature.
- (2) As regards objection 1(a) above, it has already been shown conclusively in Section (b) of paragraph 3 of the present paper that Schneider's expression "Geschlecht" is identical with the expression "genus" as used by Linnaeus. Further, it should be noted that in various forms the expression "Geschlecht" has often been used by other authors as the equivalent of the expression "genus" and, therefore, that Schneider's use of this expression in this sense, though now not usual, is far from being unique. For example, towards the end of the XVIIIth century and at the beginning of the XIXth century, the word "Geschlecht" was in quite

common use as the designation for the systematic category next above the category of "species" and as the equivalent, therefore, of the expressions "genus" (Latin), "genre" (French), "Gattung" (German), "geslacht" (Dutch), and "slägt" (Swedish). Moreover, these words are all still in use to the present day in works on systematic zoology. The following are examples of such usage at various dates:—

- (a) Fuessli, 1778, *Mag. Ent.* 1 : 2 & ff. (Review of Voet's *Catalogus systematicus Coleopterorum*) : "Genus primum : *Scarabaeus*. Von diesem Geschlechte sind bis S. 34 überhaupt 153 Arten beschrieben und abgebildet. S. 35 folgt : *Genus secundum, Copris*, Von diesem Geschlechte sind erst 10 Arten beschrieben . . ." (and so on).
- (b) Helmuth, 1808, *Naturgeschichte* 5. "Das Geschlecht der Kolbenkäfer, *Scarabaeus*" (: 24) ; "Das Geschlecht der Bockkäfer, *Cerambyx*" (: 41) ; "Das Geschlecht der Wasserkäfer. *Dytiscus*" (: 48) . . . (and so on).
- (c) A. van Bemmelen, in Herklots, 1858, *Bouwstoffen voor eene Fauna van Nederland* 2 : 140. "Ons land is rijk an soorten van het geslacht *Cyprinus* ; de best bekende zijn : " (Here follows a list of 6 species : *Cyprinus rutilus*, *Cyprinus brama*, etc.).
- (d) Reuter, 1880, in *Ent. Tidskr.* 1 : 117. "Slägtöfversigt" (i.e. "survey (or key) of genera").

- (3) Objection (1)(b) above rests on the argument that Schneider was not an author who applied the principles of binary nomenclature and, therefore, that names published by him do not satisfy the requirements of proviso (b) to Article 25 of the *Règles Internationales*. The only evidence brought forward in support of this contention is that Schneider divided the "Geschlecht" *Octopodia* Schneider, 1784, into two groups (which he called "Classen"), intermediate in rank between genus and species. This objection is ill-founded, (a) because Schneider did not give names to his "Classen" and (b) because even if he had given names to his "Classen", such action would still not have constituted a departure from the principles of binary nomenclature. Quite apart from the fact that the *Règles Internationales* recognise (Articles 6—10) the subgenus as a category intermediate between the genus and the species, it should be noted that many strictly binominal authors from the time of Linnaeus onwards have established groups within a genus identical with the "Classen" established by Schneider and that many of these authors have given Latin names (in the nominative plural) to the groups so established. See, for example, the six named groups established by Linnaeus within the genus *Gryllus* Linnaeus, 1758, *Syst. Nat.* (ed. 10)

1 : 425—433 (Class Insecta, Order Orthoptera). In actual fact, as will be seen from paragraph 3(c) of the present paper, Schneider in his *Sammlung* of 1784 employed a strictly binominal system of nomenclature. Since a binominal system of nomenclature is *ex hypothesi* a binary system of nomenclature, it is not necessary here to consider whether Schneider used a system of nomenclature, which, though not binominal, was nevertheless a binary system in the sense in which that expression is interpreted in *Opinion* 20. This is fortunate, since the validity of the interpretation of the expression "binary nomenclature" as given in that *Opinion* is at present *sub judice* (see 1943, *Bull. zool. Nomencl.* 1 : 45, 55).

(4) In view of (2) and (3) above, no grounds exist on which either the generic or the specific trivial names first published by Schneider in his *Sammlung* of 1784 can be rejected as not satisfying the requirements of the *Règles Internationales*. All such names possess, therefore, rights under the Law of Priority as from 1784.

(5) The only new generic name published by Schneider in the article under discussion was *Octopodia* Schneider, 1784 (see paragraph 7 below). All the other generic names alleged to have been published by Schneider in that article are cheironyms (being based upon a misreading of the trivial names used by Schneider for species of the genus *Octopodia* Schneider) and should therefore, be deleted from all zoological *Nomenclators*. The cheironyms in question are :—

Loligo Schneider, 1784, *Samml. verm. Anhandl. Aufklär. Zool.* : 110

Moschites Schneider, 1784, *ibid.* : 118

Polypus Schneider, 1784, *ibid.* : 116

Pompilus Schneider, 1784, *ibid.* : 128

Sepiola Schneider, 1784, *ibid.* : 116

Teuthis Schneider, 1784, *ibid.* : 113

(6) In consequence of the elimination of the first five of the above cheironyms, the following names are no longer invalid by reason of being homonyms :—

Loligo Lamarck, 1798, *Bull. Sci. Soc. philomat.*, Paris 17 : 130

Moschites Hoyle, 1901, *Mem. Proc. Manchester lit. phil. Soc.* 45 (No. 9) : 1

Polypus Leach, 1817, *Zool. Miscell.* 3 : 139

Pompilus Fabricius, 1798, *Suppl. Ent. syst.* : 212

Sepiola Leach, 1817, *Zool. Miscell.* 3 : 140

(7) the elimination of the cheironym *Teuthis* Schneider, 1784 (and of the cheironyms *Nautilus* Schneider, 1784, and *Sepia* Schneider, 1784, if either of these names have been cited in

scientific publications) can have no effect upon the nomenclature of the groups concerned, since, even if such generic names had been published by Schneider in 1784, they would have been invalid as homonyms under Article 34 of the *Règles Internationales*, in view of the existence of the prior names *Teuthis* Linnaeus, 1766, *Nautilus* Linnaeus, 1758, and *Sepia* Linnaeus, 1758.

7. The position as regards the generic name *Octopodia* Schneider, 1784, may be summarised as follows :—

- (1) the generic name *Octopodia* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 108, is a nomenclatorially available name, since :—
 - (a) it was published with a definition (see paragraph 3(b)(v) above), thereby satisfying the requirements of proviso (a) to Article 25 of the *Règles Internationales* ; and
 - (b) was published by an author who applied a strictly binominal system of nomenclature, and, therefore, *ex hypothesi* a binary system of nomenclature (see paragraphs 3(c) and 6(3) above), thereby satisfying the requirements of proviso (b) to Article 25.
- (2) In view of (1) above, all uses of the word *Octopodia* as a new generic name by later authors are invalid since the generic name *Octopodia* as used by such authors is a homonym of *Octopodia* Schneider, 1784. Accordingly, the names *Octopodia* Gray, 1847, *Proc. zool. Soc. Lond.* **15** (178) : 205, and *Octopodia* Grimpe, 1925, *Wiss. Meeresuntersuch., Abh. Helgoland* **16** (3) : 13, are invalid under Article 34 of the *Règles Internationales*.
- (3) At the time when the generic name *Octopodia* Schneider, 1784, was published, *Octopodia polypus* Schneider, 1784 (one of the included species) already possessed a name (*Sepia octopodia* Linnaeus, 1758), of which the specific trivial component consisted of the same word (*octopodia*) as that selected by Schneider as the name for his new genus (*Octopodia*).
- (4) In view of (3) above and of the fact that Schneider did not designate a type for the genus *Octopodia* Schneider, 1784, the type of that genus is *Octopodia polypus* Schneider, 1784, by absolute tautonymy under Rule (d) in Article 30 of the *Règles Internationales*.

8. Now that it is seen that *Octopodia* Schneider, 1784, is an available generic name and that *Octopodia polypus* Schneider, 1784 (= *Sepia*

octopodia Linnaeus, 1758) is the type of this genus, it will be necessary to consider the position of the name *Octopus* Cuvier, [1797], *Tabl. elem.* : 380 (= *Octopus* Lamarck, 1798, *Bull. Soc. Sci. philomat.*, Paris 17 : 130), since clearly greater confusion than uniformity would result from the substitution of the name *Octopodia* Schneider, 1784, for the name *Octopus* Cuvier, [1797]. Specialists interested in this question are accordingly invited to communicate with the International Commission.

FRANCIS HEMMING.

*Secretary to the International Commission
on Zoological Nomenclature*

Secretariat of the Commission,
at the British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.

25th July 1943.

2. In carrying out the survey dealt with in the foregoing Report, Mr. Hemming was greatly assisted by Mr. R. Winckworth (*London*) and later it was agreed by the President that it would be convenient for the International Commission if, in addition to Mr. Hemming's Report, it had before it definite proposals for putting an end to the existing confusion regarding the names published by Schneider in 1784. Accordingly, in response to an invitation by Mr. Hemming, Mr. Winckworth prepared an application for the suppression of the names in question by the International Commission under its Plenary Powers. The application so prepared was submitted by Mr. Winckworth on 16th April 1945, when it was allotted the Registered Number Z.N.(S.) 187, the earlier stages of the present case having been dealt with on the File Z.N.(S.) 3, the file relating to *Opinion* 166. Mr. Winckworth's application was as follows :—

The names " *Octopus* " and " *Eledone* "

By R. WINCKWORTH

Application is here made for the suppression of all names in Schneider, 1784, and for *Octopus* and *Eledone* to be placed on the *Official List of Generic Names*.

In the paper by Schneider, 1784, on the whole group and the several kinds of inkfish, the original words for group (*Geschlecht*) and kind (*Art*) should be regarded as equivalent to genus and species. They have

however, been interpreted by some as meaning division and genus, e.g. by Herrmannsen, 1847, *Indicis Generum Malac.* 2 : 35 and by Hoyle, 1901, *Mem. Proc. Manchester Lit. Phil. Soc.* 44, no. 9, who introduced *Polypus* Schneider, 1784, as a generic name to replace *Octopus* Lamarck, 1798, with most unfortunate results.*

A strict application of priority would now require *Octopodia* Schneider, 1784, to replace *Octopus*. A similar confusion of usage would no doubt arise with the further confusion between the generic name *Octopodia* and the ordinal name Octopoda. The name *Octopus* is in general zoological usage and its use is not confined to specialists in mollusca; apart from the use of *Polypus* by a few specialists for about twenty years, *Octopus* has been consistently used for well over a century. I should also deplore the substitution of the almost unknown names of Schneider for well-established trivial names. I therefore ask that all names in Schneider, 1784, be suppressed and that *Octopus* Cuvier, 1797, and *Eledone* Leach, 1817, be placed on the *Official List of Generic Names* with types *Octopus vulgaris* Cuvier, 1797, and *Eledone moschata* (Lamarck) 1798.

Octopus is first used generically by Cuvier, an vi (27 December 1797), *Tableau Élémentaire* : 380 with two species of which the first "Le poulpe commun. (*Octopus vulgare*) *Sepia octopus* L. [i.e. Gmelin]" is by tautonymy the type. In the same year, an vi (1798) Lamarck, *Bull. Sci. Soc. philom.* 2 : 130 also proposed *Octopus* with first species *O. vulgaris*. Although Cuvier only gives two characters to distinguish *O. vulgaris* (which he writes in error *O. vulgare*) there is no doubt as to the species intended, since he says it is the common octopus of our seas and there is a figure on plate 9; he also mentions its large size. *Polypus* Leach, 1817, *Zool. Misc.* 3 : 139 is an exact synonym of *Octopus*. Some authors have called this species *Sepia octopodia* (L.), but *Sepia octopodia* Lin., 1758, must be considered indeterminate; it is not clear either from the references or other evidence whether it is an *Octopus* or an *Eledone*; while *Sepia octopus* Gmelin, 1791, repeats the Linnean aggregate with yet other references, so that it includes species of *Octopus*, *Eledone* and *Bathypolypus*.

Eledone Leach, 1817, *Zool. Misc.* 3 : 138 is monotypical with the sole species *Eledone moschata*=*Octopus moschatus* Lamarck, 1798. There is a rather close earlier generic name, *Eledona* Latreille, 1796, *Précis Car. Ins.* : 19 (coleoptera). There is also an earlier name for *Eledone*, namely *Ozoena* Rafinesque, 1814, *Précis Somiol.* : 29, where

* A rough count based on the *Zoological Record* for the period 1901—1920 gives an equal number of papers in which *Octopus* is used and in which *Polypus* is used, twenty-four new species being described under *Polypus*. Grimpe, 1920, *Zool. Anz.* 51 : 205 protested against the use of *Polypus*; and in the period 1921—1930 forty-eight papers use *Octopus* and only nine *Polypus*, and the latter name is now obsolete.

it occurs twice, in the sentence "*l'Octopus moschatus* de Lamarck est mon *Ozoena moschata*" and in a list of *nomina nuda* "Mes autres nouvelles espèces . . . *Ozoena aldrovandi*". It may be noted that Aldrovandus spells the word *Ozaena* and that there is an earlier *Ozaena* Olivier, 1812, which in any case invalidates¹ Rafinesque's name under Article 34. In 1901 Hoyle introduced *Moschites* Schneider, 1784, as a generic name to replace *Eledone*, on the false assumption that Schneider had proposed it generically. The only other name to discuss is *Hoylea* Rochebrune, 1885, substituted for *Hallia* Rochebrune, 1884, preoccupied; this is based on a specimen named *Hallia sepiodea*, which may be an abnormal *Octopus* but is probably an abnormal *Eledone cirrhosa* (Lamarck). Well over ninety per cent.* of the literature on this genus refers to it under the name *Eledone*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. *Issue of Public Notices* : On 14th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours.

* A rough count gave 130 works using *Eledone*, 13 using *Moschites*. For a further discussion on the name *Eledone* see Robson, 1932, *Monograph Cephalopoda Brit. Mus.* : 256.

¹ Under the revision of Article 34 carried through by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the area within which any two generic names are to be treated as homonyms of one another was greatly restricted, a difference in spelling of one letter becoming sufficient to prevent a condition of homonymy from arising. Accordingly, while Mr. Winckworth's statement that the foregoing names were homonyms of one another was correct under the *Règles*, as interpreted by Opinion 147, at the time when he wrote the above note, it is no longer so. The change made in Article 34 by the Copenhagen Congress was however accompanied by a saving clause in favour of cases already settled by the Commission on the basis of the earlier text of Article 34 (1953, *Copenhagen Decisions zool. Nomencl.* : 78).

