

BRUNNEN'S ANTHROPOLOGICAL
REVIEWED BY THE
INTERNATIONAL SOCIETY OF
ZOOLOGICAL NOMENCLATURE

FRANCIS STANTON

Secretary to the International Society of Zoological Nomenclature

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

VOLUME 8

Edited by

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

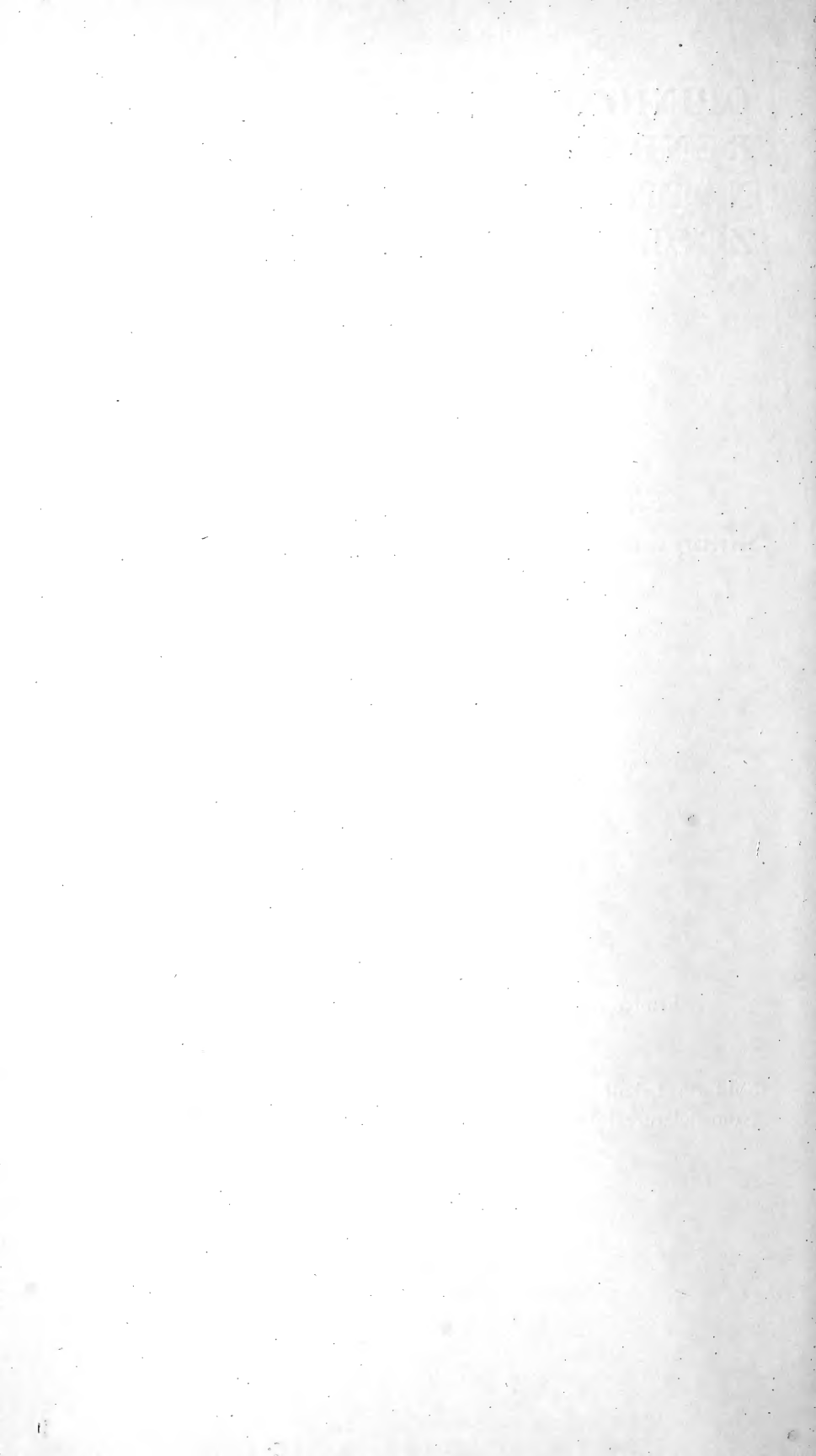
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Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

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FOREWORD

The immediately preceding volume (volume 7) contained the last *Opinion* (*Opinion* 283) embodying a decision taken by the International Commission at its Session held in Paris in 1948. The eighteen months following the close of that Session were taken up entirely with the preparation and publication of the Official Records of the discussions on nomenclature which took place in Paris both in the Commission itself and in the Section on Nomenclature of the Thirteenth International Congress of Zoology. It was therefore not until the latter part of 1950 that it was possible for the Office of the Commission to resume work on the preparation of individual applications for publication in the *Bulletin of Zoological Nomenclature*. The applications concerned were published in volume 2 of the *Bulletin*, the first part of which appeared on 20th April 1951. Voting on the applications so published took place in 1952. The present volume contains the first instalment of *Opinions* containing decisions taken in that year. It is much to be regretted that lack of funds, staff and other resources made it impossible at once to render *Opinions* embodying the decisions so taken. It is satisfactory, however, to be able to record that, as the result of the measures taken by the International Trust for Zoological Nomenclature at the end of 1953 to strengthen the Office of the Commission, *Opinions* have now been rendered in respect of all the cases on which decisions were taken by the Commission in 1952 and 1953 and that, in addition, a substantial start has been made with the preparation of *Opinions* embodying decisions taken by the Commission in the year 1954. Thus, considerable progress has been secured in the wiping-off of arrears in this field. Some time will, however, be required before the remaining arrears can be wiped off and a position reached at which it will be possible for an *Opinion* to be prepared immediately a decision has been taken by the Commission on the case concerned.

2. The present volume comprises 417 pages (T.P.—XIII, 1—404), and, though considerably larger than volume 7, is of about the same size as most of the preceding volumes. This volume contains twenty-eight *Opinions*. The *Opinions* concerned are *Opinions* 284 to 311.

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3. Of the twenty-eight *Opinions* included in the present volume one of the applications so dealt with was submitted by two authors, thus bringing the total number of applicants to twenty-nine.

4. One of the applications dealt with in this volume was concerned with the status of books and the remaining twenty-seven with individual names. Of this latter group, twenty-four (88.9 per cent.) involved the use of the Plenary Powers. The use of these Powers was involved also in the application relating to the status of individual books.

5. The twenty-seven 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>
Insecta	5	3	8
Crustacea	3	—	3
Gastropoda	1	—	1
Pelecypoda	3	—	3
Cephalopoda	10	—	10
Brachiopoda	1	—	1
(indeterminate)	1	—	1
Totals	24	3	27

6. When the twenty-nine 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>
Denmark	1
Netherlands	3
Switzerland	1
United Kingdom	22
United States of America	2
Total	29

7. Under the Rulings given in the *Opinions* comprised in the present volume, forty-five names were placed on the *Official List of Generic Names in Zoology* and fifty-three names on the *Official List of Specific Names in Zoology*. In the same *Opinions*, fifty-one names were placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* and twelve names on the *Official Index of Rejected and Invalid Specific Names in Zoology*. Finally, the titles of four works (or editions of works) were placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*.

8. The twenty-seven *Opinions* dealing with individual names published in the present volume contain eighty-four comments received from interested specialists. These comments were in

VIII

many cases joint comments from a number of specialists. When account is taken of this consideration, the number of specialists who contributed comments in the foregoing block of *Opinions* is seen to number two hundred and fifteen. In addition, five comments were received in regard to the application relating to the status of books.

9. 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>
Insecta	26
Crustacea	13
Gastropoda	4
Pelecypoda	40
Cephalopoda	115
Brachiopoda	15
(indeterminate)	2
Total	215

10. 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>
Australia	1
Brazil	1
Canada	2
France	8
Germany	16
Spain	1
Sweden	1
Trinidad	1
United Kingdom	26
United States of America	158
Total	215

11. For the preparation of the indexes published in the concluding Part of the present volume the Commission is indebted to Miss Mary Cosh, M.A., who succeeded Miss Joan Kelley, B.Sc. as Indexer to the Publications on the latter's resignation of that appointment owing to pressure of other work. In style these indexes follow the model laid down for volume three of the present series and followed in all subsequent volumes.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

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

26th March 1955

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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 8. Part 1. Pp. 1—14

OPINION 284

Validation, under the Plenary Powers, of the generic name *Aphidius* Nees, 1818 (Class Insecta, Order Hymenoptera) and designation of a type species for that genus, 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 284

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
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President : (Vacant).

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Secretary : Mr. Francis Hemming (*London, England*).

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Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

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Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 284

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "APHIDIUS" NEES, 1818 (CLASS INSECTA, ORDER HYMENOPTERA) AND DESIGNA- TION OF A TYPE SPECIES FOR THAT GENUS IN HARMONY WITH ACCUSTOMED NOMEN- CLATORIAL USAGE

RULING : (1) Under the Plenary Powers (a) the following names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy : (i) the generic name *Incubus* Schrank, 1802 ; (ii) the specific name *picipes* Nees, 1811 (as published in the combination *Bracon picipes* ; and (b) the nominal species *Aphidius avenae* Haliday, 1834, is hereby designated as the type species of the genus *Aphidius* Nees, 1818 (Class Insecta, Order Hymenoptera).

(2) The generic name *Aphidius* Nees, 1818 (gender : masculine), with the type species designated, under the Plenary Powers, under (1) (b) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 709.

(3) The generic name *Incubus* Schrank, 1802, as suppressed, under the Plenary Powers, under (1) (a) (i) above, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 97.

(4) The specific name *avenae* Haliday, 1834, as published in the combination *Aphidius avenae*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 115.

(5) The specific name *picipes* Nees, 1811, as published in the combination *Bracon picipes* and as suppressed, under the Plenary Powers, under (1) (a) (ii) above, is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 67.

I.—THE STATEMENT OF THE CASE

On 17th September 1943, Mr. W. D. Hincks (*then of Leeds and now of Manchester University, England*) addressed a tentative enquiry to the Secretary to the Commission on the subject of the generic name *Aphidius* Nees, 1818 (Class Insecta, Order Hymenoptera). After an exchange of correspondence with the Secretary, Mr. Hincks on 23rd July 1944 submitted the following application in regard to the above name to the Commission for decision :—

Proposed validation of “*Aphidius*” Nees, 1818 (Class Insecta, Order Hymenoptera) under the Plenary Powers

By W. D. HINCKS

(*Department of Zoology, University Museum, Manchester, England*)

The well-known genus *Aphidius* Nees, 1818, was established in *Nova Acta Acad. Caes. Leop. Carol.* **9** : 302, for two species, namely *Bracon picipes* Nees, 1811, *Mag. Ges. Nat. Fr.*, Berlin **5** (1) : 28, and *Bracon exoletus* Nees, 1811, *ibid.* **5** (1) : 30.

Ichneumon aphidum Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 568, was selected as the type species by Curtis, 1831 (*Brit. Ent.* **8** : 383) but this selection is invalid since that species was not originally included in the genus by Nees. Foerster's selection (1862, *Verh. naturh. Ver. preuss. Rheinl.* **19** : 248) of *Aphidius rosae* Haliday, 1833 (*Ent. Mag.* **1** : 261) as the type species is untenable for the same reason.

Viereck, 1914 (*Bull. U.S. Nat. Mus.* **83** : 14) stated that the type species of *Aphidius* Nees was *Bracon picipes* Nees, 1811, but as this is a *species inquirenda*, he preferred to follow Foerster's interpretation.

In 1942, Essig published a work under the title of “College Entomology” (New York, The Macmillan Company), in which he used (: 644) the family name INCUBIDAE for APHIDIIDAE and (: 645) sank *Aphidius* Nees as a synonym of *Incubus* Schrank, 1802.

Incubus Schrank, 1802, was established in *Fauna boica* **2** : 315, for *Ichneumon aphidum* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 568, and is monotypical. This genus is identical with *Aphidius* Nees but the name *Incubus* Schrank has never previously been used. The replacement of *Aphidius* Nees by the obsolete name *Incubus* Schrank

and the alteration of the family name from APHIDIIDAE to INCUBIDAE would clearly cause more confusion than uniformity. This seems to me therefore a case where the International Commission on Zoological Nomenclature could properly exercise their Plenary Powers to prevent confusion from arising in the nomenclature of this group.

The identity of neither of the two species originally included by Nees in the genus *Aphidius* Nees is altogether free from doubt, though personally I consider that *Bracon picipes* Nees can properly be identified with *Aphidius avenae* Haliday, 1834, *Ent. Mag.* 2 (1) : 99. This is the view taken by the former leading authority, Marshall (1896, in André, *Spec. Hymen. Eur.* 5 (1) : 574), though it is true that on that occasion Marshall overlooked the prior description (1811) of Nees, as will be noted from the following quotation : " Le synonyme *picipes* Nees, portant la même date que le nom spécifique imposé par Haliday, la priorité reste dans le doute ; j'ai donc préféré l'auteur de la meilleure description ". The first author to introduce the doubt reflected by Viereck, as mentioned above, was the cataloguer Dalla Torre, 1898, *Cat. Hymenopt.* 4 : 5.