The following is an extract from the Official Record of the proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 56) (1950, *Bull. zool. Nomencl.* 3 : 586—590) :—

THE COMMISSION agreed :—

(1) to use their Plenary Powers to suppress :—

(a) the generic name *Octopodia* Schneider, 1784 (Class Cephalopoda) ;

(b) the undermentioned specific trivial names :—

moschites Schneider, 1784 (as published in the binominal combination *Octopodia moschites*)

nautilus Schneider, 1784 (as published in the binominal combination *Octopodia nautilus*)

polypus Schneider, 1784 (as published in the binominal combination *Octopodia polypus*)

sepia Schneider, 1784 (as published in the binominal combination *Octopodia sepia*)

teuthis Schneider, 1784 (as published in the binominal combination *Octopodia teuthis*) ;

(2) to declare that the undermentioned reputed generic names were never published by Schneider, the names so attributed to that author being cheironyms, owing their alleged existence to a misreading by later authors of the relevant passage in Schneider's *Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte* where he used as trivial names of species of his own genus *Octopodia* the words later wrongly thought to have been published by him as generic names, the error arising (it must be supposed) from the fact that, following the practice of many 18th century authors, he printed the words in question with capital initial letters and did not actually combine the trivial names in question with the name of the genus (*Octopodia*) to which he referred those species, that

generic name being cited only at the head of the account given for the genus :—

Loligo Schneider, 1784

Moschites Schneider, 1784

Nautilus Schneider, 1784

Polypus Schneider, 1784

Pompilus Schneider, 1784 (as already recorded in *Opinion* 166)

Sepia Schneider, 1784

Sepiola Schneider, 1784

Teuthis Schneider, 1784 ;

(3) to place the undermentioned generic names on the *Official List of Generic Names in Zoology* :—

Eledone Leach, 1817 (type species, by monotypy : *Octopus moschatus* Lamarck, 1798) (Class Cephalopoda, Order Decapoda)

Octopus Cuvier [1797] (type species, by absolute tautonymy under the principle laid down in *Opinion* 16 : *Octopus vulgaris* (correction of *vulgare*) Cuvier [1797]) (Class Cephalopoda, Order Decapoda) ;

(4) to place the undermentioned generic names and alleged generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—

Loligo Schneider, 1784 (a cheironym possessing no status under the *Règles*)

Moschites Schneider, 1784 (a cheironym possessing no status under the *Règles*)

Nautilus Schneider, 1784 (a cheironym possessing no status under the *Règles*)

Octopodia Schneider, 1784 (suppressed under the Plenary Powers under (1) (a) above)

Ozoena Rafinesque, 1814 (invalid, because a junior homonym of *Ozaena* Olivier, 1812)²

Polypus Leach, 1817 (invalid, because an objective synonym of *Octopus* Cuvier [1797])

Polypus Schneider, 1784 (a cheironym possessing no status under the *Règles*)

² See footnote 1.

Pompilus Schneider, 1784 (a cheironym possessing no status under the *Règles*)

Sepia Schneider, 1784 (a cheironym possessing no status under the *Règles*)

Sepiola Schneider, 1784 (a cheironym possessing no status under the *Règles*)

Teuthis Schneider, 1784 (a cheironym possessing no status under the *Règles*) ;

(5) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—

moschatus Lamarck, 1798 (as published in the binominal combination *Octopus moschatus*)

vulgaris Cuvier [1797] (as published in the binominal combination *Octopus vulgaris*) ;

(6) to place on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology* the undermentioned trivial names suppressed under the Plenary Powers under (1) (b) above :—

moschites Schneider, 1784 (as published in the binominal combination *Octopodia moschites*)

nautilus Schneider, 1784 (as published in the binominal combination *Octopodia nautilus*)

polypus Schneider, 1784 (as published in the binominal combination *Octopodia polypus*)

sepia Schneider, 1784 (as published in the binominal combination *Octopodia sepia*)

teuthis Schneider, 1784 (as published in the binominal combination *Octopodia teuthis*) ;

(7) to render an *Opinion* recording the decisions specified in (1) to (6) above.

5. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

Eledone Leach, 1817, *Zool. Misc.* 3 : 138

Loligo Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* ;

- moschatus*, *Octopus*, Lamarck, 1798, *Bull. Sci. Soc. phlomat.*, Paris **17** : 130
- Moschites* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 118
- moschites*, *Octopodia*, Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 118
- Nautilus* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 120
- nautilus*, *Octopodia*, Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 120
- Octopodia* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 108
- Octopus* Cuvier, [1797], *Tabl. elem. Hist. nat. Anim.* : 380
- Ozoena* Rafinesque, 1814, *Précis Découv. Trav. somiolog.* : 29
- Polypus* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 116
- Polypus* Leach, 1817, *Zool. Misc.* **3** : 139
- polypus*, *Octopodia*, Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 116
- Pompilus* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 128
- Sepia* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 109
- sepia*, *Octopodia*, Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 109
- Sepiola* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 116
- Teuthis* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 113
- teuthis*, *Octopodia*, Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 113
- vulgare*, *Octopus*, Cuvier, [1797], *Tabl. elem. Hist. nat. Anim.* : 380

6. The genders of the generic names *Eledone* Leach, 1817, and *Octopus* Cuvier, [1797], referred to in the decision quoted in paragraph 4 above, are feminine and masculine respectively.

7. The decision in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 120).

8. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

9. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

10. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.*: 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the undersigned Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion Two Hundred and Thirty-Three* (233) of the International Commission on Zoological Nomenclature.

DONE in London this Eighth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 24. Pp. 297—312, 1 text-fig.

OPINION 234

Rejection for nomenclatorial purposes of the anonymously issued pamphlet entitled *Buprestidae* believed to have been written by F. W. Hope and distributed in the year 1836



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Price Seven Shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 234

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (*La Plata, Argentina*).

Mr. Francis HEMMING (*London, England*) (*Secretary to the Commission*).

Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*) (*President of the Commission*).

Dr. Th. MORTENSEN (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*).

Class 1952

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Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*).

Professor Lodovico di CAPORIACCO (*University of Parma, Italy*).

Professor J. R. DYMOND (*University of Toronto, Canada*).

Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (*United States Geological Survey, Washington, D.C., U.S.A.*).

Class 1955

Professor Dr. Hilbrand BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*).

Dr. William Thomas CALMAN (*Tayport, Fife, Scotland*).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*).

Professor Béla HANKÓ (*University of Debrecen, Hungary*).

Dr. Tadeusz JACZEWSKI (*Polish Zoological Museum, Warsaw, Poland*).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (*Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico*).

Dr. Edward HINDLE (*Zoological Society of London, London, England*).

Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

Professor Harold KIRBY (*University of California, Berkeley, California, U.S.A.*).

Dr. Henning LEMCHE (*Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark*).

Professor Kamel MANSOUR (*King Fouad University, Cairo, Egypt*).

Professor Z. P. METCALF (*North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.*).

Mr. N. D. RILEY (*British Museum (Natural History), London, England*).

Professor Ragnar SPÆRCK (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 234

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE ANONYMOUSLY ISSUED PAMPHLET ENTITLED “BUPRESTIDAE” BELIEVED TO HAVE BEEN WRITTEN BY F. W. HOPE AND DISTRIBUTED IN THE YEAR 1836

RULING :—(1) Names contained in the anonymous pamphlet entitled *Buprestidae* believed to have been written by F. W. Hope and distributed by that author in 1836 are not available for nomenclatorial purposes as from that pamphlet which was not published in the manner prescribed by Article 25 of the *Règles*.

(2) The title of the foregoing pamphlet is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 5.

I.—THE STATEMENT OF THE CASE

On 5th July 1936 the late Dr. H. J. Carter (*Wahroonga, New South Wales, Australia*) submitted to the International Commission on Zoological Nomenclature the following application in which he asked for a Ruling that the names first published in the anonymous pamphlet entitled *Buprestidae* believed to have been written by F. W. Hope and distributed by him in 1836 possessed no status for nomenclatorial purposes :—

Proposal that the pamphlet entitled “Buprestidae” privately and anonymously issued by Hope (F. W.) in 1836 should be suppressed for nomenclatorial purposes

By H. J. CARTER, B.A.

I am sending you a photographic copy¹ of a paper entitled “Buprestidae” privately issued by Hope in 1836. This paper aroused some stir in 1867 (see [1868], *Proc. ent. Soc. Lond.* (3) 5 : cix—cx). There is a reference to it also by Edward Saunders in 1868, *Trans. ent. Soc. Lond.* 1868 : 1—67.

¹ Not reproduced.

These references make it possible to estimate the trouble that is arising in systematic entomology through the publications by Dr. Jan Obenberger of Prague on the family BUPRESTIDAE.

The object of this appeal is to call attention to the confusion arising from the recognition by Dr. Obenberger of the validity of the names contained in Hope's pamphlet, in spite of the fact that it has been repudiated by authors in this group ever since 1868, on the ground that it was not published in a true sense.

I have already protested elsewhere (1934, *Ann. Mag. nat. Hist.* (10) 14 : 551, 553) against the recognition of this pamphlet. Is it possible to prevent further recognition of it? The genus *Stigmodera* Eschscholtz, 1829, *Zool. Atlas* 1 : 9, for example, contains some 400 species. When, therefore, a large number of obsolete names are revived as the result of the publication of a Catalogue of the BUPRESTIDAE, further serious confusion arises.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Dr. Carter's application was one of a number of current applications which in May 1938 were transferred to the care of Mr. Francis Hemming, who in 1936 had been elected Secretary to the Commission on the retirement of Dr. C. W. Stiles. On receipt, this application was given the Registered Number Z.N.(S.) 57. It had not been found possible to advance the consideration of this case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*.

3. When the present case came to be examined as a preliminary to its being published in the *Bulletin*, Mr. Hemming took the view that the information furnished by Dr. Carter was not

sufficient for the purposes of the Commission, and, on his invitation, Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*), then President of the Commission, investigated the problem submitted by Dr. Carter and on 3rd September furnished the following Report on it :—

On the pamphlet “ Buprestidae ” anonymously issued by Hope (F. W.) in 1836

By KARL JORDAN, Ph.D., F.R.S.

(*British Museum (Natural History), The Zoological Museum, Tring*)

According to what critics have said, the 13-page pamphlet “ Buprestidae ” is not a publication, but a privately printed and privately distributed list. It has no title-page, no author’s name, no price.

Hagen, 1862, *Bibl. entom.* 1 : 379, has the entry :—“ Buprestidae. (1836). 8 pg. 13. (nicht publicirt, Bibl. Hope) ”.

The Secretary to the Entomological Society of London (either J. W. Dunning or David Sharp, who were joint Secretaries at the time, but more probably the latter) criticised the pamphlet “ Buprestidae ” at a meeting of the Society held on 6th January 1868 (1868, *Proc. ent. Soc. Lond.* (3) 5 : cix—cx). The following is an extract from the criticism there advanced :—

The paper in question consists of thirteen pages, at the top of which is the word “ Buprestidae ” ; this is the only title it bears. There is no title-page, preface, introduction or explanation whatsoever ; no author’s name, no printer’s name, no date ; no name of any bookseller or of any other place at which the public might obtain it ; and as to many of the insects described, there is nothing to show that they are Australian species, or to point out the collections in which the type-specimens were deposited . . . I submit that the unpublished names of the anonymous print “ Buprestidae ” must give way to published names, whatever the date of the latter may be.

In the *Transactions of the Entomological Society of London* for 1868 (: 1—67), where Edw. Saunders published a revision of the Australian BUPRESTIDAE, Saunders said in a footnote (: 2) ; “ I have abandoned the names of the unpublished tract ‘ Buprestidae ’ in favour of published names, though later in point of date ”.

4. In September 1944 Dr. Carter’s application and Dr. Jordan’s note were sent to the printer, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until

26th July 1945 (Carter, 1945, *Bull. zool. Nomencl.*, **1** : 117—118 ; Jordan, 1945, *ibid.* **1** : 118).

5. The publication of the present application in the *Bulletin* elicited two comments :—the first from Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*), the second, from Mr. Francis J. Griffin, Honorary Archivist to the Commission.

6. *Comment by Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.)* : Among a number of comments on then current cases enclosed with a letter dated 17th November 1945 received from Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) was the following on the pamphlet *Buprestidae* :—“ A paper unpublished and without standing in nomenclature ”.

7. *Comment by Mr. Francis J. Griffin, Honorary Archivist to the Commission* : Under cover of a letter dated 24th January 1946, Mr. Francis J. Griffin, Honorary Archivist to the Commission, submitted the following communication in which he brought together all the information which he had been able to collect in regard to the pamphlet *Buprestidae*. With this communication Mr. Griffin furnished also a photostat reproduction of the first page of F. W. Hope's own copy (now preserved in the Hope Department, University Museum, Oxford), in which Hope's name had been added in ink as that of the author.

The anonymous pamphlet “ Buprestidae ” Hope, F. W., [1836]

By FRANCIS J. GRIFFIN
(*Archivist to the Commission*)

A. Introduction

In view of the proposal of Carter (1945) that Hope's pamphlet should be suppressed for nomenclatorial purposes the following notes may be useful.

2. The pamphlet consists of a single printed sheet of 16 pages with pp. 14—16 blank. It is without the name of the author, date, place of publication, or imprint of any kind, and for title bears the single word *Buprestidae* in large type (see fig. 1). The sheet bears the signature “ B ” and “ B 2 ” as is customary in British printing when signature A is reserved for preliminary matter, such as the title-page, contents, foreword and so forth.

3. In this pamphlet are described a number of new buprestid beetles from the collections of : Hope, Children, Spence, Banks and the British Museum. Although the pamphlet is scarce, a number of copies exist and without making exhaustive enquiries, I know of copies in London (*Roy. Ent. Soc. Lond.* (two copies), *Brit. Mus. (Nat. Hist.)* (two copies)), Oxford, Paris, Amsterdam and Berlin. Others may also exist elsewhere.

4. The questions which need answering in considering the proposal to suppress the work are :

- (1) Who is the author of the work ?
- (2) What is the date of the work ?
- (3) Is the work published or unpublished ?

B. The author of the work

5. It is always assumed that this anonymous work was written by Revd. F. W. Hope, founder of the Hope Professorship at Oxford University and a leading spirit in the foundation of the Royal Entomological Society of London. From a study of the work itself it might be possible to deduce the authorship as for example on p. 6 where Hope gives his name as the author of a newly discovered species as follows :—

48. *S. Samouelli*, Hope.

Long. lin. lat. lin.

Thorace bronzeo marginibus violaceis, clytris purpurascens flavostictis. Corpore subtus violaceo.

Described from a specimen in the collection of the British Museum, and named in honour of the assiduous Curator of the Entomological department.

6. But there is stronger evidence of authorship to be found in Hope (1840 : 173) where he wrote :

“*Calodema Kirbii*, Hope

This magnificent insect, one of the most beautiful of all the *Buprestidae*, I named in honour of the Rev. William Kirby, in a *Prodromus*, which I published some few years back.

The species in question is described on page 2 of the pamphlet under the genus *Stigmodera*.

7. Furthermore, Westwood (1874 : xxii) confirms that Hope is the author by quoting the pamphlet in a “List of the entomological works of the Rev. F. W. Hope” as follows :—

“11. *Prodromus of the Buprestidae of New Holland.* (8vo. Lond. 1836, pp. 13.)”

8. Other authors e.g. Engelmann, 1846 : 536 ; Hagen, 1862 : 379 ; Horn & Schenkling, 1928 : 572 ; Musgrave, 1932 : 153 ; and Sherborn, 1922 : lxxviii, all refer to it as by Hope and moreover in Hope's own copy, now housed in the Hope Department at Oxford, his name is added in ink as the author as may be seen by reference to the annexed text-figure.

9. Finally, I know of no reason against Hope being the author and I suggest that he be so considered.

C. The title of the work

10. As I have stated, the paper bears no title beyond the single word "*Buprestidae*", yet it has been referred to in print by several longer titles. Hope (1840 : 173) calls it a "Prodrumus". Engelmann (1846 : 536) cites it as : "Description of the *Buprestidae* in the collection of F. W. Hope". Hagen (1862 : 379) correctly describes it as "*Buprestidae*", as do Sherborn (1922 : lxxviii) and Musgrave (1932 : 153) the latter, however, adding that it was "later called 'Synopsis of Australian *Buprestidae*'". The library catalogues of the entomological societies of Paris and Amsterdam give it under the correct title. Perhaps the most important reference to it in print is that of Dunning (?)* (1868 : cix) who refers to the "so-called 'Synopsis of Australian *Buprestidae*'", a title under which it is cited by Laporte, Gory and other contemporary writers. Dunning (?) adds : "... at the top of the first [page] of which is the word *Buprestidae* ; this is the only title which it bears".

11. To sum up, I suggest that all authors who have seen the original quote it correctly as "*Buprestidae*" and only those quoting it on the basis of evidence of someone else use an alternative title for it. I should add, however, that possibly some older authors such as Laporte and Gory may have started this confusion by using some descriptive phrase of Hope's as a title for the work in describing their copy, and have been followed by later entomologists.

D. The date of the work

12. In 1840, Hope refers to the "Prodrumus which I published some few years back", while in 1874 Westwood states definitely that it appeared in 1836, a date since generally accepted (Engelmann, 1846 : 536 ; Hagen, 1862 : 379 ; Horn and Schenkling, 1928 : 572 ; Musgrave, 1932 : 153 ; Sherborn, 1922 : lxxviii). There is no indication of the date of the printing to be obtained from studying the pamphlet itself. Indeed, although reference is made to several published works therein, I am unable to discover a single date of any kind anywhere in the work.

* It is not possible to determine the authorship of the passage quoted, which is stated to be the Secretary of the Entomological Society, for there were two Secretaries at the time, e.g. J. W. Dunning and D. Sharp. I believe Dunning to be responsible but others consider Sharp the author.

Unpublished

BUPRESTIDÆ.

Nova Hollandia -
auctore F. W. Hope. M. A. F. R. S. W.
1836.

I. CYRIA, Serville.

1. *C. imperialis*, Fab. Vid. Herbst, pl. 146. fig. 3.
2. *C. gagates*, Hope.
 Long. lin. 16, lat. lin. $4\frac{1}{2}$.
 Nigra, oculis flavis, thorace fossulato, punctato, elytris striato-punctatis. Corpus infra nigrum albisque capillis variegatum.
 In coll. D. Hope.
3. *C. vittigera*, Hope.
 Long. lin. 13, lat. lin. 4.
 Flava, elytris vittis nigris variegatis.
 In coll. D. Hope.

II. STIGMODERA, Eschscholtz.

1. *S. macularia*, Donovan, pl. 2.
2. *S. grandis*, Don. pl. 2. Bup.
3. *S. flavocincta*, Hope.
 Long. lin. 16, lat. lin. $6\frac{1}{2}$. -
 Rufo-brunnea, thorace nigro-chalybeo flavo-marginato variolisque eroso, elytris rufo-brunneis externe flavo-cinctis. Corpus subtus æneum punctatum flavisque capillis obsitum, antennis pedibusque æneis.
 In coll. Dom. Hope.
4. *S. Gorii*, Hope.
 Long. lin. 16, lat. lin. 6.
 Aurantia, thorace æneo punctato quasi vermibus eroso, elytris flavis punctis impressis confluentibus atris. Corpus subtus atroæneum cinereisque capillis obsitum.
 In coll. Dom. Children.

13. Dunning (?) (1868 : cix) says "there is no doubt . . . that the date of printing was the year 1836" and I know of no reason to doubt that year as being, in fact, the year of printing. No other date has been suggested so far as my knowledge goes.

E. Is the work published or unpublished?

14. The author, Hope, states (1840 : 173) that he "published" the work some years earlier.

15. Engelmann (1846 : 536), by including it in his list of works "welche . . . in den Jahren 1700—1846 erschienen sind", assumes it to have been published, but assigns no price to it which is unusual.

16. In 1867, on the 26th November at the meeting of the Entomological Society Saunders (1868 : 1) read a paper entitled "A revision of the Australian *Buprestidae* described by the late Rev. F. W. Hope". This paper took account of Hope's anonymous work and accepted it as published but this action led to a protest and a discussion took place which is recorded in the Proceedings of the Society as follows :—

The Secretary* made the following observations on the nomenclature of Australian *Buprestidae* adopted by Mr. Edward Saunders in a paper read at the meeting of the 4th of November, 1867 (*ante*, p. ci.) :—

The rejection by Mr. Edward Saunders, in his "Revision of the Australian *Buprestidae* described by the Rev. F. W. Hope", of certain published names, in favour of the names given by Mr. Hope in the so-called "Synopsis of Australian *Buprestidae*", raises a question of some importance as regards priority of nomenclature.

I have always understood the rule to be this—that the specific name by which an insect is to be called and known is the name under which a sufficient description of the species was first published.

Names contained in a paper which is privately printed, but not published, rank only as MS. names : however freely the paper may be disseminated among the author's friends, however wide the circle of his acquaintance, it must still remain inaccessible to the public—it is not published within the meaning of the rule.

What then are the facts concerning the paper which Mr. Edward Saunders (following Laporte and Gory and others) cites as Hope's "Synopsis of Australian *Buprestidae*" ?

The paper in question consists of thirteen printed pages, at the top of the first of which is the word BUPRESTIDAE ;

* As I have stated earlier (footnote to para. 10) I believe this to refer to J. W. Dunning and not to D. Sharp.

this is the only title which it bears. There is no title-page, preface, introduction or explanation whatsoever; no author's name, no printer's name, no date; no name of any bookseller or of any place at which the public might obtain it; and as to many of the insects described, there is nothing to show that they are Australian species, or to point out the collections in which the type-specimens were deposited.

At the same time there is no doubt that the author was Mr. Hope, that the date of printing was the year 1836, that the insects are all from Australia, and (when no other collection is mentioned) were in Mr. Hope's own cabinet; and lastly, besides the descriptions of sixty-six new species, the paper contains references to all the previously-described Australian *Buprestidae* (twenty-seven in number), so that "A Synopsis of Australian *Buprestidae*" would have been a very appropriate title to have given it.

There can be little doubt that a print of this paper was in the hands of Laporte and Gory when they prepared their Monograph of the *Buprestidae*, and it must be admitted that they cite the "Synopsis of Australian *Buprestidae*" as if it were a published work. Other writers have done the same, probably following Laporte and Gory, without having their attention directed to the question of publication or non-publication. It is true also that Hope himself (*Col. Man.* 3 : 173) in 1840 speaks of "a Prodrômus which I published some years back". "Published" in the sense of being communicated to his entomological friends, I have no doubt it was; but "published" in the sense of being made accessible to or obtainable by the public, I believe it never was. . . .

I submit that the unpublished names of the anonymous print *Buprestidae* must give way to published names, whatever the date of the latter may be.

Prof. Westwood argued that Mr. Hope's paper, though privately printed, had in fact been so widely disseminated as to amount to publication; at any rate, that it might be treated as published *sub modo*—i.e. as against all persons who had notice of its existence . . .

The President [Sir John Lubbock], Mr. Bates, Mr. M'Lachlan, Mr. Pascoe and other members, agreed that accessibility to the public could alone constitute publication within the meaning of the rule of priority in nomenclature.

17. As a result of this discussion Saunders reconsidered the matter and decided against acceptance of the pamphlet as published as will

be seen from the following quotation from his paper (Saunders, 1868 : 1—2).

The first work of any importance on the *Buprestidae* of Australia was printed by Mr. Hope in 1836, in which are mentioned all the species then known to him from that part of the world. The descriptions, however, which he gives are so short, and wanting in specific character, as to be nearly useless ; and, besides this, many of the insects he described as species can only be considered as mere varieties.

Footnote to p. 2.

At the time when this paper was prepared and read before the Society, I was under the impression that Mr. Hope's descriptions of 1836 had been published, and were entitled to priority over the names given by Laporte and Gory, and subsequent authors. But finding from the discussion which is reported in Proc. Ent. Soc., 1867, pp. cix, cx, that Mr. Hope's paper was printed only for private circulation, I have abandoned the names of the unpublished tract *Buprestidae* in favour of published names, though later in point of date.—E.S. *March*, 1868.

18. The only author who objected to regarding the paper as unpublished was Westwood, whose peculiar proposal that the pamphlet " might be treated as published *sub modo*—i.e. as against all persons who had notice of its existence " clearly cannot be adopted.

19. In view of the very intimate association between Hope and Westwood, it is perhaps understandable that Westwood was anxious to protect the work of his deceased partner and patron.

20. By 1874, however, Westwood seems to have made up his mind, for he then wrote of this memoir (1874 : xxii) :—" This memoir, which was printed for private circulation and was widely distributed by the author ".

21. But even more conclusive is the evidence in Westwood's own hand written across Hope's own copy—the word " Unpublished " (see fig. 1). Westwood also wrote the same word on the copy now in the Library of the Royal Entomological Society of London, which was acquired as a duplicate from the Hope Department in 1931.

22. A further small point should not be overlooked. I have already hinted at the possibility of the work being more in the nature of a proofsheets and this possibility is strengthened by reference to the passage on page 6 (no. 48). There, as may be seen, spaces are left for measurements of size to be added but in no copy I know, including Hope's own, have these figures been added.

23. Even more remarkable is the absence of a printer's name, a legal requirement in all printed documents published in the United Kingdom, though not an essential feature from the point of view of Zoological Nomenclature.

F. Conclusions in regard to the work entitled "Buprestidae" by
F. W. Hope

- (1) This pamphlet was printed in 1836.
- (2) The only claim to "publication" is by the author in a vague statement made in 1840.
- (3) The overwhelming weight of evidence suggests that the work was privately printed and circulated only to certain friends of the author.
- (4) There is no evidence that this work was ever published in the generally understood meaning of that word.

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8. *Issue of Public Notices* : In view of the possibility that the International Commission might take the view that the pamphlet *Buprestidae* was an available work for nomenclatorial purposes but that it was desirable that the new names in it should be suppressed in the interests of stability, it was judged desirable in 1947 to put the Commission in a position at once to use its Plenary Powers in this case in the event of its deciding to make use of this procedure. Accordingly, on 14th September 1947, a notice of the possible use, by the International Commission on

Zoological Nomenclature, of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

9. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 17) (1950, *Bull. zool. Nomencl.* 4 : 371) :—

THE COMMISSION agreed :—

- (1) that the names contained in the anonymous pamphlet entitled *Buprestidae* believed (a) to have been written by F. W. Hope and (b) to have been distributed by that author in 1836 were not published (“divulgués dans une publication”) as prescribed by Article 25 and that they therefore had no standing under the *Règles* as from the date of distribution of that pamphlet ;
- (2) to render an *Opinion* recording the decision specified in (1) above.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth

International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 106).

11. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an " Official Index " to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of the pamphlet *Buprestidae*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion Two Hundred and Thirty-Four* (234) of the International Commission on Zoological Nomenclature.

DONE in London this Ninth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 25. Pp. 313—328, 1 pl.

OPINION 235

Designation, under the Plenary Powers, of a lectotype for the nominal species *Ammonites cordatus* Sowerby (J.), 1813 (Class Cephalopoda, Order Ammonoidea)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 235

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Vice-President : Dr. James L. PETERS (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

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C. Alternate Members of the Commission at the Session held in Paris in 1948

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Dr. Edward HINDLE (*Zoological Society of London, London, England*).

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Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).



Fig. 1.

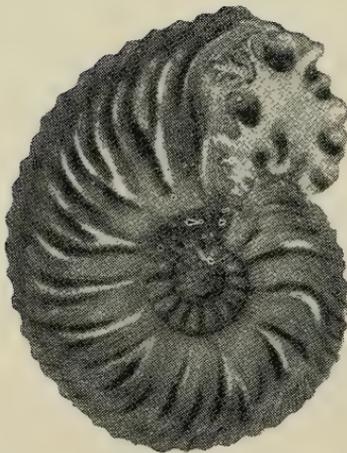


Fig. 2.

Facsimile reproductions of the figures given by Sowerby (J.), 1813, *Min. Conch. Great Brit.* 1 : plate 17 of the two syntypes of *Ammonites cordatus* Sowerby, 1813.

FIG. 1.—Facsimile of fig. 2 on Sowerby's plate 17 (= the specimen selected as the holotype of *Ammonites cordatus* Sowerby, 1813, by Miss M. Healey in 1905).

FIG. 2.—Facsimile of fig. 4 on Sowerby's plate 17 (= the specimen which in *Opinion* 235 the International Commission on Zoological Nomenclature designated under its Plenary Powers to be the holotype of *Ammonites cordatus* Sowerby, 1813).

OPINION 235

DESIGNATION, UNDER THE PLENARY POWERS, OF A
LECTOTYPE FOR THE NOMINAL SPECIES
"AMMONITES CORDATUS" SOWERBY (J.),
1813 (CLASS CEPHALOPODA, ORDER
AMMONOIDEA)

RULING :—(1) Under the Plenary Powers, all selections of a lectotype for the nominal species *Ammonites cordatus* Sowerby (J.), 1813 (Class Cephalopoda, Order Ammonoidea) made prior to the present Ruling are hereby set aside, and the specimen illustrated as figure 4 on plate 17 of volume 1 of Sowerby (J.), *Mineral Conchology of Great Britain*, published in 1813, is hereby designated as the lectotype of the foregoing species.

(2) The specific name *cordatus* Sowerby (J.), 1813, as published in the combination *Ammonites cordatus* and as determined in (1) above, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 54.

I.—THE STATEMENT OF THE CASE

On 13th August 1936 Dr. W. J. Arkell, M.A., D.Sc., F.R.S. (then of the *University Museum, Oxford*, and now of the *Sedgwick Museum, Cambridge University, Cambridge*) addressed a letter to the then Secretary to the International Commission (Dr. C. W. Stiles), drawing attention to a paper which he had recently published (1936, *Quart. J. geol. Soc. Lond.* **92** : 152) on the question of the specimen to be accepted as the lectotype

of the nominal species *Ammonites cordatus* Sowerby (J.), 1813 (Class Cephalopoda, Order Ammonoidea) and asking the Commission either to rule as invalid, or to suppress under its Plenary Powers, the lectotype selection made for this species by Miss M. Healey (1905) and itself to designate as the lectotype the other specimen figured by Sowerby in 1813 (*i.e.* the specimen illustrated as figure 4 on plate 17 of volume 1 of the *Mineral Conchology of Great Britain*.) For the reasons explained in paragraphs 4 and 5 below, it was not until 1943 that effective progress was made in the consideration of this application. Dr. Arkell's application, as then revised by him, was as follows :—

On the holotype of "Ammonites cordatus" Sowerby, 1813 (Class Cephalopoda, Order Ammonoidea)

By W. J. ARKELL, D.Sc.
(*University Museum, Oxford*)

Plate 1.

Great confusion arises from the inconsistency with which different authors adopt index fossils for zones in the Jurassic. Each zone has several current indices. In consequence the present applicant has been endeavouring to stabilise usage by advocating, and himself following, a rule of priority in zonal nomenclature on the lines of that accepted in zoological nomenclature. He does not advocate rigid adherence to priority when fresh confusion would be involved, but merely the choice, for any particular zone, of the oldest established zonal index, provided that it is appropriate. It seems that, if this procedure does not come to be adopted, there will be no end to the number of times a zone will be renamed by new authors, unaware of existing names or ignorant of their appropriateness, or dissatisfied with them for some local reason.

An application of this principle to the English Corallian Beds or Upper Oxfordian, in conjunction with a detailed study of the stratigraphy in the type locality, has been published by the present author (Arkell, 1936). A speaker in the discussion (: 187) of this paper remarked that the author "had restored the Corallian almost to its original simplicity, and had given good reasons for doing so".

A similar treatment of the Oxford Clay (Lower Oxfordian and Upper Callovian Stages) has also been published (Arkell, 1939). There has been great confusion in the zonal nomenclature of these formations in recent years, especially during the inter-war period.

While the present paper has been in the press, the whole question of a code of rules for stratigraphical nomenclature has been taken in another place (Arkell, 1945). The subordination of stratigraphical nomenclature to zoological nomenclature makes such cases as this important, for a purely technical point in the International Code of Zoological Nomenclature concerning an index fossil of a zone can cause great confusion in stratigraphy.

The first author to introduce the word "zone" into geology was Alcide d'Orbigny, and at the same time he outlined a scheme of zones with indices, many of which have been used ever since (d'Orbigny, 1852). It seems highly desirable to standardise usage by adopting these zonal indices wherever practicable. One of d'Orbigny's indices proposed in the work referred to above was that of *Ammonites cordatus* Sowerby (J.), 1813, *Min. Conch. Great Brit.* 1 : 51. That name has been in continuous use as zonal index, for all, or a restricted part of, the zone for which it was originally proposed, down to the present day.