If the rules are to be suspended for the purpose of validating the name *Aphidius* Nees, 1818, it is very desirable that at the same time the International Commission should designate as the type species of this genus a species the identity of which is free from doubt, for, in the case of a group of species of considerable economic importance such as that now under consideration, it is important to secure that there shall be no opportunity for doubt by reason of the nomenclature employed. The most appropriate type species for the genus *Aphidius* Nees, 1818, appear to me to be *Aphidius avenae* Haliday, 1834, (a) because the type specimen of this species is in the British Museum (Natural History) and therefore readily available for consultation and (b) because that species (as already stated) is almost certainly identical with *Bracon picipes* Nees, 1811, the species which, under the Code, is the type species of the genus *Aphidius* Nees.

The difficulties in the present case would, therefore, be completely solved if the International Commission on Zoological Nomenclature, acting under their Plenary Powers, were to (i) suppress the name *Incubus* Schrank, 1802, (ii) validate *Aphidius* Nees, 1818, (iii) designate *Aphidius avenae* Haliday, 1834, as the type species of *Aphidius* Nees, 1818, (iv) place the name *Aphidius* Nees, 1818 (gender masculine), and with the above species as its type species, on the *Official List of Generic Names in Zoology*, (v) place the trivial name *avenae* Haliday, 1834, as published in the binominal combination *Aphidius avenae*, on the *Official List of Specific Trivial Names in Zoology*, and (vi) place the generic name *Incubus* Schrank, 1802, on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On receipt of Mr. Hincks' preliminary enquiry in 1943, the present case was allotted the Registered Number Z.N.(S.) 149.

3. *Support by Dr. O. E. Essig (University of California, Division of Entomology and Parasitology, Berkeley, California, U.S.A.)* : During the correspondence with Mr. Hincks in the period 1943—1944, the Secretary consulted Dr. E. O. Essig (*University of California, Division of Entomology and Parasitology, Berkeley, California, U.S.A.*), considering it desirable to appraise him at the earliest possible moment of the likelihood of an application being submitted in the present case, having regard to the fact that it was Dr. Essig who in his *College Entomology* published in 1942 was the first to draw attention to the fact that the generic name *Incubus* Schrank, 1802, had priority over the well-known generic name *Aphidius* Nees, 1818. On 20th October 1943 Dr. Essig replied as follows, giving his support for the proposed validation of the name *Aphidius* Nees under the Plenary Powers :—

On the proposed validation of “*Aphidius*” Nees, 1818 (Class Insecta, Order Hymenoptera) under the Plenary Powers

By E. O. ESSIG

(*Division of Entomology and Parasitology, University of California, Berkeley, California*)

I very greatly appreciate your kind letter of 22nd September, in which you indicate that application has been made for the suspension of the Rules for the purpose of suppressing the name *Incubus* Schrank and for validating *Aphidius* Nees.

I heartily recommend this procedure. I was very hesitant to make the radical changes which appear in “*College Entomology*”, but I reasoned that only by so doing can these matters be permanently straightened out.

4. *Publication of the present application* : Mr. Hincks' application and Dr. Essig's note of support 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, no progress had been made in this case by the time that in 1946 circumstances made it necessary for the International Commission to change its printers. In the period immediately following, it was necessary to devote the whole of the resources of the Commission, first, to preparations for the Session of the Commission to be held in Paris in 1948, and afterwards, to the preparation and publication of the Official Records of the Paris Session. It was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications relating to individual nomenclatorial cases submitted to the International Commission for decision. The present case was included in the first instalment of applications sent to the new printers in September 1950 for publication in volume 2 of the *Bulletin*. Mr. Hincks' application and Dr. Essig's comments on it were published on 20th April 1951 (Hincks, 1951, *Bull. zool. Nomencl.* **2** : 18—19 ; Essig, 1951, *ibid.* **2** : 20).

5. Issue of Public Notices : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), public notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951 both in Part 1 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which the present application was published) and also to the other prescribed serial publications. In addition Public Notice was given to a number of entomological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

6. Support received from Dr. C. F. W. Muesebeck (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) : On 13th November 1951, 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.*) addressed to the Commission the following letter

supporting the action proposed in this case (1952, *Bull. zool. Nomencl.* 6 : 197):—

I am writing concerning the Commission's reference Z.N.(S.) 149 (1951, *Bull. zool. Nomencl.* 2 : 18—19).

As a worker in the BRACONIDAE with interests also in the applied field I wish to support thoroughly the proposal for conserving *Aphidius* Nees, 1818, for the group of aphid parasites to which this name has consistently been applied for well over a century. It would be unfortunate, especially in view of the large volume of literature that deals with this group of insects, to be compelled to substitute *Incubus* Schrank for *Aphidius* at this late date.

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

7. On 7th April 1952 a Voting Paper (V.P.(52)1) was issued, in which Members of the Commission were invited to vote either for, or against, the proposal "relating to the name *Aphidius* Nees, 1818, as specified in the last paragraph on page 19 of volume 2 of the *Bulletin of Zoological Nomenclature*".

8. *The prescribed Voting Period*: As the foregoing Voting Paper related to the matter not previously considered by the International Commission, the prescribed Voting Period was one of three calendar months. Accordingly, the Voting Period closed on 7th July 1952.

9. *Particulars of the Voting on Voting Paper V.P.(52)1*: The state of the voting on Voting Paper V.P.(52)1 at the close of the prescribed Voting Period was as follows:—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)*:

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
 Cabrera ; Stoll ; Esaki ; Hankó ; Pearson ; Bonnet ;
 Mertens ; Lemche ; Vokes ; Bradley ; Boschma ;
 Hemming ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper V.P.(52)*1 was not returned by the following one (1) *Commissioner* :

Jaczewski.

10. *A Supplementary Point raised by Commissioner J. Chester Bradley* : In returning his affirmative vote on the present case, Commissioner J. Chester Bradley submitted the following memorandum in which he expressed the view that an unquestioned status for the specific name *avenae* Haliday, 1834, as published in the combination *Aphidius avenae*, could not be secured, so long as the *nomen dubium picipes* Nees, 1811, as published in the combination *Bracon picipes*, remained an available name :—

While I strongly support the purport of the application, and vote yes, I feel that no case of this sort should be left with the status of some of the involved names undetermined.

If the Commission places the trivial name *avenae* Hal. 1834 on the *Official List of Specific Trivial Names in Zoology* :

(a) Does that action suppress the trivial name *picipes* Nees as used in the combination *Bracon picipes* Nees, 1811 ? or

(b) Does that action give precedence to the specific name *avenae* Haliday over *picipes* Nees for authors who consider them identical species ? or

(c) Is the name *avenae* Hal. to be sunk as a junior subjective synonym of *picipes* Nees by those authors who so consider them ?

(d) Is any author who does not look upon *picipes* Nees and *avenae* Hal. as synonymous at liberty to use *picipes* in some other sense, or sink it as a *species inquirenda* ?

If the answer to (a) is “yes”, then *picipes* Nees should be placed on the *List of Rejected Names*.

Or equally, if the answer to (b) is “yes”, then *picipes* should be placed on the *List of Rejected Names*.

If the answer to (c) is “yes”, then *picipes* Nees should also be added to the *Official List of Specific Trivial Names in Zoology*.

The names to be included on the *Official List of Specific Trivial Names in Zoology* should include “. . . (iii) the name of the type species of any genus . . . save where such a name is not, *either objectively or subjectively*, the oldest available name for the species in question, in which case there shall be added to the *Official List* . . . the oldest available name for the taxonomic species concerned”.

11. Proposal submitted for meeting the point raised by Commissioner Chester Bradley: On 31st December 1952 Mr. Hemming, as Secretary, prepared for the consideration of the Commission the following memorandum dealing with the point raised by Commissioner Chester Bradley, when returning his copy of Voting Paper V.P.(52)1 (see paragraph 10 above) and containing a proposal for meeting the point so raised :—

Reference V.P.(52)1 (“Aphidius”) (see “Bulletin” 2 : 18—19)

The proposal in this case has been unanimously adopted by all the members of the Commission (with the exception of Professor Jaczewski who has not voted on any of the cases submitted this year and is presumably inaccessible), but Professor Chester Bradley has pointed out that it would be undesirable to designate *Aphidius avenae* Haliday, 1834 as the type species of *Aphidius* Nees, 1818, while leaving unsettled the status of the name *Bracon picipes* Nees, 1811. As will be appreciated, the point here is (1) that the trivial name *picipes* Nees has priority over *avenae* Haliday, (2) that some authors have (as stated in the application) identified with one another the species to which these trivial names are respectively applicable, and therefore (3) that it is necessary in the decision now to be taken to make provision for the situation which would arise if, after *A. avenae* Haliday had been designated as the type species of the genus *Aphidius*, and the trivial name *avenae* had been placed on the *Official List*, some authors were to bring forward the older trivial name *picipes* Nees in competition with the name *avenae* Haliday, so established.

2. The foregoing is a valid point and I regret that I overlooked it at the time when the present case was under discussion between the applicant and myself. I therefore agree with Professor Bradley that this matter should be placed beyond possibility of doubt before a decision is promulgated in this case.

3. The object of the present application was (a) to validate the generic name *Aphidius* Nees, 1818, by the suppression of the older (but unused) name *Incubus* Schrank, 1802, (b) to secure that the type species of this genus should be *Aphidius avenae* Haliday, 1834, and (c) to ensure that the trivial name *avenae* Haliday should become the valid name for the type species of this genus. As drafted, the application secured objects (a) and (b), but not object (c). In order to secure the

last-named object, the *nomen dubium* represented by the trivial name *picipes* Nees, 1811, as published in the combination *Bracon picipes*, will need to be suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy, and, when so suppressed, placed on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

12. *Issue of Voting Paper V.P.(53)6, dealing with a Supplementary Proposal*: On 2nd January 1953 Mr. Hemming submitted to the Commission the memorandum reproduced in paragraph 11 of the present *Opinion* and at the same time issued Voting Paper V.P.(53)6, calling for a vote on the proposal outlined in that memorandum. The additional matter included in that proposal was that the Plenary Powers should be used for the purpose of suppressing the *nomen dubium picipes* Nees, 1811, as published in the combination *Bracon picipes*, and that that name, so suppressed, should be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*. For the sake of clarity, Mr. Hemming submitted in the foregoing Voting Paper the draft of a revised Ruling including both the matters already approved by the Commission (paragraph 9 above) and also the supplementary proposal referred to above. It was on this revised draft Ruling that the Commission was asked to vote.

13. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 2nd April 1953.

14. *Particulars of the Voting on Voting Paper V.P.(53)6*: The state of the voting on Voting Paper V.P.(53)6 at the close of the Prescribed Voting Period was as follows¹ :—

(a) *Affirmative Votes had been received from the following fifteen (15) Commissioners (arranged in the order in which Votes were received)* :

Lemche ; Hering ; Bradley ; Dymond ; Esaki ;
Vokes ; Bonnet ; Riley ; Jaczewski ; do Amaral ;
Hankó ; Stoll ; Cabrera ; Hemming ; Boschma ;

¹ The composition of the Commission at the time of the issue of Voting Paper V.P.(53)6 was the same as it had been at the time of the issue of Voting Paper V.P.(52)1 (paragraph 9 above), except that during the interval the Commission had suffered the loss of Dr. W. T. Calman by death.

(b) *Negative Votes* :

None ;

(c) *Voting Papers were not received from the following two (2) Commissioners* :

Mertens ; Pearson.

15. *Declaration of Result of Vote* : On 7th April 1953, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(53)6, signed a certificate that the Votes cast were as set out in paragraph 14 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

16. On 25th February 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were identical with those of the draft Ruling submitted in Voting Paper V.P.(53)6 (paragraph 12 above) and approved by the Commission in the vote on that Voting Paper (paragraph 14 above).

17. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

Aphidius Nees, 1818, *Nova Acta Acad. Caes. Leop. Carol.* **9** : 302
avenae, *Aphidius*, Haliday, 1834, *Ent. Mag.* **2** (1) : 99
Incubus Schrank, 1802, *Faun. boic.* **2** : 315
picipes, *Bracon*, Nees, 1811, *Mag. Ges. Natur-Freund.* **5** (1) : 28

18. The gender of the generic name *Aphidius* Nees, 1818, is masculine.

19. 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*.

20. 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.

21. The present *Opinion* shall be known as *Opinion Two Hundred and Eighty-Four* (284) of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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 8. Part 2. Pp. 15—28

OPINION 285

Acceptance of the generic name *Leptopsylla* Rothschild &
Jordan, 1911 (Class Insecta, Order Siphonaptera) for
the House-Mouse Flea



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 285

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts. England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amara (Sao Paulo, Brazil).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the *International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 285

ACCEPTANCE OF THE GENERIC NAME "LEPTOPSYLLA" ROTHSCHILD & JORDAN, 1911 (CLASS INSECTA, ORDER SIPHONAPTERA) FOR THE HOUSE-MOUSE FLEA

RULING : (1) The generic name *Leptopsylla* Rothschild and Jordan, 1911 (gender : feminine) (type species, by original designation : *Pulex musculi* Dugès, 1832) (Class Insecta, Order Siphonaptera) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 710.

(2) The generic name *Ctenopsyllus* Kolenati, 1863 (a junior homonym of *Ctenopsyllus* Kolenati, 1856) is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 98.

(3) The specific name *segnis* Schönherr, 1811, as published in the combination *Pulex segnis*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 116.

I.—THE STATEMENT OF THE CASE

On 1st September 1944, Dr. Karl Jordan, President of the International Commission on Zoological Nomenclature (*British Museum (Natural History), Tring, Herts, England*) submitted the following application to the International Commission on the question whether the use of the generic name *Ctenopsyllus* by Kolenati in 1856 for a Bat Flea invalidated the same author's separate use of that name in 1863 for the House-Mouse Flea,

a question on the answer given to which depended the availability of the generic name *Leptopsylla* Rothschild & Jordan, 1911, for the latter species :—

**On the question of the availability of the generic name “*Leptopsylla*”
Rothschild & Jordan, 1911 (Class Insecta, Order Siphonaptera)**

By KARL JORDAN, Ph.D., F.R.S.