I append the following summary of the history of the zone of *Cardioceras cordatum* (Sowerby, 1813) (= *Ammonites cordatus* Sowerby, 1813).

D'Orbigny (1852) was soon followed by Hébert (1857, 1860), who adopted the zone for the whole of the Paris Basin. Tombeck (1874), who was also one of the earlier writers to deal with Upper Jurassic zones, adopted the "Cordatus Zone" for the department of the Haute-Marne, using the term in its modern sense. Oppel, often (erroneously) claimed as the founder of the zonal idea, but certainly the greatest and most accurate of its early exponents, at first did not distinguish between the "Lamberti" and "Cordatus" zones, for in south-west Germany, where he principally worked, these zones are condensed and the fossils mixed. In his last work, however, Oppel (1866) took over these zones from his French colleagues. They had already been adopted for North Germany by Credner (1863), and the succession had not since been questioned.

H. Douvillé (1881), by his study of the Upper Jurassic on the north side of the Paris Basin and in the Normandy cliffs in particular, gave greater precision to the zonal sequence by establishing a "Mariae Zone" between the "Cordatus" and "Lamberti" zones. These three zones—*Lamberti*, *Mariae* and *Cordatus*—are the appropriate zones for the English Upper Oxford Clay also, and after a revision of English collections and a study of all the relevant English exposures and of the Norman collections in Paris and Caen, I have adopted these three zones with the three zonal indices established by H. Douvillé in 1881, both in the papers referred to above and in my monograph on the Ammonites of the English Corallian Beds, now in course of publication by the Palaeontological Society.

The arrangement proposed by H. Douvillé was followed by all subsequent French writers on the subject, of whom the most modern was his son R. Douvillé, who wrote a series of monographs on the fossils from these zones (1912, 1914, 1915), and Raspail (1901), who published the most detailed and authoritative stratigraphical account of the classic sections on the coast of Normandy.

Thus up to 1915, all French writers on the subject used a "*Cordatus Zone*", and its meaning was unambiguous and had never been questioned. It was the "*Oolithe ferrugineuse*" of the Normandy coast and of Neuvizy in the Ardennes—to cite two of the best known and most highly fossiliferous localities.

To trace the history of the zone all over Europe would take too much space, but that the "*Cordatus Zone*" was used everywhere is shown by numerous works, of which perhaps the most important is Lahusen's monograph (1883) on the Ryasan fauna of Russia. Haug's great *Traité* (1908—1911) standardised the "*Cordatus Zone*", among other "*zones classiques*" for all Europe.

In England work comparable with that cited for France and certain other countries is only now being done. No monographs have been published on ammonites or faunas from the Oxfordian, except those recently completed, or now in progress, by the present writer. The "*Cordatus Zone*" was, however, used officially for the Upper Oxford Clay by the Geological Survey at least since 1895 (see Woodward (H. B.), 1895).

The *Ammonites cordatus* referred to as the characteristic fossil of the "*Cordatus Zone*" was not always the same species. D'Orbigny himself figured three different species under this name, and many geologists took d'Orbigny's figures as the standard rather than Sowerby's. But this is unimportant, in view of the fact that they are all contemporary species.

In his original description of *Ammonites cordatus*, Sowerby (1813) figured two specimens which he referred to this species. Those specimens were represented in figures 2 and 4 of Sowerby's plate 17. These figures are reproduced in facsimile on plate 1 in the present paper.

Both Sowerby's specimens are preserved in the British Museum. The specimen represented in Sowerby's figure 2 is a nucleus only 20 mm. in diameter and not definitely identifiable; the specimen represented in Sowerby's figure 4, although also wholly septate (*i.e.* lacking the body-chamber) is easily identifiable and is well representative of a whole fauna of Cardiocerates characteristic of the top of the Oxford clay and the Wiltshire Lower Calcareous Grit (the "*Cordatus Zone*").

Unfortunately Miss M. Healey (1905), in a short note, chose the smaller figure (*i.e.* Sowerby's fig. 2) to be the "holotype" of *Ammonites cordatus* Sowerby. She pointed out that the smaller specimen did not come from the Oxford Clay but from the "Lower (?) Corallian". As I have shown (Arkell, 1936), its true horizon is the Upper Corallian, namely the "*Plicatilis* Zone".

Hence, if Miss Healey's type designation must be accepted, the name *Ammonites cordatus* Sowerby, 1813, must be used for an ammonite of the "*Plicatilis* Zone" or Upper Corallian, a species not known from the Oxford Clay, of which the original "*Cordatus* Zone" was part; and the "*Cordatus* Zone" of the literature of the last 80 years will have to be renamed.

Miss Healey's procedure, as is apparent from the references cited above, has been ignored by nearly all geologists and palaeontologists. In 1913, however, A. P. Pavlow, in a description (in Russian) of some fossils from northern Siberia collected on Baron Toll's polar expedition, gave the new name *Cardioceras subcordatum* Pavlow, 1913, *Mém. Acad. Sci. St. Pétersb.* (8) 21 (4) : 48, to the species figured by Sowerby as fig. 4 on his pl. 17. Seven years later S. S. Buckman, 1920, *Type Ammonites* : 15, not knowing of Pavlow's action, gave the name *Cardioceras cardia* nom. nov. to the same species. Buckman's trivial name "*cardia*" has been adopted for the "*Cordatus* Zone" by Dr. L. F. Spath, who advocates rejecting the name "*cordatus*" on the grounds of technical ineligibility in view of Miss Healey's type designation (Spath, 1943). Dr. Spath, however, rejected Pavlow's name "*subcordatum*" on the ground that its use might be "misleading". As I have pointed out, however, (Arkell, 1941), *Cardioceras subcordatum* Pavlow, 1913, is technically the correct name for the species figured by Sowerby under the name *Ammonites cordatus* in fig. 4 of his pl. 17 (if Sowerby's fig. 2 of pl. 17 is to be taken as the type of *Ammonites cordatus* Sowerby), notwithstanding the existence of the species *Ammonites subcordatus* d'Orbigny, 1945, in Murchison, *Geol. Russia* 2 : 434, pl. 24, figs. 6, 7. This latter species is a Kimeridgian species of the genus *Amoeboceras* Hyatt, 1900, in Eastman-Zittel, *Text-Book Palaeont.* 1 : 580, and does not belong to, and was not first described in, the same genus as *Cardioceras subcordatum* Pavlow, 1913.

The following points should be noted :—

(1) Miss Healey's procedure, setting aside the "obvious" type specimen in favour of another, too small and badly preserved to be interpreted with certainty, runs counter to Recommendation "n" set out in Part III of Article 30 of the Rules.

(2) Miss Healey did no systematic work on ammonites. She merely refigured a few isolated type-specimens for *Palaeontologia Universalis*. Her work therefore does not carry the authority of a revision.

(3) Miss Healey's choice of figure 2 as the type of *Ammonites cordatus* Sowerby reversed the decision implicit in the works of the leading Jurassic stratigraphers

and palaeontologists of several generations and countries, including d'Orbigny, Credner, Opper, Hébert, Tombeck, H. B. Woodward, H. & R. Douvillé, Haug, Raspail, Lahusen, and de Grossouvre.

(4) Since the first submission of the present application to the International Commission, Sowerby's fig. 4 has again been quoted as the genotype of *Cardioceras* Neumayr & Uhlig, 1881, *Palaeontogr.* 27 : 140 (under the trivial name *cordatum* Sowerby) by Professor F. Roman (1938) in his monumental *Ammonites jurassiques et crétaçés* (: 228), which will be a standard work of reference for generations to come.

(5) The fact that the technically correct prior substitute name for Sowerby's fig. 4 is *Cardioceras subcordatum* Pavlow, 1913, means that the name *Cardioceras cardia* Buckman, 1920, and the term "*Cardia* Zone" adopted by Buckman and Spath will in any case have to be changed again. Spath's course, to continue to use the synonym *cardia* rather than risk the confusion involved in the second change, is no solution.

In view of this history, I make formal application for the setting aside of Miss Healey's type selection, as the type of *Ammonites cordatus* Sowerby, 1813, of the species figured by Sowerby as fig. 2 on pl. 17, and for the stabilisation of *Cardioceras cordatum* (Sowerby, 1813) as index of the "*Cordatus* Zone", with Sowerby's fig. 4 (pl. 17) as type. Only so can confusion and unnecessary changes in stratigraphical nomenclature be avoided, and a historical name be usefully retained.

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- WOODWARD, H. B., 1895, *Jurassic Rocks of Britain* 5 (Middle & Upper Oolitic Rocks) : 8 *et seq.* (Mem. geol. Surv.).

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The documents relating to the present case were transferred in January 1938 to the care of Mr. Francis Hemming, who in 1936 had been elected Secretary to the International Commission on the retirement of Dr. Stiles. This case was thereupon given the Registered Number Z.N.(S.) 58.

3. On 16th February 1938, Dr. L. F. Spath (*British Museum (Natural History), London*) wrote to the Secretary objecting to the proposal made by Dr. Arkell in his paper of 1936 and expressing the view that, contrary to the opinion held by Dr. Arkell, the reversal of Miss Healey's lectotype selection for *Ammonites cordatus* Sowerby "now after all these years would cause great confusion". Dr. Spath's view was at once communicated to Dr. Arkell, who however remained of his previous opinion, and on 2nd May 1938 submitted to the International Commission a formal application in the sense indicated in his original letter of 13th August 1936.

4. It had not been found possible to advance the consideration of the present case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a

precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*.

5. In September 1943 correspondence took place between the Secretary and Dr. Arkell who then slightly revised his application of 2nd May 1938.

6. *Comment received from Dr. L. F. Spath (British Museum (Natural History), London)*: In September 1943 there was also a further exchange of letters in regard to this case between the Secretary and Dr. Spath (see paragraph 3 above), as the result of which, at Mr. Hemming's suggestion, Dr. Spath on 16th September 1943 furnished a statement of his views for the consideration of the International Commission. The statement so furnished by Dr. Spath was as follows:—

I am taking the view that the species *Ammonites cordatus* has never been anything but monotypic. As Healey (1905), Crick (1910), and others recognized, the original of Sowerby's fig. 2 has always been the holotype of *Amm. cordatus* and thus is not "subject to change". For according to Art. 30, ii e.g. the original of Sowerby's fig. 4, being only doubtfully referred to the species by its author, is excluded from consideration in determining the type.

With regard to any confusion that may arise, it seems to me that a number of ammonite species have been or are being loosely or wrongly used by certain stratigraphers (in the opinion of their rivals) so that zonal nomenclature is constantly being changed and rectified. But the fact that the name *cordatus* zone is wrongly used in stratigraphy (which I deny) has nothing to do with the status of the species *Ammonites cordatus* and is irrelevant from the point of view of zoological nomenclature.

7. In the summer of 1944, Mr. Hemming, as Secretary to the Commission, prepared, in consultation with Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*), at that time President of the Commission, the

following note on the scope of the proposal submitted by Dr. Arkell :—

On the scope of the proposal submitted to the International Commission by Dr. W. J. Arkell in relation to the name “*Ammonites cordatus*” Sowerby, 1813 (Class Cephalopoda, Order Ammonoidea)

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature.)

The proposal now before the International Commission in relation to the name *Ammonites cordatus* Sowerby, 1813, is :—

- (1) that the International Commission should :—
 - (a) suppress the designation by Miss Healey (1905) of the species figured by Sowerby (1813) as fig. 2 on pl. 17 as the type of *Ammonites cordatus* Sowerby, 1813 ; and should
 - (b) designate as the type of the above species the species figured by Sowerby (1813) as fig. 4 on pl. 17 ;
- (2) that the International Commission should stabilise *Cardioceras cordatum* (Sowerby, 1813) as index of the stratigraphical zone known as the “*Cordatus Zone*”, with Sowerby’s fig. 4 as type.

Of the above proposals, proposal (1) would be within the power of the International Commission to grant if they were satisfied that the strict application of the Rules as applied to this case would clearly result in greater confusion than uniformity ; for in that case the International Commission would be enabled to use the Plenary Powers granted them by the Ninth International Congress of Zoology at Monaco in 1913 for the purpose of suspending the Rules as applied to this case.

The question whether proposal (1) is one which could properly be granted by the Commission depends, therefore, on whether the evidence so far brought forward, together with any additional evidence which may be brought forward during the consideration of this case, satisfies them that the strict application of the Rules as applied to the present case would clearly result in greater confusion than uniformity. No limitation is imposed on the Commission as to the type of confusion of which account may be taken by them when considering in any given case whether they should make use of their Plenary Powers. It is, therefore, open to the Commission in such a case to take account not only of confusion in the taxonomic field but also (for example) of confusion in stratigraphical or other technical literature and confusion in textbooks and other standard works used in the teaching of zoology at the universities and elsewhere.

Proposal (2) relates to an entirely different matter ; it is concerned not with a question of zoological nomenclature but with a question of palaeontological terminology. As such, proposal (2) is concerned with

a matter which falls outside the scope of the International Code of Zoological Nomenclature and is, therefore, a matter with which, under their existing powers, the International Commission is not authorised to deal. If the discussion arising from the initiative taken by Dr. Arkell in his recent paper on the "Standard of the European Jurassic"¹ shows that there is a general desire on the part of palaeontologists that the nomenclature of stratigraphical zones should be brought under regulation, the International Commission will be glad to co-operate in the formulation of any such scheme, in so far as it raises, or impinges upon, questions relating to the nomenclature of the index fossils of such zones.

8. Dr. Arkell's application and Mr. Hemming's note were sent to the printer in October 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 26th June 1946 (Arkell, 1946, *Bull. zool. Nomencl.* 1 : 181—184, 1 pl. ; Hemming, 1946, *ibid.* 1 : 185). The publication in the *Bulletin* of Dr. Arkell's application elicited the comment reproduced in the following paragraph from the Joint Committee on Zoological Nomenclature for Paleontology in America.

9. *View of the Joint Committee on Zoological Nomenclature for Paleontology in America* : The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 3rd November 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was Chairman of the Joint Committee. The following is the text of that letter :—

On July 3, 1947 the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval the following resolution :—

RESOLVED : That the Joint Committee on Zoological Nomenclature of Paleontology in America support the end sought in the petition of Dr. J. W. Arkell that the designation by Healey of the specimen shown by Sowerby as fig. 2 on plate 17 as lectotype of *Ammonites cordatus* to be set aside under suspension of the *Règles* and that the specimen shown by Sowerby as fig. 4 on the same plate be fixed as lectotype in its stead. In supporting the end sought in Arkell's petition the Joint Committee expressly does not endorse the nomenclatural points presented by him, most of which it believes to be irrelevant if not disingenuous. Likewise

¹ Arkell, 1946, *Bull. Amer. geol. Soc.* 57 : 1—34.

it disapproves the establishment of any general principle that the use of a zoological name for a zone-fossil in stratigraphy necessarily requires the stabilization of that name contrary to the principles of zoological nomenclature or taxonomy.

The vote of the membership was 6 for approval of the resolution and 5 for disapproval, with Stenzel absent and not voting. Those in the affirmative were Romer, Newell, Cooper, Moore, Keen and Knight ; in the negative were Simpson, Wells, Palmer, Frizzell and Reeside.

Comments were as follows :—

Romer—I agree with the resolution. But in my ignorance can the Commission fix the type specimen of a species ?

Wells—Nay.

Simpson—As it stands, I vote “Nay” on this resolution. I would support it if it embodied a brief statement as to why the Committee thinks suspension is justified and omitted the last two sentences. It seems bad practice to vote in favor of an action and accompany this vote by arguments *against* the action. It also seems to me unnecessary to bait Arkell or others who may agree with him, and this is likely to lead to needless dissension that paleontologists can ill afford if we are to get anywhere with efforts to clean up nomenclature.

Keen—Yes, that is, I would support the recommendation he [Arkell] offers.

Frizzell—I vote nay. Although I am not particularly concerned with this case, it seems to me that a dangerous precedent would be inaugurated. Incidentally, what Arkell wanted to have designated is a lectotype. The Rules sanction only “type of a species” (insofar as I can discover). It is somewhat important to distinguish between a holotype and lectotype, since the latter never has the complete authenticity of the former.²

Reeside—No. Commission should not designate holotype specimens.

It is to be noted that Simpson's objection is to the form of the Joint Committee's resolution, not to its support of Arkell's petition. Simpson's objections were circulated to the entire Committee and brought no second. Hence the resolution was not amended and the vote stands as cast. The Chairman is responsible for the wording of the resolution and should say that the protest on irrelevant and disingenuous legal argumentation was aimed not so much at Arkell as at the all too

² The point here raised by Dr. Frizzell was dealt with by the Thirteenth International Congress of Zoology, Paris, 1948, when it explicitly recognised the concepts of “holotype” and “lectotype” and introduced definitions of those terms into the *Règles* (1950, *Bull. zool. Nomencl.* 4 : 185—186). The position as regards type specimens was dealt with in further detail by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (1953, *Copenhagen Decisions zool. Nomencl.* : 72—78).

common practice of arguing disingenuously in support of desired objectives. Arkell's legal argumentation as distinct from his request that the *Règles* be suspended, to which it is irrelevant, seems to be an example of this practice.

Frizzell's objection is based on the fact that the resolution originally contained the word "holotype" where the more correct wording would have been "lectotype". Since the difference in wording does not affect the tenor of the resolution and constitutes only a technical correction, the word "lectotype" in the resolution submitted to the commission replaces the word "holotype" of the original draft.

Reeside's comment suggests that his vote was conditioned on his contention that the types of species are no concern of the Commission, a view that the Chairman feels would be difficult to support except on the negative grounds that the *Règles* as at present constituted fail to provide for the type of a species except in an inferential way in Appendix A. On the other hand several *Opinions* recognize their existence. Surely here is a point badly in need of explicit clarification.³

In view of the closeness of the vote on this resolution (with one member not voting) the Joint Committee does not feel justified in taking a stand. Nevertheless it passes on to the Commission the resolution and the record of the vote, with comments, for what it may be worth as a contribution to the Commission's study of the case.

10. Issue of Public Notices : On 29th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

11. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris

³ The defect in the *Règles* here referred to by Dr. Brookes Knight has since been rectified by the International Congress of Zoology. See Footnote 2.

Session, 13th Meeting, Conclusion 32) (1950, *Bull. zool. Nomencl.* 4 : 392—393) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers :—
 - (a) to set aside all selections of a lectotype for *Ammonites cordatus* Sowerby 1813 (Class Cephalopoda, Order Ammonoidea) made prior to the present decision ;
 - (b) to designate figure 4 on plate 17 of volume 1 of Sowerby's *Mineral Conchology of Great Britain*, published in 1813, to be the lectotype of *Ammonites cordatus* Sowerby, 1813 ;
- (2) to place the trivial name *cordatus* Sowerby, 1813 (as published in the binominal combination *Ammonites cordatus*), determined as specified in (1) (b) above, on the *Official List of Specific Trivial Names in Zoology* ;
- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

12. The decision taken in this case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 107).

13. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

14. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

15. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.*: 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

16. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

17. The present *Opinion* shall be known as *Opinion Two Hundred and Thirty-Five* (235) of the International Commission on Zoological Nomenclature.

DONE in London this Ninth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 4. Part 26. Pp. 329—342, 1 text-fig.

OPINION 236

Acceptance for nomenclatorial purposes of the work by
Morten Thrane Brännich entitled *Zoologiae Fundamenta*
published in 1771



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Six Shillings and Threepence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 236

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (La Plata, Argentina).

Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).

Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).

Dr. Th. MORTENSEN (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).

Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).

Professor Lodovico di CAPORIACCO (University of Parma, Italy).

Professor J. R. DYMOND (University of Toronto, Canada).

Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).

Dr. William Thomas CALMAN (Tayport, Fife, Scotland).

Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).

Professor Béla HANKÓ (University of Debrecen, Hungary).

Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).

Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).

Dr. Edward HINDLE (Zoological Society of London, London, England).

Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).

Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).

Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).

Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).

Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).

Mr. N. D. RILEY (British Museum (Natural History), London, England).

Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).

Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 236

ACCEPTANCE FOR NOMENCLATORIAL PURPOSES OF
THE WORK BY MORTEN THRANE BRÜNNICH
ENTITLED "ZOOLOGIAE FUNDAMENTA"
PUBLISHED IN 1771

RULING :—In the work entitled *Zoologiae Fundamenta* published in 1771 (not 1772, as commonly stated) Brünnich (Morten Thrane) complied with the requirements of Proviso (b) to Article 25 of the *Règles*, and new generic names published in that work are therefore available for nomenclatorial purposes.

(2) The foregoing work is hereby placed on the *Official List of Works Approved as Available in Zoological Nomenclature* as Work No. 4.

I.—THE STATEMENT OF THE CASE

On 18th November 1943 Mr. R. Winckworth (*London*) submitted to the International Commission on Zoological Nomenclature the following application for a ruling on the status of the nine new generic names published in Brünnich's *Zoologiae Fundamenta* of 1771 (attributed by Mr. Winckworth to 1772) :—

On the generic names published by Brünnich, 1772, "*Zoologiae Fundamenta*"

By R. WINCKWORTH (*London*)

I hereby apply to the International Commission for an *Opinion* on the status of the generic names of Brünnich, 1772, *Zoologiae Fundamenta*, in particular asking that *Tonna* Brünnich, 1772 (Class Gastropoda

Order Mesogastropoda) should be placed on the *Official List of Generic Names in Zoology* with *Buccinum galea* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 734, as type.

The title page of this book reads : " M. TH. BRÜNNICHII ZOOLOGIAE FUNDAMENTA . . . GRUNDE I DYRELÆREN. Hafniae et Lipsiae. MDCCLXXII ". The book, an octavo of 254 pages, is written throughout in Latin (left-hand pages) with a Danish translation (right-hand pages). In the Danish version the generic names are vernacular ; thus "*Ceratodon*" corresponds to " Narhval ". The new genera in this work require consideration as, although the author closely follows the Linnean system, and even keeps much of the wording of the 10th and 12th editions of the *Systema Naturae* (1767), no specific names are given, since the object of the book is to give a survey of the Animal Kingdom with tables of all the genera. Brünnich remarks in the preface : " Enumeratio specierum nimis foret proluxa ".

As an example of Brünnich's method I give a facsimile of page 246, in which it may be noted that the descriptions there given correspond very closely with the descriptions of the same genera in Linnaeus, 1758, *Syst. Nat.* (ed. 10) and 1767, *Syst. Nat.* (ed. 12) 1 (2).

I have stressed the close adherence to the wording of the *Systema Naturae* of Linnaeus (Brünnich was clearly acquainted with both the tenth and the twelfth editions), because, when that is recognised, the new genera can be directly interpreted from the *Systema* ; on that understanding species available as types can be listed.

Among authors mentioned by Brünnich, Brisson and Pallas are given in the chapters on Mammata and Aves ; " Pallas 1766 " is again given as an author on Zoophyta ; in the chapter on Insecta " ingeniosus Geoffroy " follows " Systematicorum princeps C. de Linné ". Of fifteen of the genera not found in Linnaeus, the authorship appears to be attributed as follows :—

(i) Mammata

To Brisson, 1762 :—*Lutra*, *Hyaena*, *Giraffa*, *Tapirus*, *Cerodon*.

To Pallas, 1766 :—*Antilope*.

(ii) Aves

To Brisson, 1760 :—*Torquilla*, *Galbula*, *Momotus*, *Colius*, *Ficedula*.

To Pallas, 1768 :—*Xanthornus*.

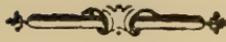
(iii) Insecta

Cryptocephala from the errata on page 254 seems to be a lapse for *Cryptocephalus* Geoffroy, 1762.

(iv) Zoophyta

To Pallas, 1766 :—*Antipathes*, *Brachionus*.

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*Molluscum,*

Testaceum,

Univalve,

Multiloculare,

Siphone interiori communicans,

Spirale rotundatum - - NAUTILUS.

Elongatum rectiusculum - ORTHOCEROS.

Siphone exteriori communicans - AMMONIA.

Uniloculare,

Spirale,

Apertura integra,

Dilatata,

'Testa cymbiformis,

Spira involuta occulta - ARGONAUTA.

Testa auriformis,

Spira lateralis occulta - HALIOTIS.

Coarctata,

Orbicularis - - - TURBO.

Tetragono-rotundata - TROCHUS.

Lunaris - - - HELIX.

Semiorbicularis - - NERITA.

Longitudinaliter oblonga,

Columella lævis v. plicata - - BULLA.

Apertura effusa,

Coarctata,

Linearis,

Columella lævis - - CONUS.

Columella plicata - - VOLUTA.

Columella & labrum multiden-

tata - - CYPRÆA.

Mollu.

There remain the following nine genera which must be regarded as new :—

(1) *Manatus* and (2) *Rosmarus* (: 38, also listed : 34). These correspond to the species *Trichechus manatus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 34, and *Trichechus rosmarus* Linnaeus, 1766, *Syst. Nat.* (ed. 12) 1 : 49 respectively. In *Opinion* 112 suspension of the Rules was declined for *Manatus* Brünnich, 1772, versus *Trichechus* Linnaeus, 1758, respectively, but the status of *Manatus* Brünnich was not questioned.

(3) *Cercopithecus* (: 40, also listed : 34). The table separates *Cercopithecus* "cauda elongata" from *Simia* "cauda abrupta vel nulla", so that the name is equivalent to Linnaeus' section of *Simia* "Cauda elongata. Cercopithecici". Sherborn gives *Cercopithecus* Gronovius, 1763, but the *Zoophylacium* of Gronovius (1763) has been suppressed by the International Commission under their Plenary Powers in *Opinion* 89. Quite apart from this, Brünnich did not refer to Gronovius in this chapter and the name *Cercopithecus* must, therefore, be regarded as a new proposal by Brünnich. *Opinion* 104 places *Cercopithecus* on the *Official List* as from Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 26, with *Simia diana* Linnaeus, 1758, as type. This decision, however, requires reconsideration in view of *Opinion* 124, which does not recognise the names of subdivisions published by Linnaeus, 1758, as being of subgeneric status as of that date, and also the recent *Opinion* 183¹, by which generic names published in the plural have no status until republished in the nominative singular.

(4) *Hydrochaeris* (: 44, also listed : 36) appears to be an emendation of *Hydrochoerus* Brisson, 1762, *Regn. anim.* : 80, and to refer to *Sus hydrochaeris* Linnaeus, *Syst. Nat.* (ed. 12) 1 : 103.

(5) *Xiphosura* (: 208, also listed as *Xiphisura* : 184), clearly intended for *Monoculus polyphemus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 634, for which species "*Xiphosura Gronovius*" is quoted by Linnaeus in 1767 (*Syst. Nat.* (ed. 12) 1 (2) : 1057). By *Opinion* 104, *Limulus* Müller, 1785, has been placed on the *Official List* with the same species as type. That decision will need to be re-examined in the light of whatever decision may be taken by the International Commission in regard to Brünnich, 1772.

(6) *Orthoceros* and (7) *Ammonia* (: 246, also listed : 232) are separated from *Nautilus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 709. *Orthoceros* "Elongatum, rectiusculum" is equivalent to the Linnean subdivision "Elongati, erectiusculi" of *Nautilus*,

¹ An explanation regarding the present position of the name *Cercopithecus* in relation to the *Official List* will be published in *Opinion* 238 (pp. 351—360 of the present volume), together with the decision of the Commission in regard to that name.

which includes *Nautilus raphanus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 711 (the type of *Orthocera* Lamarck, 1799, *Mém. Soc. Hist. nat. Paris* 1799 : 80) and *Nautilus orthocera* Linnaeus, 1758 (: 711), a fossil, and other species.

Ammonia "Siphone exteriori communicans" can be interpreted from the pre-Linnean Gualtieri, 1742 (referred to by Brünnich and frequently cited by Linnaeus). Plate 19 of Gualtieri's *Index Testarum* figures three genera of Polythalamia; these are referred to in the legend as (i) *Nautilus*, (ii) *Ammonia*, which includes figures of *Nautilus spirula* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 710, and *Nautilus beccarii* Linnaeus, 1758, *ibid.* (ed. 10) 1 : 710, and (iii) *Orthocera*.

The case of *Ammonia* is a difficult one. If *N. spirula* Linnaeus were to be taken as the type of this genus, the name *Ammonia* Brünnich would antedate *Spirula* Lamarck, 1799, *Mém. Soc. Hist. nat. Paris* 1799 : 80. In that event, the name should be suppressed by the International Commission under their Plenary Powers, since the replacement of *Spirula* Lamarck in this way would clearly result in greater confusion than uniformity. On the other hand, it is possible that workers in Foraminifera would see no objection to the designation of *N. beccarii* Linnaeus as the type of *Ammonia* Brünnich.

As regards *Orthoceros*, the type must be one of the species numbered 240—249 in the section "Elongati erectiusculi" of the genus *Nautilus* Linnaeus, 1758. I do not think that *Nautilus orthocera* Linnaeus, 1758, (sp. no. 249) should be regarded as type by absolute tautonymy, for Brünnich's work is not concerned with fossils.

(8) *Tonna* and (9) *Cassida* (: 248, also listed : 232) are separated from *Buccinum* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 734. Reference to pages 734 and 735 of the 10th edition shows that these new genera correspond to the first two subdivisions, "Ampullacea" and "Cassidea", of the genus *Buccinum* Linnaeus, as defined in that edition.

Tonna Brünnich, however, is used by many authors for *Dolium* Lamarck, 1801, *Syst. Anim. sans Vert.* : 79, e.g. by Dall, 1909, *Prof. Pap. U.S. geol. Surv.* 59 : 71; by Suter, 1913, *Manual N.Z. Moll.* : 314, where *Buccinum galea* Linnaeus, 1758, is designated as the type of *Tonna* Brünnich; and by Hedley, 1919, *Rec. Aust. Mus.* 12 : 329. As already stated, I recommend that the name *Tonna* Brünnich (type : *Buccinum galea* Linnaeus, 1758) be added to the *Official List of Generic Names in Zoology*. If the name *Tonna* Brünnich were to be rejected, the next available name would be *Cadus* Röding, 1798, *Mus. Bolten.* (2) : 150 (type : *Buccinum perdix* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 734, so

designated by Woodring, 1928, *Carnegie Inst.*, Wash. **385** : 311 (“Miocene Mollusks from Bowden, Jamaica, Part 2”).

Cassida Brünnich, 1772, is pre-occupied by *Cassida* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 362.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the present application was given the Registered Number Z.N.(S.)151. After an exchange of correspondence with the Secretary, Mr. Winckworth agreed that it would assist the Commission in dealing with this application if it were to have before it a specimen of a representative page illustrating the nature of Brünnich's *Zoologiae Fundamenta*. After further correspondence between the Secretary and Mr. Winckworth it was agreed to select for this purpose page 246 of Brünnich's book, this page having the advantage not only of being a thoroughly representative page but also of being the page on which appeared the name *Orthoceros* Brünnich,² a name of direct interest to the Commission in connection with an application before it regarding the name *Orthoceras* Bruguière, 1789 (File Z.N.(S.)44).

3. Mr. Winckworth's application was sent to the printer in September 1944, and was published on 26th July 1945 (Winckworth, 1945, *Bull. zool. Nomencl.* **1** : 113—117, 1 text fig.). The publication of this application elicited a comment from Dr. Curt Teichert (*University of Western Australia, Department of Geology, Nedlands, Western Australia*).