(British Museum (Natural History), Zoological Museum, Tring, Herts,
England)

I petition the International Commission to terminate a controversy regarding the correct generic name for the House-Mouse Flea. This species was first described as *Pulex segnis* by Schönherr in 1811, *K. Vet. Acad. Nya Handl.* 32 (2) : 98. As this flea is frequently referred to in the literature of Public Hygiene as *Ctenopsyllus segnis* and also as *Leptopsylla segnis*, it is a matter of practical importance that the International Commission should decide which of these generic names is the correct one for this species.

The name *Ctenopsyllus* appears for the first time in print in Kolenati, 1856, *Die Parasiten der Chiroptern* : 31. Kolenati's book was issued in identical form at Brünn in 1856 and at Dresden in 1857. The latter is the issue usually found and in consequence new names published by Kolenati in this work are commonly (but erroneously) dated “1857” instead of “1856”. There is a copy of the scarce original Brünn issue in the library of the Zoological Museum, Tring. Kolenati there described several species of bat-flea, employing for them the generic name *Ceratopsyllus* Curtis, 1838, *Brit. Entom.* 15 (180) : errata in Index (an emendation of *Ceratophyllus* Curtis, 1831, *Guide brit. Ins.* (7) : 201).

In a footnote to the name *Ceratopsyllus* Curtis, Kolenati said (: 31) (translation) : “From κέρασ, κέρατος horn and ψύλλος flea, should really be called *Ctenopsyllus* from κτείς, κτενός the comb, because the species bear combs, so-called ctenidia, at the posterior margin of the pro- and meta-notum and often also on some terga, by means of which they hold on, hairs of the host being caught in between when the combs are pressed on to the segments”.

In 1863, *Hor. Soc. ent. ross.* 2 : 37, Kolenati gave to a “subgenus” of *Ctenophthalmus* Kolenati, 1857, *Paras. Chiroptern* : 33, the name *Ctenopsyllus*, ignoring altogether the fact that he had previously published this name in 1856. On this occasion, Kolenati described two species, the first as *Ctenopsyllus quadridentatus* (which is the same species as *Pulex segnis* Schönherr, 1811, referred to above), the second as *Ctenopsyllus bidentatus*, a distinct and at that time new species. The first of these species was selected as the type species of this genus by Baker in 1904 (*Proc. U.S. nat. Mus.* 27 : 371) (as *Pulex musculi*).

In 1911, *Novit. zool.* **18** : 85, Jordan and Rothschild published the name *Leptopsylla* nom. nov. for "*Ctenopsyllus* Kolenati, 1862 nec 1856" (the first of these years should have been cited as "1863" not "1862"). The type species of this genus by original designation is *Pulex musculi* Dugès, 1832 (*Ann. Sci. nat.* **27** : 163), which is the same species as *Pulex segnis*. This name *Leptopsylla* for the House-Mouse Flea and some similar species has been rejected by some specialists and accepted by others.

The question on which an *Opinion* from the Commission is now desired is whether the action by Jordan and Rothschild, 1911, was correct or wrong. In other words, was *Ctenopsyllus* published in 1856 as another name for *Ceratopsyllus* Curtis, 1838, and is it available from 1856?

The decision one way or the other will affect a number of similar cases, where authors have tentatively published names which they thought were "better" or otherwise more suitable names than names already published.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application*: On receipt, Dr. Jordan's application was given the Registered Number Z.N.(S.) 166.

3. *Despatch of the present application to the printer*: 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, no progress had been made in this case by the time that in 1946 circumstances made it necessary for the International Commission to change its printers. In the period immediately following, it was necessary to devote the whole of the resources of the Commission, first, to the preparations for the Session of the Commission to be held in Paris in 1948, and, afterwards, to the preparation and publication of the Official Records of the Paris Session. It was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications relating to individual nomenclatorial cases submitted to the International Commission for

decision. The present case was included in the first instalment of applications sent to the new printers in September 1950 for publication in Part 1 of volume 2 of the *Bulletin of Zoological Nomenclature*.

4. *Support for the name "Leptopsylla" Rothschild & Jordan, 1911, received from Sir John Charles, Principal Medical Officer of Health in the United Kingdom*: In view of the possible importance in Public Health literature of the name to be applied to the House-Mouse Flea, Mr. Francis Hemming, Secretary to the Commission, invited Sir John Charles, Principal Medical Officer of Health in the United Kingdom, to furnish a statement of his views on the present application. In his reply, dated 17th August 1950, Sir John Charles stated that, "so far as the literature of Public Health is concerned, it [the name *Leptopsylla segnis*] would be preferred". Further reference to this consultation will be found in paragraph 6 of the paper by Mr. Hemming reproduced in the immediately following paragraph.

5. *Supplementary note submitted by the Secretary to the Commission*: When in September 1950 Dr. Jordan's application was sent to the printer for inclusion in volume 2 of the *Bulletin of Zoological Nomenclature*, Mr. Hemming, as Secretary, took the view that it would be for the convenience of the Commission, if he were to set out the action which would be required in the event of the Commission reaching the conclusion that the name *Ctenopsyllus Kolenati*, 1856, invalidated the name *Ctenopsyllus Kolenati*, 1863, and, therefore, that the generic name *Leptopsylla* Rothschild & Jordan, 1911, was the oldest available generic name for the House-Mouse Flea. Mr. Hemming accordingly prepared the following paper which was sent to the printer at the same time as Dr. Jordan's application:—

On the relative merits of the generic names "*Ctenopsyllus*" Kolenati, 1863, and "*Leptopsylla*" Jordan and Rothschild, 1911, as the generic name of the House-Mouse Flea (Class Insecta, Order Siphonaptera)

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

(Secretary to the International Commission on Zoological Nomenclature)

The point raised by Dr. Karl Jordan regarding the relative merits from the nomenclatorial point of view of the generic names *Ctenopsyllus*

Kolenati and *Leptopsylla* Jordan and Rothschild turns on the question whether the manner in which the name *Ctenopsyllus* was published by Kolenati in 1856 was such as to confer availability upon it under the *Règles*. If the answer to this question is in the affirmative, the name *Ctenopsyllus* Kolenati, 1856, applies not to the House-Mouse Flea, but to a group of Bat Fleas. If, on the other hand, the answer to the foregoing question is in the negative, the name *Ctenopsyllus* ranks for purposes of priority as from Kolenati, 1863, and is applicable to the House-Mouse Flea. This question was reviewed in 1911 by Jordan and Rothschild, who came to the conclusion that, despite the unsatisfactory way in which the name *Ctenopsyllus* had been published by Kolenati in 1856, that name has nevertheless acquired rights under the Law of Priority in virtue of having been so published, and was accordingly applicable to the Bat Fleas. In the light of this conclusion, the name *Ctenopsyllus* Kolenati, 1863, as applied to the House-Mouse Flea became an invalid (because junior) homonym of the name *Ctenopsyllus* Kolenati, 1856. The House-Mouse Flea was thus left without an available generic name and it was to meet this deficiency that Jordan and Rothschild published the name *Leptopsylla*. The Commission are now asked to decide whether the argument advanced by Jordan and Rothschild was in accordance with the *Règles* or not and therefore whether the name *Ctenopsyllus* Kolenati, 1863, or the name *Leptopsylla* Jordan and Rothschild, 1911, is the generic name properly applicable to the House-Mouse Flea.

2. The question with which we are here confronted is the status to be accorded under the *Règles* to a name that was rejected by its author at the time when it was first published and was treated by that author as a synonym of some other name. One aspect of this case was dealt with by the Commission as long ago as 1907 when they rendered *Opinion* 4, in which they ruled that a manuscript name acquired availability under the *Règles* when it was published with an "indication", irrespective of whether or not the author by whom it was published himself accepted the name as an available name or whether he sunk it as a synonym of some other (older) name. Another aspect of this case was dealt with by the Commission in 1912 when in *Opinion* 49 they ruled that the status of a name was not to be regarded as being adversely affected by reason of the name having been published conditionally. Both the foregoing interpretations of Article 25 were incorporated into the *Règles* by the Thirteenth International Congress of Zoology at its meeting held in Paris in 1948. (For the terms of the decision in relation to *Opinion* 4, see Proceedings of the Commission, Paris Session, 6th Meeting, Conclusion 4, and for that in relation to *Opinion* 49, *ibid.* 6th Meeting, Conclusion 17, published in 1950, *Bull. zool. Nomencl.* 4 : 144—146.)

3. The name *Ctenopsyllus* was admittedly published by Kolenati in 1856 as a conditional name, but, as we have seen, this does not deprive that name of any rights which it may otherwise possess under

the Law of Priority. It is agreed also that, when Kolenati published this name in 1856, he himself rejected it and treated it as a synonym of an earlier name (*Ceratophyllus* Curtis, 1838) : but, as we have seen, the rejection of a name by its original author at the time of its first publication does not deprive that name of its rights under the Law of Priority if as here (through its identification with *Ceratophyllus* Curtis) it is published with an indication. We see therefore that the name *Ctenopsyllus*, as published by Kolenati in 1856, cannot be rejected either on the ground that it was published conditionally or on the ground that it was rejected by its original author. It was in fact published as an emendation (on etymological grounds) of an earlier generic name ; its status from the present point of view is therefore the same as that of any other emendation. Now we know from the decision in *Opinion* 148, since clarified and incorporated into the *Règles* (Proceedings of the Commission, Paris Session, 6th Meeting, Conclusion 44, see 1950, *Bull. zool. Nomencl.* 4 : 163) that " a generic name is to be rejected as a homonym, where the word of which that name consists has previously been published as an emendation, whether valid or invalid, of another generic name ". It is clear from the foregoing passage, which is a direct quotation from the Paris Proceedings, that the *Ctenopsyllus* as published by Kolenati in 1856 renders invalid, as a junior homonym, any later use of the word *Ctenopsyllus* as a generic name applied to some other group, for example, the later use of this name by Kolenati himself in 1863. (It is of interest to note that at Paris, 9th Meeting, Conclusion 20, the record of which was published in 1950, *Bull. zool. Nomencl.* 4 : 256, the Commission considered a case relating to a trivial name, which resembles very closely the case here under discussion, for that was a case where (as here) an author (Strand) published a name (*aegyptiellus*) which he in fact rejected (just as in 1856 Kolenati rejected the emendation *Ctenopsyllus* which he then published for the first time). In this case the Commission ruled that the trivial name *aegyptiellus* having been published by Strand with an indication was not damnified by reason of having been rejected by its original author at the time when it was first published, and, therefore, that this trivial name was available, as from the date on which it had been first published by Strand.

4. For the reasons set forth above, it is clear that Jordan & Rothschild acted in strict accordance with the *Règles*, when, in 1911, they rejected *Ctenopsyllus* Kolenati, 1863, as an invalid homonym of *Ctenopsyllus* Kolenati, 1856, and therefore those authors were fully justified when they gave a new generic name (*Leptopsylla*) for the House-Mouse Flea.

5. In his application in relation to this case Dr. Jordan raised a point of importance, which requires to be considered, when he observed that the name to be given to the House-Mouse Flea was a matter of concern to workers in the field of Public Hygiene, some of whom had adopted the name *Leptopsylla*, while others had continued to use the name *Ctenopsyllus*. From this point of view, the present

case resembles closely the case of the names *Bilharzia* and *Schistosoma* dealt with by the Commission in Paris (Paris Session, 12th Meeting, Conclusion 11, for the record of which see 1950, *Bull. zool. Nomencl.* 4 : 319—323). In that case the Commission was satisfied that the name *Bilharzia* had been validly published with an indication by Meckel von Hemsbach in 1856, and therefore had priority over the name *Schistosoma* Weinland, 1858, but decided that, in view of the fact that in medical literature the name *Schistosoma* had come to be much more widely used than the name *Bilharzia*, the balance of advantage lay in suppressing the latter name under their Plenary Powers, and in validating the name *Schistosoma*. In these circumstances, it appeared to me desirable to obtain a preliminary expression of opinion from a leading Public Hygiene authority, in order to ascertain whether on public hygiene grounds there was any case for using the Plenary Powers in order to validate *Ctenopsyllus Kolenati*, 1863 (by suppressing the earlier name *Ctenopsyllus Kolenati*, 1856) in preference to applying the *Règles* in this case in the ordinary way.

6. At this point therefore, I consulted Sir John Charles, Principal Medical Officer of Health, Ministry of Health in the United Kingdom, who replied (on 17th August, 1950) that "though references to the House-Mouse Flea in Public Health literature are not numerous, there seems to be general agreement with the name of *Leptopsylla segnis*, and that so far as the literature of public hygiene is concerned, it would be preferred".

7. In these circumstances it appears to me that there is no case for the use of the Plenary Powers and that the appropriate course would be for the Commission, after noting that the name *Ctenopsyllus Kolenati*, 1863 (applied to the House-Mouse Flea) is an invalid junior homonym of the name *Ctenopsyllus Kolenati*, 1856 (a name applied to a group of Bat Fleas), (1) to place the generic name *Leptopsylla* Rothschild & Jordan, 1911 (*Novit. Zool.* 18 : 85), (type species, by original designation: *Pulex musculi* Dugès, 1832 (*Ann. Sci. nat.* 27 (106) : 163) (= *Pulex segnis* Schönherr, 1811 (*K. Sv. Vetensk Acad., Nya Handl.* 32 (No. 2) : 98)) on the *Official List of Generic Names in Zoology*, (2) to place the generic name *Ctenopsyllus Kolenati*, 1863 (*Hor. Soc. ent. ross.* 2 : 37) on the *Official Index of Rejected and Invalid Generic Names in Zoology*, and (3) to place the trivial name *segnis* Schönherr, 1811, as published in the binominal combination *Pulex segnis*, on the *Official List of Specific Trivial Names in Zoology*.

6. *Publication of the present application* : Dr. Jordan's application and Mr. Hemming's note on it were published on 20th April 1951 (Jordan, 1951, *Bull. zool. Nomencl.* 2 : 21—22 ; Hemming, 1951, *ibid.* 2 : 22—25).

7. *Support by Dr. Fritz Peus (Zoologisches Museum der Universität Berlin) for the name "Ctenopsyllus" Kolenati, 1863* : Under cover of a letter dated 26th May 1951, Professor Erich Martin Hering transmitted the following comment on the present case by Professor Fritz Peus (*Chief of the Siphonaptera Division, Zoologisches Museum der Universität Berlin*) :—

Nach den "Regeln" ist *Leptopsylla segnis* Schönh. als Name für den Hausmausfloh eindeutig exakt und gültig. Dieser Name sollte allgemein anerkannt und gebraucht werden. Eine Rücksichtnahme auf die Interessen oder Gewohnheiten der Public Hygiene ist nicht zu empfehlen und ist nicht begründet. Der Hausmausfloh wird in der hygienischen Literatur niemals allein mit dem Gattungsnamen, sondern immer auch mit dem Artnamen genannt ; da der Artname "segnis" in der Ordnung Siphonaptera der Welt aber nur einmal vorkommt, kann es daher auch niemals eine Verwechslung geben. Ich erinnere daran, dass bei einem anderen Insekt, welches in der Public Hygiene eine viel grössere und wichtigere Rolle spielt als der Hausmausfloh, nämlich *Anopheles claviger* Meigen, der Artname "claviger" an die Stelle von "bifurcatus" gesetzt worden ist, obwohl der Name "bifurcatus" bisher allein in Gebrauch war ; beim Hausmausfloh ist in der Public Hygiene der Gattungsname *Leptopsylla* auch heute schon neben *Ctenopsyllus* durchaus häufig in Gebrauch. Bei *Anopheles* hat sich der Name *claviger* anstelle von *bifurcatus* in der hygienischen Literatur rasch und allgemein durchgesetzt.

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

8. *Issue of Voting Paper V.P. (52)2* : On 7th April 1952 a Voting Paper (V.P. (52) 2) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to *Leptopsylla* Rothschild & Jordan, 1911, as specified in paragraph 7 on page 25 of volume 2 of the *Bulletin of Zoological Nomenclature*" [*i.e.* the formulation by Mr. Hemming of the action which would be required if the Commission

were to decide to accept the generic name *Leptopsylla* Rothschild & Jordan, 1911, given at the end of the paper reproduced in paragraph 5 of the present *Opinion*].

9. The prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

10. Particulars of the Voting on Voting Paper V.P. (52) 2 : The state of the voting on Voting Paper V.P. (52) 2 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received) :*

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Hankó ; Pearson ; Bonnet ;
Mertens ; Vokes ; Bradley ; Boschma ; Hemming ;

(b) *A Negative Vote had been given by one (1) Commissioner :*
Lemche ;

(c) *Voting Paper V.P. (52) 2 had not been returned by one (1) Commissioner :*
Jaczewski.

11. Declaration of Result of Vote : On 7th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P. (52) 2, signed a Certificate that the Votes cast were as set out in paragraph 10 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

12. On 25th February 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its vote on Voting Paper V.P. (52) 2.

13. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :

Ctenopsyllus Kolenati, 1863, *Hor. Soc. ent. ross.* **2** : 37
Leptopsylla Rothschild & Jordan, 1911, *Novit. zool.* **18** : 85
segnis, *Pulex*, Schönherr, 1811, *K. svensk. Vetensk. Acad. Nya Handl.* **32** (No. 2) : 98

14. The gender of the generic name *Leptopsylla* Rothschild and Jordan, 1911, is feminine.

15. At the time of the adoption of the decision recorded in 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*. 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 title of the *Official List* 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 Eighty-Five (285)* of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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

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OPINION 286

Suppression, under the Plenary Powers, of the specific name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax* (Class Insecta, Order Lepidoptera)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 286

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N. Y., U.S.A.*) (28th March 1944).

Professor Harold B. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N. Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 286

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE SPECIFIC NAME "AJAX" LINNAEUS, 1758, AS PUBLISHED IN THE COMBINATION "PAPILIO AJAX" (CLASS INSECTA, ORDER LEPIDOPTERA)

RULING : (1) Under the Plenary Powers, the specific name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 117 :—*xuthus* (emend. of *xanthus*) Linnaeus, 1767, as published in the combination *Papilio xanthus* (emended in the same work to *xuthus*).

(3) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Names Nos. 68 and 69 respectively :—(a) *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, as suppressed, under the Plenary Powers, under (1) above ; (b) *xanthus* Linnaeus, 1767, as published in the combination *Papilio xanthus* (an Invalid Original Spelling for *xuthus*).

I.—THE STATEMENT OF THE CASE

On 10th July 1945 Dr. A. Steven Corbet (*British Museum (Natural History), London*) submitted the following application,

asking for the suppression, under the Plenary Powers, of the specific name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax* (Class Insecta, Order Lepidoptera):—

**Proposed use of the Plenary Powers to suppress the trivial name “ Ajax ”
Linnaeus, 1758, as published in the combination “ Papilio Ajax ”
commonly but incorrectly applied to the species named
“ Papilio marcellus ” by Cramer in 1777 (Class Insecta,
Order Lepidoptera)**

By A. STEVEN CORBET

(British Museum (Natural History), London)

In Linnaeus' original diagnosis of *Papilio ajax* in 1758, *Systema Naturae* (ed. 10) 1 : 462, the very brief description (“ P/apilio/ E/ques/ alis obtuse caudatis concoloribus fuscis : fasciis falvescentibus, angulo ani fulvo”) is followed by two citations and an indication of the habitat as follows:—

Raj. ins. 111. n. 2

Edw. av. 34

“ Habitat in America boreali.”

There is no mention of *P. xuthus* in the 10th edition and the description of *P. ajax* is followed by that of *P. machaon*.

There is no mention of *P. ajax* in 1764, *Mus. Lud. Ulr.* but in 1767, in the 12th edition (*Syst. Nat.* (ed. 12) 1 (2) : 750) the description of *P. ajax* is repeated precisely as in the 10th edition. On the following page in the 12th edition, appears the first description of *P. xanthus* (corrected to *xuthus* in the index), with “ Habitat in India orientali ” and “ Simillimus *P. Ajaci* ”. The diagnosis of *P. xuthus* is more detailed than that of *P. ajax* and there are no references to works of other authors.

While there has been no doubt regarding the identity of *P. xuthus*, much confusion has been associated with the determination of *P. ajax*; in fact, so involved had the position become that Rothschild and Jordan abandoned the name in their “ Revision of the American Papilios ” in 1906 (*Novit. zool.* 13 : 413—414). This confusion would not have arisen, had the Linnean collection been adequately studied, for therein is an undoubted Linnean specimen, low-set on a long, black, headless pin of the type which I called a “ Cantonese pin ” in an earlier paper (Corbet, 1942, *Proc. R. ent. Soc. Lond.* (B) 11 : 91), and labelled “ ajax ” in Linnaeus' writing and “ xuthus 751 ” by Smith. The specimen in question is *P. xuthus* and the pin may be

taken as evidence of its Cantonese origin ; almost certainly, it is one of the butterflies obtained by Peter Osbeck when he visited Canton in 1751.

In Linnaeus' own copy of the 10th edition of the *Syst. Nat.*, there is the following manuscript note added to the description of *P. ajax*.

“ Simillimus Machaon, sed magis flavis. Valde affinis Ajax, Machaon, Podalirius, Antilochus, Protesilaus ”.

P. ajax is among the species marked by Linnaeus as being in his collection in his own copy of the 12th edition, while *xuthus* is not so marked.

There is nothing in the description of *P. ajax* in either the 10th or 12th editions, which conflicts with what must clearly be regarded as the type specimen. It appears that Linnaeus described this same species again under the name *xanthus* (recte *xuthus*) from the same or another specimen, but this is not a unique occurrence for both *P. aonis* and *P. lemonias* were described in the 10th edition from specimens of the dry-season form of the same species of *Precis* and, in the same volume, Linnaeus published names for three nominal “species”, based upon specimens of two species only (*Papilio perius* and *P. hylas*). Unfortunately, however, the Linnean collection was not available to the early authors and, even if it had been, no convincing conclusion could have been drawn without research into the manner of setting, pinning and labelling, in order to judge the authenticity of any supposed Linnean specimens. The early entomologists were obliged to identify *P. ajax* on the basis of the meagre description and the conflicting citations and in consequence mistakes were inevitable.

The Linnean description of *P. ajax* applies equally well to several species of *Papilio* (*sensu stricto*) of similar facies and the references to Edwards and Ray do nothing to clarify the position. The reference to Edwards, 1743, *Natural History of Uncommon Birds* 1 : 34, t. 34 given in the 1758 description of *P. ajax* was cited under *P. protesilaus* by Linnaeus in 1764, *Mus. Lud. Ulr.*, and yet again referred to *P. ajax* in 1767 in the 12th edition of the *Syst. Nat.* According to Rothschild and Jordan (1906, *Novit. zool.*, 13 : 413), Edwards' figure cannot be reconciled with the Linnean description of *P. ajax* and, in fact, represents the American species well known as *Papilio marcellus* Cramer [1777]. The reference to Ray, 1710, *Historia Insectorum* : 111 (no. 2), depends on a reference by the latter author to a rather fantastic figure in Mouffet, 1634, *Insectorum sive Minimorum Animalium Theatrum* : 98 which Rothschild and Jordan identified as the American species *P. glaucus* Linnaeus, 1758. The coloured figure labelled “ajax 26” in Clerck, 1764, *Icones Insectorum rariorum* 2 : t. 33. fig. 3 (a figure which was certainly seen by Linnaeus before

publication) represents yet another American species, *P. polyxenes* Fabricius, 1775.

In view of this confusion of figures by Linnaeus, Rothschild and Jordan considered the wisest course was to discard the name *ajax* altogether; on the other hand, Holland (1931, *The Butterfly Book*, Revised Edition : 321) continued to employ the name for the species *P. marcellus* Cramer, to which the name *ajax* had been applied since Linnaeus' day. In the interests of stability of zoological nomenclature, it is clearly undesirable to leave the matter as it stands. Either the name *ajax* should be employed for the species which would be so designated under the usual procedure based on the *Règles Internationales* or application should be made to the International Commission on Zoological Nomenclature for a suspension of the Rules in order to invalidate the name *ajax* on the grounds that a strict enforcement of the law of priority would result in greater confusion than uniformity.

In my opinion, there is no doubt that the name *Papilio ajax* Linnaeus, 1758, should be applied to the oriental species universally known as *Papilio xuthus* Linnaeus, 1767. In previous papers I have attempted the identification of the Linnean names of oriental Rhopalocera by taking as the type specimen of the respective nominal species :

(a) the specimen(s) in the Museum of Queen Ludovica Ulrica in the case of species where Linnaeus added the letters "M.L.U.", to his original description. (With a few species marked "M.L.U." in the descriptions, the specimens were missing from the Queen's collection but I found them in the Linnean collection.)

(b) the specimen(s) in the Linnean collection when these were identifiable as Linnean with reasonable certainty and where the original description contained no reference to "M.L.U."

(c) a figure cited by Linnaeus when the species was not in the Queen's or the Linnean collection. It appears that in only two instances among the oriental butterflies (*P. helena* and *P. eryx*) did Linnaeus rely entirely on figures.

It has been found that, if the above principles are followed, there is little or no trouble regarding the Linnean names of oriental Rhopalocera as these would continue to be employed in the sense used by the older authors. On the other hand, if preference were given to figures cited by Linnaeus over specimens in the Queen's museum and the Linnean collection, ambiguity and uncertainty must follow.

It has been pointed out in a previous paper (Corbet, 1942, *loc. cit.* : 91) that, although Sir James Edward Smith added to the Linnean collection after he purchased it, there is no evidence of label-changing

and in very few instances is there more than a single pin-hole in the original label. Everything points to the specimen of *P. xuthus* referred to above as having been labelled "ajax" by Linnaeus, and it has every claim to be regarded as the type specimen of *P. ajax* and as such I consider it.

Thus, if the International Rules are followed, the species long-known as *P. xuthus* will in future have to be known as *P. ajax* Linnaeus and the former name will sink as a synonym. This would be deplorable, not so much because a well-known name would disappear, but because of the uncertainty which has surrounded the name *P. ajax* in the past.

The name *P. ajax* Linnaeus has been applied almost consistently although, incorrectly, to *P. marcellus* Cramer and a voluminous literature has grown up around this name, and I think it will be conceded that its suppression is in the best interests of entomology. It is accordingly hoped that the International Commission on Zoological Nomenclature will exercise the Plenary Power conferred upon them by the International Congress of Zoology, and promulgate an *Opinion* to the following effect :—

The name *Papilio ajax* Linnaeus, 1758, is not to be employed for the species generally known as *Papilio xuthus* Linnaeus, 1767, although it has priority over this latter name, nor is it to be used for any other species.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On receipt, Dr. Corbet's application was given the Registered Number Z.N.(S.) 192.