4. *Comment by Dr. Curt Teichert (University of Western Australia)* : On 14th January 1946, Dr. Curt Teichert (*University*

² The International Commission on Zoological Nomenclature decided at its Session held in Paris in 1948 (1950, *Bull. zool. Nomencl.* **4** : 312—313) to invite the Secretary to submit a Report as soon as possible on the issues raised by the name *Orthoceros* Brünnich. In pursuance of this mandate, an appeal for advice from specialists was issued by the Secretary in 1952 (*ibid.* **7** : 196—197). It is hoped that it will be possible to publish the Secretary's Report on this case in volume 11 of the *Bulletin of Zoological Nomenclature*, the issue of which will begin shortly.

of *Western Australia, Nedlands, Western Australia*) submitted the following comment on this case :—

In this *Bulletin* 1 : 113 R. Winckworth submits an application to the International Commission for an *Opinion* on the status of the generic names published in Brünnich's *Zoologiae Fundamenta*. The date of publication of this work, however, is 1771, not 1772, as usually stated (see also *Opinions* 90 and 112). The University of Copenhagen, Denmark, possesses two copies of Brünnich's book, one dated 1771, the other 1772. Otherwise the two copies are identical. Perhaps only a limited number of copies was printed in 1771 and only the reprint of 1772 attained a wider circulation.

The generic name *Orthoceros* was discussed at some length by C. Teichert and A. K. Miller, *American Journal of Science* 31 : 359—360, where it was suggested that it should be regarded in the light of *Opinion* 46. To attempt to find out what species Brünnich might have had in mind when he established this and other generic names seems to be hopeless and irrelevant. The name *Orthoceros* is, therefore, available for any more or less straight, elongate, multilocular, univalve mollusc with an internal siphuncle. Since such forms are not now living, it cannot be said that Brünnich's work is not concerned with fossils. Teichert and Miller stated that the name *Orthoceros* had apparently never been used in connection with a specific name and that, therefore, according to *Opinion* 46, any species, for example *Orthoceratites regularis* Schlotheim, 1820, might be selected as genotype. This suggestion was supported by Ulrich, Foerste, Miller, and Unklesbay, *Geological Society of America, Special Papers* 58 : 60.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. The present application was considered by the International Commission on Zoological Nomenclature at the Twelfth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1445 hours. The following extract from the Official Record of the Proceedings of the International Commission gives a summary of the statement made by Mr. Winckworth, in introducing this case, and of the subsequent discussion (1950, *Bull. zool. Nomencl.* 4 : 308—309):—

MR. R. WINCKWORTH (UNITED KINGDOM) said that in the *Zoologiae Fundamenta* Brünnich gave a general description

in Latin (left-hand pages) and Danish (right-hand pages) of the classification of the Animal Kingdom, including tables of all the genera. He did not, however, cite the names of species, as regards which he stated in the preface: "Enumeratio specierum nimis foret proluxa". It was evident that it was only on the grounds of space that Brännich stopped short at the genus level. He (Mr. Winckworth) asked the Commission to declare that the generic names used by Brännich in the *Zoologiae Fundamenta* were available under Article 25 of the *Règles*. He asked also that one of the new names published by Brännich, namely *Tonna* Brännich, should be placed on the *Official List of Generic Names in Zoology* with *Buccinum galea* Linnaeus, 1758, as type species. The other new generic names published in the *Zoologiae Fundamenta* would need to be dealt with on their merits in the light of advice received from specialists, but it might be thought appropriate to suppress the name *Orthoceros* Brännich, for, if *Nautilus orthocera* Linnaeus, 1758, were to be taken as the type species, it would run counter to the plan of Brännich's book which was not concerned with fossils.

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) suggested that it might be convenient to take a decision first on the general issue involved, and second, to take such decisions as might be considered appropriate in regard to individual names concerned. As to the nature of that decision, he was in full agreement with Mr. Winckworth that Brännich's *Zoologiae Fundamenta* satisfied the requirements of Article 25 and that it was desirable that the Commission should render an *Opinion* to that effect. He was however of the opinion also that, in order to prevent the recurrence in the case of other books of doubts similar to those which had arisen in the present case, it was desirable that the Commission should recommend to the Section on Nomenclature that words should be inserted in the *Règles* clarifying the application of Proviso (b) to Article 25 in relation to books such as Brännich's *Zoologiae Fundamenta*. The Acting President further observed that, as the Commission were painfully aware from their experience with Meigen's *Nouvelle Classification* of 1800, it was often very dangerous for the Commission to give a ruling that a given book was an available book without at the same time examining the effect of that decision on the nomenclature of the group

concerned, for such a decision, although perfectly correct, was capable of causing great confusion in nomenclature, unless appropriate preventive action were taken immediately by the Commission under its Plenary Powers. He accordingly suggested that the Commission should recommend to the Section on Nomenclature that there should be inserted in the *Règles* a provision prescribing that, where the Commission gave a ruling that a given book satisfied the requirements of Article 25, it should be the duty of the Commission, in consultation with specialists, to examine the names first published in that book and, having done so, to place on the appropriate *Official List* such of the names concerned as were nomenclatorially available and also the oldest available names for the taxonomic units concerned, except, where the adoption of any given name concerned would lead to instability and confusion in the nomenclature of the group concerned, in which case it should be made the duty of the Commission to suppress the name concerned under their Plenary Powers. It should be the duty of the Commission also to place on the appropriate *Official Index* any new name published in such a book that was either not available nomenclatorially or was not the oldest available name for the taxonomic unit concerned, together with any name which might have been suppressed under the Plenary Powers under the procedure suggested above.

6. The decision taken by the International Commission on the general question of the availability or otherwise of Brünnich's *Zoologiae Fundamenta* is set out as follows in the Official Record of the Proceedings of the International Commission at the foregoing meeting (Paris Session, 12th Meeting, Conclusion 2) (1950, *Bull. zool. Nomencl.* 4 : 309—310) :—

THE COMMISSION agreed :—

- (1) that, where, prior to 1st January, 1931, an author had published a new generic name in a work dealing with classification down to the generic level but no further, it was not necessary for the purpose of Proviso (b) to Article 25 that in the work concerned the author in question should have cited trivial names of species

under that genus or other genera discussed in the book concerned, provided that it was evident that the author concerned would have applied the principles of binominal nomenclature for species if in the book concerned he had dealt with taxonomic units below the genus level ;

- (2) to recommend that words should be inserted in Article 25, embodying, in relation to Proviso (b) to that Article, the interpretation given in (1) above ;
- (3) to render an *Opinion* stating that, for the reasons given in (1) above, the generic names published in Brünnich, 1771, *Zoologiae Fundamenta* complied with the requirements of Article 25 of the *Règles*.
- (4) to recommend that a provision should be inserted in the *Règles*, prescribing that, where the Commission gave a ruling that a given book of previously doubtful status satisfied the requirements of Article 25, it should be the duty of the Commission in consultation with specialists, to examine the names first published in that book and, having done so, (a) to place on the appropriate *Official List* such of the names concerned as are (i) nomenclatorially available and (ii) the oldest available names for the taxonomic units concerned, save, in the latter event, where, in the opinion of the Commission, the adoption of the name concerned would cause instability and confusion in the nomenclature of the group concerned, in which case the name in question should be suppressed under the Plenary Powers, and (b) to place on the appropriate *Officia Index* any name found to be either not available nomenclatorially or not the oldest name for the taxonomic unit in question, together with any name or names suppressed under the Plenary Powers in accordance with (a) above.

7. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth

International Congress of Zoology, Paris, 1948, at its Fourth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 98—100).

8. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

9. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

10. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official List" to be styled the *Official List of Zoological Works Approved as Available for Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission on Zoological Nomenclature might declare to be an available work, together with any supplementary decisions which the International Commission might take in regard to any aspect of such a work (1953, *Copenhagen Decisions zool. Nomencl.* : 24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official List* of the title of Brännich's *Zoologiae Fundamenta* with a note that the date of publication of this work is "1771" and not "1772", as commonly stated.

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in

dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the undersigned Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Two Hundred and Thirty-Six (236) of the International Commission on Zoological Nomenclature.

DONE in London this Ninth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 27. Pp. 343—350

OPINION 237

Addition of the generic name *Tonna* Brünnich, 1771 (Class
Gastropoda) to the *Official List of Generic Names in
Zoology*



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 237

A. The Officers of the Commission

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Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

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Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.*).

C. Alternate Members of the Commission at the Session held in Paris in 1948

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Dr. Edward HINDLE (*Zoological Society of London, London, England*).

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Professor Victor van STRAELEN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 237

ADDITION OF THE GENERIC NAME "TONNA" BRÜNNICH, 1771 (CLASS GASTROPODA) TO THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY"

RULING :—(1) The generic name *Tonna* Brünnich, 1771 (gender of name: feminine) (type species, by selection by Suter, 1913: *Buccinum galea* Linnaeus, 1758) is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 666.

(2) The specific name *galea* Linnaeus, 1758, as published in the combination *Buccinum galea*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 55.

I.—THE STATEMENT OF THE CASE

In his application Z.N.(S.) 151 of 18th November 1943, Mr. R. Winckworth (*London*) asked, first, for a ruling regarding the availability for nomenclatorial purposes of Brünnich's *Zoologiae Fundamenta* of 1771 (attributed by Mr. Winckworth to 1772), and, second for the addition to the *Official List of Generic Names in Zoology* of the generic name *Tonna* Brünnich, as published in the foregoing work. Mr. Winckworth's application has been reproduced in full in *Opinion* 236 (: 329—342). Accordingly, only the paragraph relating to the name *Tonna* Brünnich is quoted here :—

- (8) *Tonna* and (9) *Cassida* (: 248, also listed : 232) are separated from *Buccinum* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 734. Reference to pages 734 and 735 of the 10th edition shows that these new genera correspond to the first two subdivisions,

“Ampullacea” and “Cassidea”, of the genus *Buccinum* Linnaeus, as defined in that edition.

Tonna Brünnich, however, is used by many authors for *Dolium* Lamarck, 1801, *Syst. Anim. sans Vert.* : 79, e.g. by Dall, 1909, *Prof. Pap. U.S. geol. Surv.* 59 : 71 ; by Suter, 1913, *Manual N.Z. Moll.* : 314, where *Buccinum galea* Linnaeus, 1758, is designated as type of *Tonna* Brünnich ; and by Hedley, 1919, *Rec. Aust. Mus.* 12 : 329. As already stated, I recommend that the name *Tonna* Brünnich (type : *Buccinum galea* Linnaeus, 1758) be added to the *Official List of Generic Names in Zoology*. If the name *Tonna* Brünnich were to be rejected, the next available name would be *Cadus* Röding, 1798, *Mus. Bolten.* (2) : 150 (type : *Buccinum perdix* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 734, so designated by Woodring, 1928, *Carnegie Inst.*, Wash. 385 : 311 (“Miocene Mollusks from Bowden, Jamaica, Part 2”)).

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The subsequent history of Mr. Winckworth’s application is recorded in *Opinion* 236, where also is set out the decision of the International Commission ruling in favour of the availability of the new generic names published in Brünnich’s *Zoologiae Fundamenta* of 1771 (not 1772, as stated in the application). It was in the light of the foregoing decision on the question of principle involved that the International Commission then proceeded to consider the portion of Mr. Winckworth’s application which was concerned with the particular name *Tonna* Brünnich, 1771.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. The following is an extract from the Official Record of the Proceedings of the International Commission on Zoological Nomenclature at the Twelfth Meeting of its Paris Session held at

the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1445 hours, setting out the decision then reached in the present case (Paris Session, 12th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* **4** : 310) :—

THE COMMISSION agreed :—

- (1) to place the generic name *Tonna* Brünnich, 1771 (type species ; *Buccinum galea* Linnaeus, 1758, designated by Suter, 1913) on the *Official List of Generic Names in Zoology* ;
- (2) to place the specific trivial name *galea* Linnaeus, 1758 (as published in the binominal combination *Buccinum galea*), on the *Official List of Specific Trivial Names in Zoology* ;
- (3) to render an *Opinion* recording the decisions set out in (1) and (2) above.

4. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

galea, *Buccinum*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 734
Tonna Brünnich, 1771, *Zool. Fund.* : 248, 232

The reference to the type selection for *Tonna* by Suter is : Suter, 1913, *Manual N.Z. Moll.* : 314.

5. The gender of the generic name *Tonna* Brünnich, 1771, referred to in the decision quoted in paragraph 3 above, is feminine.

6. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fourth

Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 98—100).

7. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

8. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

9. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “trivial name” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “trivial” appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “specific name” was substituted for the expression “trivial name” and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to

the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Opinion* shall be known as *Opinion Two Hundred and Thirty-Seven (237)* of the International Commission on Zoological Nomenclature.

DONE in London this Ninth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 28. Pp. 351—360

OPINION 238

Validation, under the Plenary Powers, of the generic name *Cercopithecus* as from Linnaeus, 1758 (Class Mammalia) (correction of an error in *Opinion* 104)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 238

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Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

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Dr. Arturo Ricardo JORGE (*Museu Bocage, Lisbon, Portugal*).

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Professor Ragnar SPÄRCK (*Universitetets Zoologiske Museum, Copenhagen, Denmark*).

Professor Victor van STRAELN (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium*).

Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 238

VALIDATION, UNDER THE PLENARY POWERS, OF
THE GENERIC NAME "CERCOPITHECUS" AS
FROM LINNAEUS, 1758 (CLASS MAMMALIA)
(CORRECTION OF AN ERROR IN "OPINION"
104)

RULING :—(1) Under the Plenary Powers the generic name *Cercopithecus* (Class Mammalia) is hereby validated as from Linnaeus, 1758, and *Simia diana* Linnaeus, 1758, is designated as the type species of the nominal genus so named.

(2) As validated under (1) above and with the above species as type species, the name *Cercopithecus* Linnaeus, 1758 (gender of name : masculine) entered in the *Official List of Generic Names in Zoology* in accordance with the direction in *Opinion* 104, is hereby confirmed in its position in that *List*.

(3) The specific name *diana* Linnaeus, 1758, as published in the combination *Simia diana*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 56.

(4) The name *Cercopithecus* Brünnich, 1771, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 61.

I.—THE STATEMENT OF THE CASE

In December 1943, Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, discovered, when checking the entries in the *Official List of Generic Names in Zoology*, that the entry on that List of the name *Cercopithecus* Linnaeus, 1758 (Class Mammalia) made in accordance with the directions in the Commission's *Opinion* 104 was

incorrect, there being under the *Règles*, no such generic name. A note was accordingly made that this matter would require to be examined by the International Commission before the *Official List* could be published in book form. When in the spring of 1938 Mr. Hemming was preparing outstanding applications for consideration by the International Commission at the Session arranged to be held at Paris later in that year, he drew up the following note on the present case which on 15th May 1948 he placed on the File Z.N.(S.) 333, which had been opened for this purpose :—

The generic name “*Cercopithecus*”

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

In preparing the *Official List of Generic Names in Zoology* for publication in book-form, I have found an erroneous entry in *Opinion* 104 (1928, *Smithson. misc. Coll.* 73 (No. 5) : 28) in regard to the name *Cercopithecus*. This generic name is there stated to have been published by Linnaeus in 1758 on page 26 of the 10th edition of the *Systema Naturae*. It is also stated in *Opinion* 104 that the type species of this genus is *Simia diana* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 26) “tsd. 1926”, i.e. “type by subsequent designation” by some (unstated) author in 1926.