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

4. *Postponement of the present application at Paris in 1948* : By the time that the International Commission on Zoological Nomenclature assembled in Paris in 1948 for the Session of Meetings arranged to be held during the Thirteenth International Congress of Zoology, the present application had reached a stage at which it would have been possible for the Commission to reach a decision upon it. In view, however, of the limited time then available, it was found impossible during the Paris Session to deal with all the cases then awaiting attention, and the present was one of those which was inevitably postponed for this reason. In the period immediately following the Paris Session, it was necessary to devote the entire resources of the International Commission to the preparation and publication of the Official Records of that Session. It was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications relating to individual nomenclatorial cases submitted to the International Commission for decision. The present case was included in the first instalment of applications sent to the printers in September 1950 for immediate publication in the *Bulletin of Zoological Nomenclature*.

5. *Supplementary Note by Mr. Francis Hemming* : At the same time that Dr. Corbet's application was sent to the printer, Mr. Francis Hemming, as Secretary to the Commission, prepared the following note on the procedural problems involved in that application :—

On the proposal that the trivial name " Ajax " Linnaeus, 1758, as published in the binominal combination " Papilio ajax " should be suppressed by the International Commission on Zoological Nomenclature under its Plenary Powers

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

(*Secretary to the International Commission on Zoological Nomenclature*)

The late Dr. A. Steven Corbet, who at the time of his death was undoubtedly the foremost authority on the Linnean butterflies, has shown that the type specimen of the nominal species *Papilio ajax* Linnaeus, 1758, is still preserved in the Linnean collection in London and that, contrary to the universal belief of all previous workers (none of whom had studied the Linnean collection), the name *Papilio ajax*

was not bestowed by Linnaeus upon a Nearctic species but upon the well-known Palaearctic and Oriental species to which Linnaeus himself in 1767 gave the name *Papilio xuthus*, by which it has ever since been known.

2. On making the foregoing disconcerting discovery, Dr. Corbet realised at once the appalling nature of the confusion which would ensue if, after having been applied for nearly two hundred years to Nearctic species, the trivial name *ajax* Linnaeus, 1758, as published in the binominal combination *Papilio ajax*, were now to be applied to a very well-known species belonging to an entirely different zoo-geographical region, a species, moreover, which had been known by the trivial name (*xuthus* Linnaeus, 1767) currently applied to it ever since that name had been published nearly two hundred years ago. It was for this reason that in 1946 Dr. Corbet submitted to the International Commission on Zoological Nomenclature a request that it should use its Plenary Powers to prevent the confusion which would be quite inevitable if the *Règles* were to be strictly applied in the present case.

3. The question which has now to be considered is therefore how best the International Commission could use its Plenary Powers to secure the desired end. There are two possible courses of action, each of which possesses certain advantages :

- (1) to suppress the trivial name *ajax* Linnaeus, 1758, altogether ;
- (2) to secure that the foregoing trivial name shall in future apply not to the species (*Papilio xuthus* Linnaeus, 1767) to which, as Dr. Corbet has shown, it properly belongs under a strict application of the *Règles*, but to the Nearctic species to which it is now usually applied.

4. Course (1) would suffice to secure the principal object in view, namely, to prevent the confusion which would follow if the trivial name *ajax* Linnaeus, 1758, were to replace the trivial name *xuthus* Linnaeus, 1767, for the well-known species to which that name has always been applied. If this course were to be adopted, the Nearctic species to which the name *ajax* Linnaeus, 1758, is currently applied would need to be found a new name.

5. Course (2), like Course (1), would prevent the confusion which would result from the transfer of the trivial name *ajax* Linnaeus to the species now known as *Papilio xuthus*. In addition, Course (2) would preserve the trivial name *ajax* Linnaeus for the Nearctic species, to which it is commonly applied. Course (2) corresponds exactly to the action taken by the Commission in regard to the trivial name *iris* Linnaeus, 1758, as published in the binominal combination *Papilio iris* ; in that case also, Dr. Corbet had brought forward evidence to show that a trivial name (*iris*) invariably applied to a very well-known

European species ("The Purple Emperor") properly applied to an allied, and also very well-known European species (*Papilio ilia* [Schifferrmüller and Denis], 1775). In that case, the Commission, in order to prevent the confusion which such a transfer of the trivial name *iris* would inevitably entail, used their Plenary Powers to direct that this trivial name was in future to apply to the common European "Purple Emperor", and selected a well-known and easily accessible figure of that butterfly to be the figure by which the nominal species *Papilio iris* Linnaeus, 1758 (= *Apatura iris* (Linnaeus, 1758)) was in future to be identified (see 1950, *Bull. zool. Nomencl.* 4 : 540—542). Under Course (2) similar action could be taken to preserve the trivial name *ajax* Linnaeus, 1758, for the North American Swallowtail commonly known by that name.

6. The question whether or not it is desirable that the trivial name *ajax* Linnaeus, 1758, should be preserved in the manner described above for the species to which that name is commonly used, is a matter of special interest to American lepidopterists, and is accordingly a question on which it would be valuable to the Commission to have the advice of such specialists. It is particularly requested that any lepidopterist who is interested in this subject, should notify his views to the Commission as soon as possible.

6. *Publication of the present application* : The present application and the Secretary's accompanying note on procedure were published on 20th April 1951 in Part 1 of volume 2 of the *Bulletin of Zoological Nomenclature* (Corbet, 1951, *Bull. zool. Nomencl.* 2 : 26—29 ; Hemming, 1951, *ibid.* 2 : 29—30).

7. *Issue in 1951 of a Second Series of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 50—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 1 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Corbet's application was published) and also to the other prescribed serial publications. In addition, Public Notice was given to a number of entomological serial publications in Europe and America. The publication of these Notices, like that of the Notices issued in 1947 under the procedure prescribed by the Monaco Congress of 1913 (paragraph 3 above), elicited no objection to the action proposed.

8. *Support received for Dr. Corbet's application*: The publication of the foregoing public notices elicited support for Dr. Corbet's proposal from:— (1) Mr. Cyril F. dos Passos (*The American Museum of Natural History, New York*); (2) Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin*); (3) Dr. Austin H. Clark (*Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.*); (4) Dr. William D. Field (*United States National Museum, Washington, D.C., U.S.A.*). Finally, Mr. Francis Hemming, as a lepidopterist, submitted a brief note of support. The communications so received are given in the immediately following paragraphs.

9. *Support received from Mr. Cyril F. dos Passos (The American Museum of Natural History, New York)*: On 15th May 1951, Mr. Cyril F. dos Passos (*The American Museum of Natural History, New York*) addressed a letter to the International Commission, covering the following statement of support for the application submitted by Dr. Corbet (dos Passos, 1951, *Bull. zool. Nomencl.* 2 : 349—350):—

On the proposal that the trivial name "ajax" Linnaeus, 1758, as published in the binominal combination "Papilio ajax", should be suppressed by the International Commission on Zoological Nomenclature under its Plenary Powers

By CYRIL F. DOS PASSOS, LL.B.

(*Research Associate, Department of Insects and Spiders, American Museum of Natural History, New York*)

Reference is made to two prior papers on this subject published by A. Steven Corbet (1951, *Bull. zool. Nomencl.* 2 (1) : 26—29) and by Francis Hemming (*ibid.* 2 (1) : 29—30).

2. It having been ascertained by Corbet from an examination of the Linnean collection that the trivial name *ajax* Linnaeus, 1758, as published in the binominal combination *Papilio ajax*, was proposed for an Oriental species later named *Papilio xuthus* by Linnaeus in 1767, although never used for that insect, but by error having been applied by some authors to two Nearctic butterflies, the question arises whether it would be better (a) to suppress the name *ajax*, or (b) to apply it (incorrectly) by a suspension of the *Règles* to one of the Nearctic insects for which it has sometimes been used.

3. This problem involves the names of two Nearctic and one Oriental *Papilio*. I shall consider only the two former. One of these is a subspecies of *Papilio polyxenes* Fabricius, 1775, sometimes known as the common American on the Black (or Parsnip) Swallowtail, and the other is often referred to as *Papilio marcellus* Cramer, [1777], or the Papaw or Zebra Swallowtail. There has been considerable confusion as to which scientific names should be employed for these insects. Recent American authors have shown a tendency to abandon the name *ajax* for either of them, although one follows McDunnough (1938, "Check List of the Lepidoptera of Canada and the United States of America". *Mem. S. Calif. Acad. Sci.* 1 : 5) and uses *ajax* for the first-mentioned butterfly. Holland (1931, *Butterfly Book* (revised ed.) : 314) used *asterius* for the subspecies of *polyxenes* inhabiting North America, and *ajax* for the more southerly Papaw or Zebra Swallowtail in direct contradiction to the then current Barnes and Benjamin list (1926, "Check List of the Lepidoptera of Boreal America". *Bull. S. Calif. Acad. Sec.* 25 (1) : 5). Clark (1932, "Butterflies of the District of Columbia and vicinity", *Bull. U.S. nat. Mus.* 157 : 191) used *asterias* for the Nearctic subspecies of *polyxenes* but *marcellus* Boisduval (*recte* Cramer) for the Papaw or Zebra Swallowtail and omitted *ajax* entirely. Macy and Shepard ([1941], *Butterflies, a Handbook of the butterflies of the United States, complete for the Region north of the Potomac and Chio Rivers and east of the Dakotas* : iii) stated that "... In order to achieve uniformity, ..." they followed the nomenclature of the McDunnough check list. Brown (1951, "The American Papilios", *The Lepidopterists' News* 4 : 63) also used *ajax* for the species *polyxenes*. Finally, Klots (1951, *A Field Guide to the Butterflies of North America, east of the Great Plains* : 172) employed *asterius* Stoll, [1784], for the Nearctic subspecies *polyxenes* and omitted *ajax*, except that (erroneously) he placed *ajax* Clerck, 1764, in the synonymy.

4. Thus we find *ajax* in recent years used for two different species of Nearctic butterflies which have valid names, *i.e.*, *asterius* and *marcellus*, and on top of that it is now discovered that *ajax* is not properly applicable to either of them. In view of the improper use of *ajax*, the lack of uniformity among American authors respecting the applicability of that name to one Nearctic species, and the fact that some authors have dropped the name entirely, no harm and much good would be done by the suppression of the name *ajax* and that course is undoubtedly the most desirable one to follow. Therefore, I recommend that the International Commission on Zoological Nomenclature take such action.

10. *Support received from Professor Erich Martin Hering (Zoologisches Museum der Humboldt-Universität zu Berlin)* : On 28th May 1951, Professor Erich Martin Hering (Zoologisches Museum der Humboldt-Universität zu Berlin) addressed the

following letter to the Commission in support of Dr. Corbet's proposal (Hering, 1951, *Bull. zool. Nomencl.* **2** : 350) :—

Support for the proposal submitted by Dr. A. Steven Corbet for the suppression of the trivial name " ajax " Linnaeus, 1758, as published in the binominal combination " Papilio ajax " (Class Insecta, Order Lepidoptera)

By ERICH MARTIN HERING

(*Zoologisches Museum der Humboldt-Universität zu Berlin*)

There is no doubt that, under a strict application of the Rules, the trivial name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, should be employed for the species generally known as *Papilio xuthus* Linnaeus, 1767. To prevent the confusion which would follow if *ajax* Linnaeus, 1758, were to replace *xuthus* Linnaeus, 1767, I propose that the International Commission on Zoological Nomenclature should use its Plenary Powers to suppress the trivial name *ajax* Linnaeus, 1758, altogether.

11. *Support received from Dr. Austin H. Clark (Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.) : On 28th May 1951, Dr. Austin H. Clark (Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.) addressed to the Commission the following letter of support for Dr. Corbet's application (1952, Bull. zool. Nomencl. 6 : 167) :—*

On the proposed use of the Plenary Powers to suppress the trivial name " ajax " Linnaeus, 1758, as published in the combination " Papilio ajax " (Class Insecta, Order Lepidoptera)

By AUSTIN H. CLARK

(*Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.*)

Pray put me down as heartily in favor of suppressing the name (*Papilio ajax* Linnaeus, 1758. With all due respect to the late Dr. Corbet I believe that he was in error in assuming that the name *ajax* was based on what we now know as *Papilio xuthus*.

In the original description " P.E. alis obtuse caudatis concoloribus fuscis : fasciis flavescentibus angulo ani fulvo " the one really diagnostic feature is expressed by " *alis obtuse caudatis* ".

This cannot apply to *xuthus*, but does apply to specimens of what we know as *P. cresphontes* (see *Bull. U.S. Nat. Mus.* 157 : pl. 31, fig. 1). The rest of the description and the locality also fit *P. cresphontes*. Furthermore, the name *ajax*, the powerful and handsome son of Telemon, would be quite appropriate for the largest of North American butterflies.

P. L. S. Müller (1775, vol. 5 : pl. 17, fig. 3) figures *P. thoas* under the name "Das Gelbfeld, *Papilio ajax*" and other early authors figured *thoas* under the name *ajax*.

I am quite convinced that the Linnean name *ajax* refers to *P. cresphontes*. But I am not suggesting that *ajax* replace *cresphontes*. I am bringing this to your attention merely to emphasise the desirability of suppressing the name *ajax*.

12. Support received from Dr. William D. Field (United States National Museum, Washington, D.C., U.S.A.): On 30th July 1951, Dr. William D. Field (United States National Museum, Washington, D.C., U.S.A.) addressed a letter to the Commission, covering the following statement of support for the action proposed by Dr. Corbet's proposal (Field, 1951, *Bull. zool. Nomencl.* 6 : 105—106) :—

**On the proposed suppression of the trivial name " ajax " Linnaeus, 1758
(Class Insecta, Order Lepidoptera)**

By WILLIAM D. FIELD

(United States National Museum, Washington, D.C., U.S.A.)

After reviewing the problem under discussion (Corbet, 1951, *Bull. zool. Nomencl.* 2 : 26—29), I find my thoughts reduced to four beliefs :—

- (A) It is clear that Linnaeus confused three species under the trivial name *ajax* (*Papilio ajax*) : First, the species usually known as *Papilio glaucus* Linnaeus, which is the species described by Ray in the first reference listed by Linnaeus under *ajax* (Raj. ins. 111, n.2).

Second, the species usually known as *Iphiclides marcellus* (Cramer), which is the species illustrated by Edwards in the second reference listed by Linnaeus under *ajax* (Edw. av. 34). Third, the species described in the very brief Linnean description. Although much debate has centred upon what species best fits this brief description, it is undeniable that neither of the above-mentioned species applies to it.

- (B) Although there has been no uniformity in applying the name *ajax*, it has most frequently been applied to the species commonly known as *Papilio polyxenes asterius* Stoll and *Iphiclides marcellus* (Cramer).
- (C) The habitat cited by Linnaeus "Habitat in America boreali" does not necessarily throw light upon the correct application of the name *ajax*, as Linnaeus and other early workers were often led astray by false locality information.
- (D) Corbet has shown that in the Linnean collection there is an undoubted Linnean specimen of the Oriental species generally known as *Papilio xuthus* Linnaeus, 1767, labelled "*ajax*" in Linnaeus' own handwriting. If this were regarded as a holotype (as it seems to be), then the name *ajax* would be transferred to a species not identified with this name for nearly the past 200 years.

Therefore I support the Corbet proposal and consider that it would be better to eliminate the name *Papilio ajax* Linnaeus, 1758, from zoological nomenclature.

13. Support received from Mr. Francis Hemming (London) : On 15th March 1952, Mr. Francis Hemming (*London*) submitted the following statement in which he associated himself with the American and German entomologists who had already notified their support for the use by the International Commission of its Plenary Powers for the purpose of suppressing the specific name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax* :—

The need for removing the instability arising from Dr. Corbet's discovery of the identity of the species to which the name "Papilio ajax" Linnaeus, 1758, is properly applicable

By FRANCIS HEMMING, C.M.G., C.B.E.
(*London*)

In common with all other students of the Holarctic butterflies, I have long been concerned with the confusion arising from the doubts as to the way in which the trivial name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, should be applied. Dr. Corbet's recent discovery that this name is not properly applicable to any of the Nearctic species for which it has at various times been used and that under the *Règles* it should replace the name *xuthus* Linnaeus, 1767, as published in the combination *Papilio xuthus*, creates a situation

which, in my view, can be solved only by the use of the Plenary Powers by the Commission for the purpose of suppressing the name *ajax* Linnaeus for the purposes of the Law of Priority, though not for those of the Law of Homonymy. It would, I consider, be quite intolerable that Dr. Corbet's discovery, interesting though it is, should be allowed both to transfer to the Palaearctic and Indo-Oriental lists a name (*ajax*) which has never been regarded as belonging to a Palaearctic or Indo-Oriental species and, when used, has always been applied to a Nearctic species and at the same time to replace a very well-known name (*xuthus*), which has been in continuous use for the Palaearctic and Indo-Oriental species concerned for the whole of the period of over one hundred and eighty years which has elapsed since the species concerned was given this name by Linnaeus in 1767.

I, therefore, join my American and German colleagues in urging most strongly that the deadlock which would be created by the strict application of the *Règles* in this case should be broken by the International Commission through the use of its Plenary Powers to suppress the name *ajax* Linnaeus, 1758 (*Papilio*), a name which has never been consistently used in any one sense, which has already given rise to serious uncertainty and confusion in the literature of the North American "Swallowtails" and which, if not killed by the Commission's Plenary Powers, will now inject a ludicrous and quite unjustifiable element of confusion into the literature of the Palaearctic and Indo-Oriental species of this group.

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

14. *Issue of Voting Paper V.P. (52) 3* : On 7th April 1952, a Voting Paper (V.P. (52) 3) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the trivial name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, set out at the foot of the present Voting Paper". The formula referred to in the foregoing sentence was as follows:— "The trivial name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, is hereby suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy, and is hereby placed on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*. The trivial name *xuthus*

Linnaeus, 1767, as published in the combination *Papilio xuthus*, is hereby placed on the *Official List of Specific Trivial Names in Zoology*".

15. The prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

16. Particulars of the Voting on Voting Paper V.P. (52) 3 : The state of the voting on Voting Paper V.P. (52) 3 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received) :*

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Pearson ; Bonnet ; Mertens ;
Lemche ; Vokes ; Bradley ; Boschma ; Hemming ;

(b) *A Negative Vote had been given by one (1) Commissioner :*
Hankó ;

(c) *Voting Paper V.P. (52) 3 had not been returned by one (1) Commissioner :*
Jaczewski.

17. Declaration of Result of Vote : On 7th July 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P. (52) 3, signed a Certificate that the Votes cast were as set out in paragraph 16 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

18. Note on the place of first publication of the name "*Papilio xuthus*" Linnaeus, 1767 : On 24th February 1954, Mr. Francis

Hemming, as Secretary to the Commission placed the following note regarding the place of first publication of the name *Papilio xuthus* Linnaeus, 1767, on the Commission's File Z.N.(S.) 192, relating to the present case :—

**On the place of first publication of the name
“*Papilio xuthus*” Linnaeus, 1767**

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

(*Secretary to the International Commission on Zoological Nomenclature*)

As part of its decision to use its Plenary Powers for the purpose of suppressing the specific name *ajax* Linnaeus, 1758, as published in the combination *Papilio ajax*, the Commission has decided to place the specific name *xuthus* Linnaeus, 1767, as published in the combination *Papilio xuthus*, on the *Official List of Specific Names in Zoology*. It will be necessary to cite in the *Opinion* dealing with this case the original reference for the name *Papilio xuthus* Linnaeus, and, since there is, as I know as a lepidopterist, a slight complication in regard to this matter, it is desirable that the following short note should be added in regard to it.

2. The well-known Japanese and East Oriental Swallowtail Butterfly now known as *Papilio xuthus* was described by Linnaeus in 1767 in the 12th Edition of the *Systema Naturae* on page 751 in the (continuously paged) second section of volume 1. The name there applied to this species was *Papilio xanthus*. On the unnumbered page containing the *Corrigenda* inserted at the end of this volume Linnaeus corrected the spelling “*xanthus*” to *xuthus*”, and it is this latter spelling which has ever since been employed, except by an occasional author who looked up the original description on page 751 but did not notice the entry in the *Corrigenda* at the end of the volume, and therefore used the uncorrected spelling “*xanthus*”. While until 1953 it was often a matter of doubt whether a given Original Spelling for a name was subject to emendation under Article 19 of the *Règles*, it was always agreed that such emendations ought to be accepted in cases where the correction of the Original Spelling was actually made in the book in which the name in question was first published. The view so taken in such cases was expressly endorsed as correct by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (1953, *Copenhagen Decisions zool. Nomencl.* : 44, Point (1)(b)(i)). It is clear, therefore, that the spelling “*xuthus*” is the correct spelling for this specific name.

3. Now that the foregoing specific name is to be placed on the *Official List* of such names, it will be necessary to note in that *List* that the spelling “*xuthus*” is an Emendation and that the Original Spelling was “*xanthus*”. Under the General Directive that the

Ruling given in every *Opinion* is to cover all questions involved in the application dealt with in it and the Direction by the Paris Congress that every objectively valid or invalid name dealt with in an *Opinion* is to be placed on the appropriate *Official List* or *Official Index*, as the case may be, it becomes an obligation in the present case that the name *xanthus* Linnaeus, 1767, as published in the combination *Papilio xanthus*, should, as an Invalid Original Spelling, now be placed on the *Official Index of Rejected and Invalid Specific Names in Zoology*.

19. On 25th February 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P. (52) 3, subject to the adjustment specified in paragraph 18 above.

20. The following are the original references for the names placed on the *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

ajax, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 462
xanthus, *Papilio*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 (2) : 751
xuthus, *Papilio*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 (2) :
Corrigenda (ref. to *Papilio xanthus* on page 751)

21. 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*.

22. 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.

23. The present *Opinion* shall be known as *Opinion Two Hundred and Eighty-Six (286)* of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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 8. Part 4. Pp. 49—62

OPINION 287

Validation, under the Plenary Powers, of the generic
name *Scaphander* Montfort, 1810 (Class Gastropoda,
Order Tectibranchiata)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 287

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 287

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "SCAPHANDER" MONTFORT, 1810 (CLASS GASTROPODA, ORDER TECTIBRANCHIATA)

RULING : (1) Under the Plenary Powers, the under-mentioned 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 *Tricla* Philipsson, 1788 ; (b) the generic name *Gioënia* Bruguière, 1789 ; (c) the specific name *gioëni* Philipsson, 1788, as published in the combination *Tricla gioëni* ; (d) the specific name *sicula* Bruguière, 1792, as published in the combination *Gioënia sicula*.

(2) The generic name *Scaphander* Montfort, 1810 (gender : masculine) (type species, by monotypy : *Bulla lignaria* Linnaeus, 1758) (Class Gastropoda, Order Tectibranchiata) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 711.

(3) The specific name *lignaria* Linnaeus, 1758, as published in the combination *Bulla lignaria*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 118.

(4) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 99 and 100 respectively :—(a) *Tricla* Philipsson, 1788, as suppressed, under the Plenary Powers, under (1) (a) above ; (b) *Gioënia* Bruguière, 1789, as suppressed, under the Plenary Powers, under (1) (b) above.

(5) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid*

Specific Names in Zoology as Names Nos. 70 and 71 respectively :—(a) *gioëni* Philipsson, 1788, as published in the combination *Tricla gioëni* and as suppressed, under the Plenary Powers, under (1) (c) above ; (b) *sicula* Bruguière, 1792, as published in the combination *Gioënia sicula* and as suppressed, under the Plenary Powers, under (1) (d) above.

I.—THE STATEMENT OF THE CASE

On 5th July 1948, Dr. Henning Lemche (then of the *Kgl. Veterinaer- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen*, and now of the *Universitetets Zoologiske Museum, Copenhagen*) submitted a preliminary communication in regard to the name *Scaphander* Montfort, 1810 (Class Gastropoda, Order Tectibranchiata). Correspondence ensued between the Secretary and Dr. Lemche, as the result of which the following application was submitted by Dr. Lemche on 13th December 1950 :—

Proposed use of the Plenary Powers to validate the generic name "Scaphander" Montfort, 1810 (Class Gastropoda, Order Tectibranchiata)

By HENNING LEMCHE

(*Universitetets Zoologiske Museum, Copenhagen, Denmark*)

The object of the present application is to seek the assistance of the International Commission on Zoological Nomenclature in providing a valid basis for the well-known generic name *Scaphander* Montfort, 1810 (Class Gastropoda, Order Tectibranchiata). The facts relating to this case are set out in the following paragraphs.

Gioëni (G.) in 1783 (*Descr. nuov. fam. . . . di Testacei trovati nel littorale di Catania* : 25) described an "animal", which proved to be the stomach of *Bulla lignaria* Linnaeus, 1758, (*Syst. Nat.* (ed. 10) 1 : 727). The specimen described was given the name "*Gioëni*"; this, being uninominal, possesses no status in zoological nomenclature. A year later, however, Philipsson (not Retzius, as incorrectly stated

by some authors) cited the record of “*Gioëni*” under the binominal name *Tricla gioëni* (1788, *Diss. Hist. nat. sist. nova Test. Gen.* : 8). Further, Bruguière in 1789 (*Ency. méth. Hist. nat. Vers* 1 : XII) referred to the reference to Gioëni’s “*Gioëni*”, which he cited under the generic name *Gioënia* ; the sole species referred to by him—and therefore the type species by monotypy—he later cited under the name *Gioënia sicula* (1792, *ibid.* 2 : 502).

These “stomach-names” were not accepted by zoologists who have universally applied to the species in question the first generic name to be applied to the shell proper. This name is *Scaphander* Montfort, 1810 (*Conch. syst. Class. méth. Coquilles* 2 : 335) ; the type species of this genus is *Bulla lignaria* Linnaeus, 1758, by monotypy. Further information is to be found in a paper by the present writer (Lemche, 1948, *Danske Vid. Selsk. biol.* (5) 3 : 86—88), in which are enumerated all available records of this species from the North Atlantic ; in the same paper is given a list of all known synonyms of this species.

Winckworth (1932, *J. Conch.* 19 : 232 ; *id.*, 1933, *ibid.* 19 : 334) is the only author who has argued in favour of reverting to the name *Tricla* Philipsson, 1788, in preference to the later but universally accepted name *Scaphander* Montfort, 1810. Winckworth’s action in reinstating the name *Tricla* has, so far as can be ascertained, been followed in only three subsequent papers, namely : (1) Fisher, 1935, *J. Conch.* 20 : 120 ; (2) Moore, 1937, *Proc. Liverpool biol. Soc.* 50 : 186 ; (3) Brouwer, 1945, *Basteria* 9 : 64.