2. Reference to the 10th edition of the *Systema Naturae* shows that Linnaeus never published a generic name *Cercopithecus*. What he did was to establish a genus *Simia* (: 25) and to divide the species placed by him in that genus into three groups, to which he applied terms in the nominative plural, the third group being separated under the term *Cercopitheci*. About the same time that the Commission adopted *Opinion* 104, it began a study of the problem represented by terms of this kind used by Linnaeus to denote groups of species within given genera. The discussions on this subject were protracted and it was not until 1936 that the *Opinion* (*Opinion* 124) giving the Commission's decision was published (1936, *Smithson. misc. Coll.* 73 (No. 8) : 1—2). In this *Opinion* the Commission gave the following ruling :—“The various Subdivisions of genera published by Linnaeus in 1758 are not to be accepted as of this date (1758) as of subgeneric value under the International Rules”.

3. In view of *Opinion* 124, it is clear that there is no such generic name as *Cercopithecus* Linnaeus, 1758, and that the entry of this alleged generic name on the *Official List* in *Opinion* 104 is incorrect.

4. It should be noted however that the later *Opinion* 124 contains the text of a paragraph which it is there stated that the Commission adopted

in the Minutes of the Meeting which it held on 30th August 1930 during its Padua Session, which, although forming the basis of the decision recorded in this *Opinion*, contains an important pronouncement of policy which, it must be presumed through inadvertence, was not included in the ruling given in the so-called "Summary". This paragraph reads as follows :—

After a discussion of the so-called subgenera in Linnaeus, 1758a, the Secretary was instructed to prepare an *Opinion* to the effect that these are not subgenera, but if any group of specialists finds that because of the literature on said group this *Opinion* will produce greater confusion than uniformity the Commission is prepared to take up individual cases under arguments which may be submitted.

5. It is quite clear that in taking its decision on the general issue the Commission, in *Opinion* 124, overlooked the fact that it had already accepted, and placed on the *Official List* as an available name, a term of the kind which under that *Opinion* it rejected as possessing no status in zoological nomenclature. It may be presumed that, if the Commission had then recalled its action in regard to the so-called generic name *Cercopithecus* Linnaeus, 1758, it would, at the time of the adoption of *Opinion* 124, have proceeded to validate the name *Cercopithecus* under the procedure laid down at Padua (quoted in paragraph 4 above).

6. The question which has now to be considered is what action should be taken to correct the erroneous entry in *Opinion* 104. Broadly speaking, there are only two possible courses of action open to the Commission, namely :—(1) to use its Plenary Powers to validate the name *Cercopithecus* as from Linnaeus, 1758 ; (2) to ascertain, by a search of the literature undertaken in conjunction with specialists in the Primates, what is the first valid use of the word *Cercopithecus* as a generic name, and, having done so, to substitute the name so ascertained for the erroneous entry of *Cercopithecus* Linnaeus, 1758, made in the *Official List* in *Opinion* 104. The second of these courses is open to the objection that in a case of this kind it is always possible, however careful the search made of the old literature, that some ancient use of a name may have been overlooked. Moreover, quite apart from this risk, there is the further danger that the oldest use of such a name may not have been in harmony with what is now currently accepted nomenclatorial usage and therefore that the adoption of the name as so published would not avoid the need for the use by the International Commission of its Plenary Powers, for they would still be necessary for the purpose of varying the type species of the genus concerned in order to avoid undesirable name-changing. For these reasons, I am of the opinion that the best course in the present case would be to resort to the procedure laid down by the Commission at its meeting held at Padua on 30th August 1930, that is, that it should use its Plenary Powers to validate the name *Cercopithecus* as from Linnaeus, 1758.

7. There remains the question of the action to be taken for determining the species to be accepted as the type species of the genus *Cercopithecus*. If, as proposed above, the Plenary Powers are used to clothe with availability the at present non-existent generic name *Cercopithecus* Linnaeus, 1758, the position will be that the nominal genus so named will be without a type species, as any type selections which may have been made for it must have been invalid, since it is obviously impossible to make a valid type selection for a non-existent nominal genus. The Commission will therefore be perfectly free to designate, as the type species of *Cercopithecus* Linnaeus, 1758, when validated under the Plenary Powers, whatever species would, in its opinion, best harmonise with current nomenclatorial practice. In view of the fact that ever since the publication of *Opinion* 104 in 1928 the species *Simia diana* Linnaeus, 1758, has been on record in the *Official List* as the type species, I suggest that that species should be designated by the Commission to be the type species of *Cercopithecus* when that name is validated under the Plenary Powers.

8. I accordingly recommend that the erroneous entry of the name *Cercopithecus* Linnaeus, 1758, made in the *Official List* in *Opinion* 104 should be rectified by the validation of that name by the Commission under its Plenary Powers as from Linnaeus, 1758. I further recommend that at the same time the Commission should designate *Simia diana* Linnaeus, 1758, to be the type species of the nominal genus so named.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The problem of the name *Cercopithecus* arose at Paris independently of the note prepared by Mr. Hemming, for that name was one of the nine new generic names in Brünnich's *Zoologiae Fundamenta*, the status of which formed the subject of an application which had been submitted to the International Commission by Mr. R. Winckworth at the end of 1943. Accordingly, as soon as the Commission had dealt with Mr. Winckworth's application by according recognition to Brünnich's *Zoologiae Fundamenta* for nomenclatorial purposes,¹ it decided at once to take into consideration the problems raised by those of the new generic names published in that work which had already been subjected to careful study. The fact that consideration of the name *Cercopithecus* Brünnich, 1771, involved

¹ See *Opinion* 236 (pp. 329—342).

also consideration of the reputed but at that time non-existent name *Cercopithecus* Linnaeus, 1758, made it necessary in this instance to make use of the facilities afforded by the decision taken earlier in the Paris Session (1950, *Bull. zool. Nomencl.* 4 : 7—8) to suspend the By-Laws of the Commission for the duration of that Session.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. The present application was considered by the International Commission on Zoological Nomenclature at the Twelfth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1445 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 12th Meeting, Conclusion 4) (1950, *Bull. zool. Nomencl.* 4 : 310—311) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers to validate the name *Cercopithecus* as from Linnaeus, 1758, and to designate *Simia diana* Linnaeus, 1758, as the type species of this genus ;
- (2) to confirm, in the light of (1) above, the (previously erroneous) entry of the name *Cercopithecus* Linnaeus, 1758 (type species as specified in (1) above), made in the *Official List of Generic Names in Zoology* in accordance with the directions given in *Opinion* 104 ;
- (3) to place the specific trivial name *diana* Linnaeus, 1758 (as originally published in the combination *Simia diana*) on the *Official List of Specific Trivial Names in Zoology*, and the name *Cercopithecus* Brünnich, 1771, on the

*Official Index of Rejected and Invalid Generic Names
in Zoology ;*

- (4) to render an *Opinion* setting out the decisions recorded in (1) to (3) above.

4. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

Cercopithecus Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 26

Cercopithecus Brünnich, 1771, *Zool. Fund.* : 40, 34

diana, *Simia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 26.

5. The gender of the generic name *Cercopithecus* Linnaeus, 1758, referred to in the decision quoted in paragraph 3 above, is masculine.

6. The decision reached in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fourth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 98—100).

7. The Ruling in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

8. The Ruling in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

9. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.*: 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Opinion* shall be known as *Opinion* Two Hundred and Thirty-Eight (238) of the International Commission on Zoological Nomenclature.

DONE in London this Tenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 4. Part 29. Pp. 361—372

OPINION 239

Designation, under the Plenary Powers, of type species for the nominal genera *Podura* Linnaeus, 1758, and *Tomocerus* Nicolet, [1842] (Class Insecta, Order Collembola) in harmony with accustomed nomenclatorial usage



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 239

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

Vice-President : Dr. James L. Peters (*Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.*).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

B. The Members of the Commission

Class 1949

Senor Dr. Angel CABRERA (La Plata, Argentina).

Mr. Francis HEMMING (London, England) (*Secretary to the Commission*).

Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (*President of the Commission*).

Dr. Th. MORTENSEN (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

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Professor J. R. DYMOND (University of Toronto, Canada).

Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C., U.S.A.).

Class 1955

Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).

Dr. William Thomas CALMAN (Tayport, Fife, Scotland).

Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).

Professor Béla HANKÓ (University of Debrecen, Hungary).

Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).

Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris in 1948

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).

Dr. Edward HINDLE (Zoological Society of London, London, England).

Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).

Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).

Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).

Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).

Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).

Mr. N. D. RILEY (British Museum (Natural History), London, England).

Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).

Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).

OPINION 239

DESIGNATION, UNDER THE PLENARY POWERS, OF TYPE SPECIES FOR THE NOMINAL GENERA "PODURA" LINNAEUS, 1758, AND "TOMOCERUS" NICOLET, [1842] (CLASS INSECTA, ORDER COLLEMBOLA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING :—(1) Under the Plenary Powers all type selections for the under-mentioned genera made prior to the present Ruling are hereby set aside and the following species are designated to be the type species of those genera :—(a) *Podura aquatica* Linnaeus, 1758, to be the type species of the genus *Podura* Linnaeus, 1758 ; (b) *Macrotoma minor* Lubbock, 1862, to be the type species of the genus *Tomocerus* Nicolet, [1842].

(2) The entry in the *Official List of Generic Names in Zoology* of the generic name *Podura* Linnaeus, 1758, made in accordance with the directions given in *Opinion* 104, is hereby confirmed, subject to the substitution, as regards its type species, of the species so designated under the Plenary Powers in (1)(a) above.

(3) The generic name *Tomocerus* Nicolet, [1842] (gender of name : masculine) with the type species designated under the Plenary Powers in (1)(b) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 667.

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 57 and 58 :—(a) *aquatica* Linnaeus, 1758, as published in the combination *Podura aquatica* ; (b) *minor* Lubbock, 1862, as published in the combination *Macrotoma minor*,

I.—THE STATEMENT OF THE CASE

The problem dealt with in the present *Opinion* came to notice from three different sources: first, Mr. Francis Hemming, Secretary to the Commission, while preparing the *Official List of Generic Names in Zoology* for publication in book form, observed the equivocal and apparently contradictory entry made in regard to this name in *Opinion* 104, in which it was placed upon the *Official List*; second, Dr. Hermann Gisin (*Muséum d'Histoire Naturelle, Genève*) submitted a formal application for the use by the Commission of its Plenary Powers in order to give valid force to the current use of the generic name *Podura* Linnaeus, 1758, and of the name *Tomocerus* Nicolet, [1842]; third, Dr. Jiří Paclt (then of the *National Museum, Prague, Czechoslovakia*) submitted an application covering, in general, the same ground as Dr. Gisin's application. The documents so submitted are given in the immediately following paragraphs.

2. Note dated 9th February 1944 by Mr. Francis Hemming, Secretary to the International Commission: On 9th February 1944 the following note was placed on the File Z.N.(G.) 15, in which papers relating to the proposed publication of the *Official List* in book form were at that time registered:—

“ Podura ” Linnaeus, 1758 (“ Opinion ” 104)

By FRANCIS HEMMING, C.M.G., C.B.E.
(Secretary to the International Commission on Zoological Nomenclature)

When last year I started to examine the older *Opinions* of the Commission with the object of extracting from them the particulars regarding the generic names already placed on the *Official List of Generic Names in Zoology* which will be needed when the *Official List* is published in book form, I was immediately struck by the unsatisfactory nature of the entry regarding the name *Podura* Linnaeus, 1758 made in *Opinion* 104 (*Smithson. misc. Coll.* 73 (No. 5) : 27), for in that entry *Podura plumbea* Linnaeus, 1758, is given as the type species but an ambiguous reference is then made to *Podura aquatica* Linnaeus, 1758, the species currently accepted as typifying the genus *Podura*. On my consulting Mr. N. D. Riley he replied on 28th November 1943 enclosing a statement which included the following:—“Throughout the literature, no doubt, *Podura* has been conceived of, in the light of *aquatica* L.”

It is evident from the information furnished by Mr. Riley that there is something seriously wrong with the entry made in the *Official List* in regard to the name *Podura* Linnaeus. A comprehensive application will need to be submitted to the Commission directly it is possible, in consultation with specialists in the group, to determine what action is required.

3. *Application submitted by Dr. Hermann Gisin (Muséum d'Histoire Naturelle, Genève, Switzerland)*: Before any further action had been taken in this case a letter dated 27th November 1945 was received from Dr. Hermann Gisin (*Muséum d'Histoire Naturelle, Genève*) outlining a proposal for submission to the International Commission in regard to this case. After an exchange of letters with the Secretary, Dr. Gisin on 9th January 1946 submitted for the consideration of the International Commission a formal application which was then given the Registered No. Z.N.(S.) 199. The following is an extract from this application:—

**Need for suspension of rules in four cases of generic names in the Order
Collembola (Insecta Apterygota)**

By HERMANN GISIN
(*Muséum d'Histoire naturelle, Geneva, Switzerland*)

Podura Tomocerus

Since its publication by Nicolet, [1842], the name *Tomocerus* is in universal use to designate a well defined, most common genus; we have good reason to establish this name as firmly as possible in the current acceptation, notwithstanding any other consideration.

Unfortunately, both species—*plumbeus* Lin. and *celer* Nic.—included by Nicolet, [1842], in his new genus, are *nomina dubia*. They are considered as such by all modern systematists; all we can say is that they belong to the genus *Tomocerus* (subgenus *Pogonognathus* Börner). Now, *Opinion* 104 (generic names placed in the *Official List*) quotes *Podura plumbea* Lin. as type species of *Podura* Lin. (confirming the first designation by Latreille, 1802, *Hist. Crust. Ins.* 3 : 72). On that ground, we should have to transfer *Podura* to *Tomocerus*, an unacceptable result to entomologists generally. In the whole enormous literature, *Podura* is restricted to a monotypic genus with the very common species *aquatica* Lin.

In order to conserve, in a most practical manner, the current status, established by generations of workers, the International Commission

on Zoological Nomenclature is respectfully requested to recommend the following :

- (a) Under suspension of Rules
 - (i) to set aside all existing type designations for *Podura* Linnaeus, 1758, and *Tomocerus* Nicolet, [1842].
 - (ii) to designate *Podura aquatica* Linnaeus, 1758, *Syst. Nat.* (ed. 10) : 609 as type of *Podura* Linnaeus, 1758, *ibidem*.
 - (iii) to designate *Macrotoma minor* Lubbock, 1862, *Trans. Linn. Soc.* 23 : 598 as type of *Tomocerus* Nicolet, [1842], *N.D. allg. schweiz. Ges.* 6 (3) : 67.
- (b) To change accordingly the type designation for *Podura* Lin. in the *Official List*.
- (c) To place *Tomocerus* Nic. on the *Official List* with type as above.

4. *Application submitted by Dr. Jiří Paclt (then of the National Museum, Prague, Czechoslovakia)* : In a letter dated 21st May 1946, Dr. Jiří Paclt (then of the *National Museum, Prague, Czechoslovakia*) indicated his desire to submit an application in regard to the present case. This application, which was received on 18th August 1946, was as follows :—

Proposal that under suspension of the Rules the genotype of "Podura" Linné, 1758 (Class Insecta, Order Collembola) should be fixed as "P. aquatica" Linné

By JIRI PACLT
(*National Museum, Prague, Czechoslovakia*)

In 1758 Linnaeus founded the genus *Podura*, *Syst. Nat.* (ed. 10) 1 : 608, including in it some species from which Latreille, 1802, *Hist. nat. d'Ins.* 3 : 71, being the first author to select a type, specified *plumbea* Linnaeus (: 608). Later, Latreille (1806, *Gen. Ins.* 1 : 165, 1810, *Consid. gén.* : 423) reaffirmed *plumbea* as the type of *Podura*. Without regard to the latter type selection (1810, *Table des genres*) the species *plumbea* was the only one belonging to the genus *Podura* in the above mentioned works by Latreille. The next author to make a genotype was Tullberg, 1871, *Ofv. Ak. Förh.* 28 : 153, who chose *Podura aquatica* Linnaeus (: 609). With one exception (C. Börner), this choice was followed by all Collembologists. Also Apstein accepted in a list of *Nomina conservanda* (*SB. Ges. naturf. Fr. Berlin* 1915 : 152) the species *aquatica* as genotype while the International Commission on Zoological Nomenclature in *Opinion* 104 (published 1928 in *Smithson. misc. Coll.* 73 : 27) interpreted the genus *Podura* in the sense of Latreille, monotypically with *plumbea* as type.