The large animals with which we are here concerned are extremely well known to zoologists, and the name *Scaphander* is known widely outside the narrow circle of specialists engaged in the study of the tectibranchs. The abandonment of the name *Scaphander* which has been universally used for these animals for about 150 years (except in the few papers referred to above) would lead to quite unnecessary confusion and would be quite unwarranted. It is for this reason that I now ask the International Commission on Zoological Nomenclature :—

- (1) to use its Plenary Powers to suppress the undermentioned names for the purposes of the Law of Priority but not for those of the Law of Homonymy :—
 - (a) the generic name *Tricla* Philipsson, 1788 ;
 - (b) the generic name *Gioënia* Bruguière, 1789 ;
 - (c) the specific trivial name *gioëni* Philipsson, 1788, as published in the binominal combination *Tricla gioëni* ;
 - (d) the specific trivial name *sicula* Bruguière, 1792, as published in the binominal combination *Gioënia sicula* ;

- (2) to place the generic name *Scaphander* Montfort, 1810 (type species, by monotypy: *Bulla lignaria* Linnaeus, 1758) on the *Official List of Generic Names in Zoology* ;
- (3) to place the trivial name *lignaria* Linnaeus, 1758, as published in the binominal combination *Bulla lignaria*, on the *Official List of Specific Trivial Names in Zoology* ;
- (4) to place the generic names specified on (1)(a) and (b) above, as proposed to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (5) to place the trivial names specified in (1)(c) and (d) above, as proposed to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On receipt of Dr. Lemche's preliminary communication of July 1948, the case of the name *Scaphander* Montfort, 1810, was given the Registered Number Z.N.(S.) 378.

3. *Publication of the present application:* Immediately upon its receipt in December 1950, Dr. Lemche's definitive application was sent to the printer and it was published on 20th April 1951 (Lemche, 1951, *Bull. zool. Nomencl.*(2 : 35—36).

4. *Issue of Public Notices:* In accordance with the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951 both in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Lemche's application was published, and also to the other prescribed serial publications. In addition, Notice of this

application was given to other serial publications likely to be interested. The publication of these Notices elicited no objection to the action proposed.

5. Support received for Dr. Lemche's application: Letters of support for Dr. Lemche's application were received from the following specialists :—(1) Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) ; (2) Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*) ; (3) Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M.*). The communications so received are given in the immediately following paragraphs.

6. Support received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*): The following is an extract from a letter dated 22nd June 1951 received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*), supporting Dr. Lemche's application (Baily, 1951, *Bull. zool. Nomencl.* **2** : 34) :—

The name *Scaphander* should, in my opinion, be placed on the *Official List* as requested, for the very convincing reasons given by Dr. Henning Lemche in his application to the International Commission on Zoological Nomenclature.

7. Support received from Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*): The following is an extract from a letter dated 25th June 1951 received from Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*), supporting Dr. Lemche's application (Dollfus, 1952, *Bull. zool. Nomencl.* **6** : 211) :—

Je suis pour la validation de *Scaphander* Montfort, 1810 (espèce type : *Bulla lignaria* Linnaeus, 1758).

8. Support received from Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M.*): On 27th August 1951, Professor Dr. Robert Mertens communicated to the Commission a statement prepared by Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M.*),

commenting upon a number of then recently published applications, from which the following is an extract relating to Dr. Lemche's application regarding the name *Scaphander* Montfort :—

Mit den Vorschlägen, nach denen dem Namen *Scaphander* Montfort, 1810 Geltung verschafft wird, bin ich einverstanden, da sonst in der Systematik der Cephalaspidaeen eine erhebliche Unordnung entstehen würde.

9. *Application submitted by Mrs. N. H. Ludbrook (Canberra, Australia)*: On 10th November 1951, Mrs. N. H. Ludbrook (*Canberra, Australia*), then on a visit to London, submitted the following application for the use of the Plenary Powers for the validation of the generic name *Scaphander* Montfort, 1811. At the time of the preparation of this application, Mrs. Ludbrook was unaware of the fact that an application in regard to the foregoing name had already been submitted by Dr. Henning Lemche, and, as her application was on the same lines as that of Dr. Lemche, she agreed (Ludbrook, 1952, *Bull. zool. Nomencl.* 6 : 211), on being informed of the earlier application, that her own application should be treated as a note of support for Dr. Lemche's.

Proposed use of the Plenary Powers to validate the generic name "Scaphander" (Class Gastropoda) as from Montfort, 1810, for use in its accustomed sense

By N. H. LUDBROOK, M.A.

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to validate as from Montfort, 1810, the well-known generic name *Scaphander* in its accustomed sense, *i.e.*, with *Bulla lignaria* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 727) as type species.

2. The earliest described representative of this genus was referred by Linné to the genus *Bulla* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 727) and described as *Bulla lignaria* from the external shell as follows (*Syst. Nat.* (ed. 10), 1758 ; (ed. 12), 1767, p. 1184) : "B. testa obovata oblongiuscula transverse striata vertice subumbilicata. . . . Testa statura fere apicem angustata minus umbilicata colore sere ligni ; intus alba & columella flexuosa ut oculo aditus pateat ad verticem usque".

3. In 1783 the Neapolitan naturalist Gioëni published a "*Descrizione di una nuova famiglia a di un nuovo genere di Testacei trovata nel litorale di Catania*", and in considerable detail described and figured what he took to be a new trivalve mollusc, to which he gave his own name: "Dovendo omporre un nome e trattandosi di una nuova famiglia non ancora at altri nota mi so lecito di chiamarla Gioëni" (p. 25). No genus or species was cited. He was unaware that his description was founded only on the gizzard of *Bulla lignaria* with its three gizzard plates, and portion of the oesophagus and intestine. His description and figures were accepted first by Retzius who, in 1758 (*Dissertatio historica naturalis nova testaceorum genera . . .*), on the basis of Gioëni's figures described the shell as follows (p. 8):

TRICLA

"Animal: Ascidiæ species videtur. Testa: trivalvis, libera; valvulis duabus undique inter se distantibus parallelis, subtriangulis, majoribus, planiusculis, tertia minore patelliforme compressa, subtus inter majores. Cardo nullus, sed valvulae undique tenui membrana connectuntur".

To the supposed trivalve mollusc he gave the name *Tricla gioëni*.

4. Secondly, Bruguière, 1789 (*Ency. Méth. (Vers.)* 1: 502, pl. 170, *Char. Gioëna*, figs. 1—7), accepted Gioëni's description, publishing a detailed account of the anatomy of what he names the "Char sicilien", *Gioënia sicula* (on pl. 170 misprinted as *Gioëna*). By the Law of Priority, *Gioënia* Bruguière, 1789, is thus a synonym of *Tricla* Retzius.

5. Lamarck, 1799, in his *Prodrome d'une nouv. class. Coq.*, accepted both the vernacular name "Char" and the generic name *Gioënia* and classified (p. 90) the shell described by Bruguière as a multivalve shell.

6. The error was exposed by Draparnaud in 1800 in "Observation sur la *Gioënia*", *Jour. de Phys.* 50: 146—7, in which the papers of Gioëni, Retzius and Bruguière are reviewed. He states: "Ce fameux Char sicilien, ce nouveau genre si anormal, n'est pas même un animal complet; c'est seulement l'estomac musculo-osseux de l'animal de l'oublié (*Bulla lignaria* Linn) . . . On y verra que la longue histoire du char sicilien donnée par Gioëni, n'est absolument qu'un roman, et que cet animal imaginaire déjà trop célèbre doit être effacé pour jamais du tableau des testacées".

7. In 1810, Montfort (*Conch. Syst.*: 334—6) erected the genus *Scaphander* for *Bulla lignaria*, cited monotypically as type species; the shell was described in detail and an account of the anatomy given. Reference was made to the gizzard and the misconception surrounding

it: "Il se nourrit de petits mollusques testacés, dont il broie les coquilles au moyen de trois osselets qui garnissent son estomac; osselets dont on voulut faire un genre de coquilles multivalves sous le nom de gioenie et de tricla".

8. The name *Tricla* was also employed by Oken, 1815 (*Lehrb. Naturges.* 3 (Zool.) : 327) for a genus of Pteropoda. By the Law of Homonymy, *Tricla* Oken is a junior homonym of *Tricla* Retzius.

9. The names *Gioënia* and *Tricla* next appear in print in Herrmannsen, 1846 (*Gen. Malac.* 1 : 474) and 1847 (*ibid.* 2 : 588) as "Genus Testaceorum fictitium antea per Gioenium indicatum Draparnaud ventriculum osseum *Bulla lignaria* pro testa habitum esse prohibet". *Gioënia* Bruguière is cited as a synonym of *Tricla* Retzius.

10. In 1847, Gray (*Syst. List Rec. Moll.*) published the names *Gioënia* Gioëni, *Tricla* Retzius, *Char* Bruguière, in synonymy with *Scaphander* Montfort. This synonymy contains two errors in that *Gioëni* was introduced as a family name and not as a genus and *Char* is the vernacular name for *Gioënia* Bruguière.

11. The next appearance of the name *Tricla* was in H. and A. Adams, 1858, *Gen. Rec. Moll.* where *Tricla* Retzius is regarded as a Pteropod and synonymous with *Cavolina* Gioëni.

12. Chenu, 1859 (*Man de Conch.*) was similarly mistaken in his interpretation of *Tricla* Retzius, which he placed in synonymy with the Pteropod *Hyalea* Lamarck. Both H. and A. Adams and Chenu were thus employing *Tricla* Oken and not *Tricla* Retzius.

13. Subsequent writers, with one exception, have generally used *Scaphander* Montfort for the genus, either placing *Gioënia* and *Tricla* in synonymy or ignoring them altogether:—

S. P. Woodward, 1880 (*Man. Moll.*) does not include either of these names. Fischer, 1887 (*Man. de Conch.*) cites *Gioënia* Bruguière, 1789 and *Tricla* Retzius, 1788, as synonyms of *Scaphander* Montfort, 1810.

14. Pilsbry, 1893 in Tryon (*Man. Conch.*) cites as synonyms of *Scaphander* Montfort *Assula* Schumacher, *Gioëni* Gioëni, *Gioënia* Bruguière, and *Tricla* Philipsson (*err. pro* Retzius), 1788, with the statement "Not unnaturally the gizzard with its plates has been described as an independent genus, and two generic names have been applied to it, both prior in date to *Scaphander*; but Draparnaud in 1800 discovered their true nature, and it was also known to Montfort." The name *Scaphander* is retained without apology.

15. Thiele, 1929 (*Hand. Syst. Wecht.*) omits reference to *Tricla* Retzius and *Gioënia* Gioëni but places *Tricla* Oken in synonymy with *Cavolina* Abildgaard.

16. In 1932, however, Winckworth ("Brit. Mar. Moll." in *J. Conch.* 19), revives the genus *Tricla* for *Bulla lignaria*, presumably on priority grounds and the name *Tricla* has thus replaced *Scaphander* in the British list. Winckworth rightly followed Sherborne (*Ind. Anim.*) and also Neave (*Nom. Zool.*) in not accepting *Gioënia* as having been validly introduced as a generic name by Gioëni. Sherborne states: "*Gioënia* Gioëni 1783 Ag. does not occur". Neave omits it. However, both Agassiz (*Nom. Zool.*) and Scudder (*Nom. Zool.*) list it as valid, Agassiz as *Gioëni* and Scudder as *Gioënia*.

17. Writing on the Opisthobranchiata from the Western and Northern coasts of Norway in 1939 (*Kgl. Norske Vidensk. Selskabs. Skrifter.* 1939 : 7) Odhner gives an opinion in favour of retaining the name *Scaphander*: "As to the name *Scaphander* it should be remarked that Winckworth replaced it by *Tricla* Retzius, 1788, a change which is in consequence of the nomenclatorial laws, but which I find far from necessary and therefore difficult to accept."

18. After careful consideration, the writer has come to the conclusion that to prevent the introduction of needless confusion arising from the availability of the name *Gioëni*, and the application of the Law of Priority to the nominal genera *Tricla* Retzius and *Gioënia* Bruguière, both of which were originally introduced as a result of a misconception of the anatomy of the species *Bulla lignaria* Linnaeus, the names of both of which have been by common usage suppressed since 1800, it is essential that the International Commission on Zoological Nomenclature should exercise its Plenary Powers to such an extent as is necessary to validate the generic name *Scaphander* Montfort, 1810, as published in Montfort's *Conchyliologie Systematique* (2 : 334—336) with *Bulla lignaria* Linnaeus, 1758, as type species.

19. Accordingly, the proposal is hereby submitted that the International Commission should:—

(1) use its Plenary Powers:—

(a) to suppress the under-mentioned generic names for the purpose of the Law of Priority, but not for those of the Law of Homonymy:—

(i) *Tricla* Retzius, 1788 ;

(ii) *Gioënia* Bruguière, 1789 ;

(b) to validate the generic name *Scaphander* Montfort, 1810, as published on p. 334 of Montfort's *Conchyliologie* with *Bulla lignaria* Linnaeus as type species ;

(2) place the generic name *Scaphander* Montfort, 1810, as proposed above to be validated under the Plenary Powers under (1) (b) above (type species *Bulla lignaria* Linnaeus, 1758) on the *Official List of Generic Names in Zoology*.

- (3) place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the names specified in (1) (a) above, proposed to be suppressed for the purpose of the Law of Priority but not for those of the Law of Homonymy.