I am of the opinion that it would be highly undesirable to disturb the use of the name *Podura* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 608, for *Podura aquatica* Linnaeus, 1758, having regard to the fact :

- (i) that that name has been almost universally applied to the species *aquatica* Linnaeus since 1871 ;
- (ii) that the strict application of the Rules would transpose the name *Podura* to *Podura plumbea* Linnaeus, which is quite unidentifiable today and may be placed in another family of Collembola than *P. aquatica* Linnaeus.
- (iii) that the International Commission on Zoological Nomenclature (: 26) when it decided upon the present genotype alteration, believed that this could not influence the position of the genus cited.

For the reasons given above, I consider that a change on the ground of Latreille's selection would produce a state of confusion, and consequently I ask the International Commission on Zoological Nomenclature to cancel the fixation of *Podura plumbea* Linnaeus by Latreille as the type of that genus.

II.—THE SUBSEQUENT HISTORY OF THE CASE

5. In 1946 Dr. Gisin arranged for the publication of a short note on his proposals in regard to this and certain other generic names in the Order Collembola for the purpose of calling attention to the issues involved and of eliciting comments on the action proposed (Gisin, 1946, *Mitt. schweiz. ent. Ges.* 20 (1) : 135—136). The note so published bore the title "Sur la nomenclature de quelques genres importants de Collemboles".

6. *Issue of Public Notices* : On 14th November 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913.

7. The publication of the foregoing notice elicited a comment dated 23rd March 1948 from Dr. Harlow B. Mills (*Chief, State Natural History Survey Division, Department of Registration and Education, State of Illinois, Urbana, Illinois, U.S.A.*). The

following is an extract from Dr. Mills' letter dealing with the present case, the remainder of the letter being concerned with Dr. Gisin's other applications regarding the names of genera in the Order Collembola of which notice had been given at the same time as that in regard to the name *Podura* Linnaeus :—

“*Podura*” Linnaeus, with the type “*Podura aquatica*” Linnaeus and “*Tomocerus*” Nicolet, with the type “*Tomocerus minor*” (Lubbock)

While the suggestion may run counter to at least one previous ruling of the Commission and possibly to the best reasoning in the absence of actual type specimens, I am very much in favor of the suspension of the Rules to allow the use of the generic names *Podura* and *Tomocerus* as indicated by the types suggested. There has been approximately a century of usage of these generic names in this sense and a reshuffling of the names now would needlessly confuse the great body of literature which relates to these genera.

8. *Support received from Mr. Maynard (University of Rochester, Rochester, N. Y., U.S.A.)* : The following is an extract from a letter dated 17th November 1947 from Dr. Gisin, the first of the two applicants of this case, giving particulars of the support offered for his proposals in regard to this and certain other generic names in the Order Collembola by Mr. Maynard (*University of Rochester, Rochester, N. Y., U.S.A.*) :—

Voici une opinion qui vous intéresse. Je l'ai reçue spontanément de la part du seul Collembologiste Américain actuellement actif, Mr. Maynard, de l'Université de Rochester :—“I think there is considerable justification for the reasoning which you follow with regard to the nomenclature as pointed out in your 1946 paper. I have reached the same conclusions and even in the case of *Hypogastrura* it will give me pleasure to be the first of the American workers to make the change from *Achorutes*”.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

9. The applications in the present case were considered by the International Commission on Zoological Nomenclature at the

Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 30) (1950, *Bull. zool. Nomencl.* 4 : 504—507) :—

THE COMMISSION agreed :—

(1) to use their Plenary Powers :—

(a) to set aside all selections of a type species for the undermentioned genera of the Order Collembola (Class Insecta), made prior to the present decision :—

(i) *Podura* Linnaeus, 1758

(ii) *Tomocerus* Nicolet, [1842] ;

(b) to designate the undermentioned species to be the type species of the genera specified in (1) above :—

(i) *Podura aquatica* Linnaeus, 1758, to be the type species of the genus *Podura* Linnaeus, 1758 ;

(ii) *Macrotoma minor* Lubbock, 1862, to be the type species of the genus *Tomocerus* Nicolet, [1842] ;

(2) to confirm the entry on the *Official List of Generic Names in Zoology* of the generic name *Podura* Linnaeus, 1758, subject to the substitution, as its type species, of the species specified in (1) (b) (i) above and of the insertion of a note that this species had been designated as the type species of this genus by the Commission under their Plenary Powers ;

(3) to place the generic name *Tomocerus* Nicolet, [1842] (type species, by designation under the Plenary Powers : *Macrotoma minor* Lubbock, 1862) on the *Official List of Generic Names in Zoology* ;

- (4) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—

aquatica Linnaeus, 1758 (as published in the binominal combination *Podura aquatica*)
minor Lubbock, 1862 (as published in the binominal combination *Macrotoma minor*) ;

- (5) to render an *Opinion* recording the decisions specified in (1) to (4) above.

10. Date to be assigned to the generic name *Tomocerus* Nicolet :
 In view of the fact that Dr. Gisin allotted the date "1842" to the name *Tomocerus* Nicolet, while in Neave's *Nomenclator* (1940, *Nomencl. zool.* 4 : 506) the date adopted for this name is "1841", Mr. Hemming, when preparing the present *Opinion*, judged it advisable to investigate the evidence available on the question of the date of publication of the foregoing name. Mr. Hemming accordingly approached Miss Therersa Clay, the specialist in charge of the Collembola collection in the British Museum (Natural History), London for advice on this subject. From the evidence kindly furnished by Miss Clay in her reply of 22nd December 1953 it may be concluded that the paper by Nicolet containing the name *Tomocerus*, though apparently dated "1841", was not published until "1842". Accordingly, the latter date has been accepted in the present *Opinion*, that date being cited in square brackets in accordance with the decision taken by the Thirteenth International Congress of Zoology, Paris 1948 (1950, *Bull. zool. Nomencl.* 4 : 225—226). The following is the text of Miss Clay's letter :—

As far as I can see the reference given by Gisin is the correct one. Neave's reference is to the title of the paper only : "Recherches pour servir à l'Histoire des Podurelles" ; the date he gives, 1841, may be due to the fact that volume VI is included at the end of V and the whole labelled 1841 (in the B.M. library). His page number, 31, is to the first reference of the name *Tomocerus*, but there are no included species on this page, merely a short diagnosis ; the page number given by Gisin, 67, gives a longer description of the genus and is

followed by the names and description of two species to be included in the genus. If Neave's reference is correct it would mean that Nicolet's paper had been published as a separate publication in the previous year ; I can find no trace of this.

11. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

- aquatica*, *Podura*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 609
minor, *Macrotoma*, Lubbock, 1862, *Trans. linn. Soc. Lond.* (Zool.)
23 : 598
Podura Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 608
Tomocerus Nicolet, [1842], *Neue Denkschr. Allgem. schweiz. Ges.*
6 : 31, 67

12. The gender of the generic name *Tomocerus* Nicolet, [1842], referred to in the decision quoted in paragraph 9 above, is masculine.

13. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 116).

14. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

15. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

16. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

17. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

18. The present *Opinion* shall be known as *Opinion Two Hundred and Thirty-Nine* (239) of the International Commission on Zoological Nomenclature.

DONE in London this Eleventh day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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- Secretary* : Mr. Francis Hemming, C.M.G., C.B.E. (*London, England*).

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Secretary to the Commission

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Corrigenda

page 53. Line 11 : substitute “ subsequent ” for “ original ”.

page 65. Line 22 : substitute “ Burks ” for “ Burke ”.

page 66. Lines 1 and 5 : substitute “ Burks ” for “ Burke ”.

page 70. Lines 21 and 26 : substitute “ Burks ” for “ Burke ”.

page 82. Line 8 : substitute “ Fifty-Three ” for “ Fifty-Four ”.

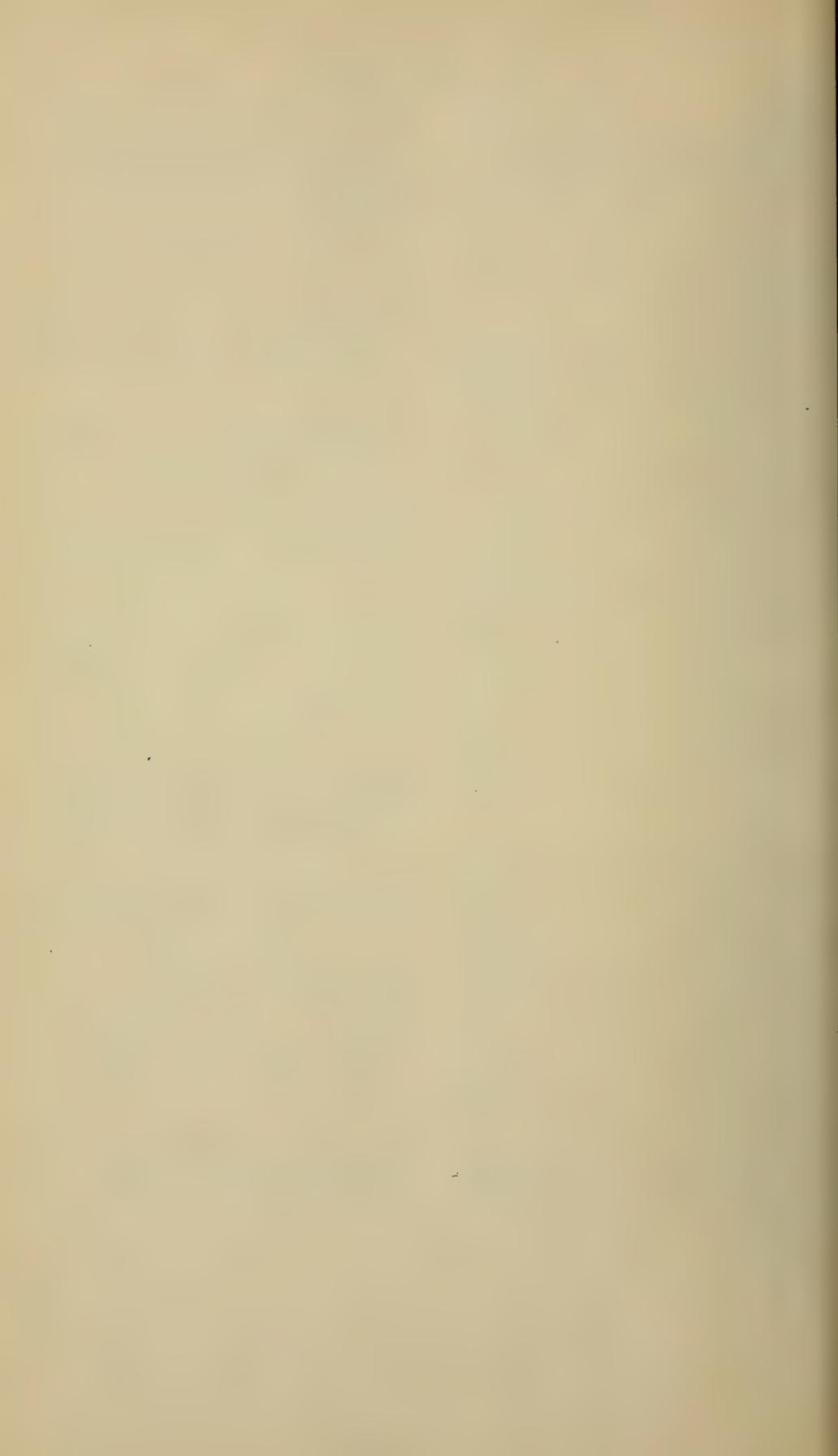
page 345. Ruling (1) line 4 : substitute “ *Generic* ” for “ *Specific* ”.

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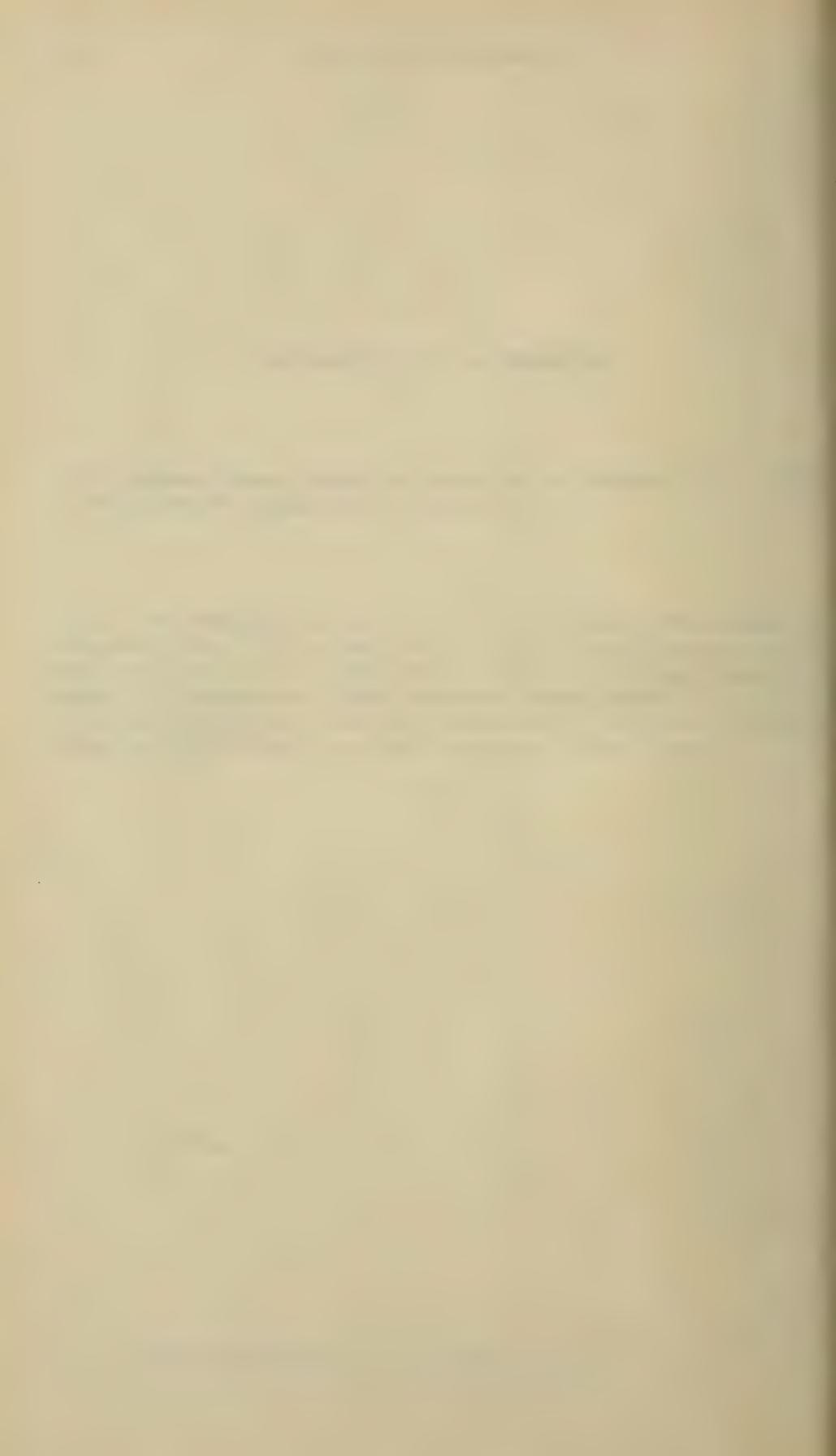
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