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

10. Issue of Voting Paper V.P.(52)4 : On 7th April 1952, a Voting Paper (V.P.(52)4) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the name *Scaphander* Montfort, 1810, as specified in Points (1) to (5) on page 36 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. the Points set out in the concluding paragraph of the application submitted by Dr. Lemche reproduced in the first paragraph of the present *Opinion*].

11. The prescribed Voting period: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

12. Particulars of the Voting on Voting Paper V.P.(52)4 : The state of the voting on Voting Paper V.P.(52)4 at the close of the prescribed Voting Period was as follows :—

- (a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received):*

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Hankó ; Pearson ; Bonnet ;
Mertens ; Lemche ; Vokes ; Bradley ; Boschma ;
Hemming.

- (b) *Negative Votes:*

None ;

(c) *Voting Paper V.P.(52)4* was not returned by one (1) Commissioner:

Jaczewski.

13. Declaration of Result of Vote : On 8th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)4, signed a Certificate that the Votes cast were as set out in paragraph 12 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

14. On 26th February, 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)4.

15. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

gioëni, *Tricla*, Philipsson, 1788, *Diss. Hist. nat. sist. nova Test. Gen.* : 8

Gioënia Bruguière, 1789, *Ency. méth. Hist. nat.*, Vers 1 : XII

lignaria, *Bulla*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 727

Scaphander Montfort, 1810, *Conch. syst. Class. méth. Coquilles* 2 : 335

sicula, *Gioënia*, Bruguière, 1792, *Ency. méth. Hist. nat.*, Vers 2 : 502

Tricla Philipsson, 1788, *Diss. Hist. nat. sist. nova Test. Gen.* : 8

16. The gender of the generic name *Scaphander* Montfort, 1810, is masculine.

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 Eighty-Seven* (287) of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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 8. Part 5. Pp. 63—72

OPINION 288

Suppression, under the Plenary Powers, of the generic name *Monoculus* Linnaeus, 1758 (systematic position indeterminate) and matters incidental thereto



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 288

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 288

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "MONOCULUS" LINNAEUS, 1758 (SYSTEMATIC POSITION INDETER- MINATE) AND MATTERS INCIDENTAL THERE TO

RULING : (1) Under the Plenary Powers, the under-mentioned 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 *Monoculus* Linnaeus, 1758 (systematic position indeterminate) ; (b) the specific name *telemus* Linnaeus, 1758, as published in the combination *Monoculus telemus*.

(2) The specific name *tridentata* Forskål, 1775, as published in the combination *Anomia tridentata*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 119.

(3) The generic name *Monoculus* Linnaeus, 1758, as suppressed, under the Plenary Powers, under (1) (a) above, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 101.

(4) The specific name *telemus* Linnaeus, 1758, as published in the combination *Monoculus telemus* and as suppressed, under the Plenary Powers, under (1) (b) above, is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 72.

I.—THE STATEMENT OF THE CASE

On 22nd June 1948 Professor H. Munro Fox (*Bedford College for Women, London University, London*) submitted a preliminary communication on the subject of the possible suppression, by the

International Commission under its Plenary Powers, of the generic name *Monoculus* Linnaeus, 1758, the name of a nominal genus for which no type species had ever been designated and the systematic position of which was in consequence indeterminate. Correspondence ensued between the Secretary and Professor Munro Fox, as the result of which the following application was submitted by Professor Munro Fox on 22nd January 1949 :—

Proposed suppression under the Plenary Powers of the generic name " Monoculus " Linnaeus, 1758

By H. MUNRO FOX, F.R.S.
(Bedford College, London University)

The Linnean genus *Monoculus* (1758, *Syst. Nat.* (ed. 10) 1 : 634) has now vanished from zoological literature. Each of its nine species has been put into a different newer genus. The genera are the following (using the enumeration in the *Systema Naturae*) :—

<i>Name of species</i>	<i>Genus in which species now placed</i>
1. <i>Monoculus Polyphemus</i> ..	<i>Limulus</i> Müller, 1785
2. <i>M. foliaceus</i>	<i>Argulus</i> Müller, 1785
3. <i>M. Apus</i>	<i>Lepidurus</i> Leach, 1819
4. <i>M. Pulex</i>	<i>Daphnia</i> Müller, 1785
5. <i>M. Pediculus</i>	<i>Polyphemus</i> Müller, 1776
6. <i>M. quadricornis</i>	<i>Cyclops</i> Müller, 1776
7. <i>M. conchaceus</i>	<i>Cypris</i> Müller, 1776
8. <i>M. lenticularis</i>	<i>Limmadia</i> Brongniard, 1820
9. <i>M. Telemus</i>	<i>Cavolina</i> Abildgaard, 1791

2. For the first seven species of *Monoculus*, Linnaeus gave references to publications, usually quoting figures, and from these figures and the description in the text we are certain to what animals the names apply. But species Nos. 8 and 9 cannot immediately be recognised from their descriptions and for each of them Linnaeus gave only a reference to one person. These were, for species No. 8, Uddman, a pupil of his, studying in Finland, and, for species No. 9, E. Brander, the Swedish consul at Algiers ; presumably they had sent him the specimens.

3. Species No. 8, *Monoculus lenticularis*, is difficult to recognise from its short description in 1758 in the *Systema Naturae*, but this description was improved in 1761 by the addition of the word "pellucida" in the Second Edition of the *Fauna Svecica* (: 499). Hermann (1804) thought that his *Daphnia gigas* might be *Monoculus lenticularis*. Brongniard (1820) named the same animal *Limmadia hermanni*. Lilljeborg (1871) was sure that these animals, since they occur in Sweden, were *Monoculus lenticularis*, because there is no other

flat and pellucid species of this kind in that country. Sahlberg (1875) pointed out that, as it is also found in Finland, it must be the Linnean species. It is now called *Limnadia lenticularis* (Linnaeus).

4. Species No. 9, *Monoculus Telemus*, is a pteropod mollusc belonging to the genus *Cavolina* Abildgaard, 1791. Telemus was a soothsayer in Homer's "Odyssey". The species is today called *Cavolina tridentata* (Forskål). Davila (1767, vol. 1, plate 20 figs. D and e) figured the shell. Forskål (1775, *Descr. Anim.* : 124) described it as *Anomia tridentata*. Abildgaard (1791) named it *Cavolina natans*, because Cavolini of Naples had told him how this animal swims; he referred to Davila. Hermann (1804) recognised that the species described by Davila, Forskål and Abildgaard corresponds to *Monoculus Telemus* Linnaeus. I have been able to confirm this from a handwritten entry by Linnaeus in his copy of the 12th Edition of the *Systema Naturae* (1767), now in the library of the Linnean Society of London, which refers to the plate and figures of Davila. Philippi (1853) renamed the genus *Cavolinia*, but there is no justification for this. No advantage of any kind would be served by the re-introduction of the trivial name *telemus* Linnaeus, 1758, for this species, in place of the well-known trivial name *tridentata* Forskål, 1775, by which it has been known continuously for nearly 150 years. I accordingly ask the International Commission on Zoological Nomenclature to use its Plenary Powers to suppress the trivial name *telemus* Linnaeus, 1758, as published in the binominal combination *Monoculus telemus*, and, having done so, (i) to place that trivial name on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*, and (ii) to place the trivial name *tridentata* Forskål, 1775, as published in the binominal combination *Anomia tridentata*, on the *Official List of Specific Trivial Names in Zoology*.

5. While the nine species of *Monoculus* are now placed in nine other genera, the Linnean genus itself is still nomenclatorially available and every one of the generic names at present used for the nine species is liable to be superseded if one or other of those species were to be selected as the type species of *Monoculus* Linnaeus. This is highly undesirable, since the generic names in question have come to be very well known to zoologists. One of these names, *Limulus* Müller, has indeed already been placed on the *Official List of Generic Names in Zoology*¹. I accordingly apply herewith to the International Commission on Zoological Nomenclature to suppress the name *Monoculus* Linnaeus, 1758, under its Plenary Powers, on the grounds that reintroduction of this name would clearly lead to greater confusion than uniformity, and, having done so, to place this name on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

¹ The name *Limulus* Müller, 1785, was placed on the Ruling given in *Opinion* 104 (1928, *Smithson. misc. Coll.* 73 (No. 5) : 25). A technical defect in the foregoing Ruling has since been remedied by the Commission under its Plenary Powers in *Opinion* 320 (now in the press).

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II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application*: On receipt of Professor Munro Fox's preliminary communication of June 1948, the case of the name *Monoculus* Linnaeus, 1758, was given the Registered Number Z.N.(S.) 377.

3. *Publication of the present application*: The present application was sent to the printer in September 1950, and publication took place on 20th April 1951 (Fox, 1951, *Bull. zool. Nomencl.* 2 : 37—39).

4. *Issue of Public Notices*: In accordance with the revised arrangements approved by the Thirteenth International Congress

of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951 both in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Professor Munro Fox's application was published) and also to the other prescribed serial publications. In addition, Notice of this application was given to other serial publications likely to be interested. The publication of these Notices elicited no objection to the action proposed.

5. Support received for Professor Munro Fox's application: Letters of support for Professor Munro Fox's application were received from the following specialists :—(1) Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) ; (2) Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*). The communications so received are given in the immediately following paragraphs.

6. Support received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*): The following is an extract from a letter dated 22nd June 1951 received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*), supporting Professor Munro Fox's application (Baily, 1951, *Bull. zool. Nomencl.* 2 : 345) :—

With reference to the application submitted by Professor H. Munro Fox (1951, *Bull. zool. Nomencl.* 2 : 37—39) I am of the opinion that the generic name *Monoculus* Linnaeus, 1758, should be suppressed under the Plenary Power before someone selects a type species for the genus so named, and, by doing so, upsets a long-established and universally understood name.

7. Support received from Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*): The following is an extract from a letter dated 25th June 1951 received from Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*), supporting Professor Munro Fox's application (Dollfus, 1952, *Bull. zool. Nomencl.* 6 : 211) :—Je suis pour la suppression de *Monoculus* Linnaeus, 1758.

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

8. *Issue of Voting Paper V.P.(52)5* : On 7th April 1952, a Voting Paper (V.P.(52)5) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the generic name *Monoculus* Linnaeus, 1758, as specified in the last sentence of the concluding paragraph on page 38 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. the proposal submitted in the last paragraph of the application reproduced in the first paragraph of the present *Opinion* and the associated proposal specified at the end of the immediately preceding paragraph].

9. *The prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

10. *Particulars of the Voting on Voting Paper V.P.(52)5* : The state of the voting on Voting Paper V.P.(52)5 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received)*:

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Pearson ; Bonnet ; Mertens ;
Lemche ; Vokes ; Bradley ; Boschma ; Hemming ;

(b) *A Negative Vote had been given by one (1) Commissioner*:

Hankó ;

(c) *Voting Paper V.P.(52)5 was not returned by one (1) Commissioner*:

Jaczewski.

11. *Declaration of Result of Vote*: On 8th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)5;

signed a Certificate that the Votes cast were as set out in paragraph 10 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

12. On 27th February 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)5.

13. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

Monoculus Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 634
telemus, *Monoculus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 635
tridentata, *Anomia*, Forskål, 1775, *Descr. Anim.* : 124.

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 Eighty-Eight (288)* of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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 8. Part 6. Pp. 73—88

OPINION 289

Acceptance of the type selection for the genus *Rantus* Dejean,
1833 (Class Insecta, Order Coleoptera) made by Hope in
1839 and emendation of the foregoing name to *Rhantus*



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 289

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold B. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 289

ACCEPTANCE OF THE TYPE SELECTION FOR THE GENUS "RANTUS" DEJEAN, 1833 (CLASS INSECTA, ORDER COLEOPTERA) MADE BY HOPE IN 1839 AND EMENDATION OF THE FOREGOING NAME TO "RHANTUS"

RULING : (1) The nominal genus *Rantus* Dejean, 1833 (Class Insecta, Order Coleoptera) is a genus based upon a misidentified type species, but it is hereby directed that the selection by Hope in 1839 of *Colymbetes pulverosus* Stephens, 1828, one of the nominal species included by Dejean in the genus *Rantus*, as the type species of this genus is to be accepted as such, since the designation, under the Plenary Powers, of the nominal species *Dytiscus notatus* Bergsträsser, [1778], which Dejean misidentified as *Colymbetes pulverosus* Stephens, 1828, to be the type species of the genus *Rantus* Dejean would now cause confusion.

(2) The spelling of the generic name *Rantus* Dejean, 1833, is to be emended to *Rhantus*.

(3) The generic name *Rhantus* (emend. of *Rantus*) Dejean, 1833 (gender : masculine) (type species, by selection by Hope (1839), as confirmed under (1) above ; *Colymbetes pulverosus* Stephens, 1828) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 712.

(4) The specific name *suturalis* Macleay, 1825, as published in the combination *Colymbetes suturalis* is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 120.

(5) The generic name *Rantus* (an Invalid Original Spelling of *Rhantus*) Dejean, 1833, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 102.

I.—THE STATEMENT OF THE CASE

On 25th November 1944 Mr. J. Balfour-Browne (*British Museum (Natural History), London*) submitted a preliminary communication on the subject of the species to be accepted as the type species of the genus *Rantus* Dejean, 1833 (Class Insecta, Order Coleoptera) and on the question of the orthography of that generic name. This subject ultimately formed—see paragraph 5 below—the subject of the following application :—

Proposal that the generic name “ Rantus ” Dejean, 1833 (Class Insecta, Order Coleoptera) should be emended to “ Rhantus ” under Article 19 and that the type species of this genus should be determined under the procedure laid down for dealing with genera based upon misidentified type species

By J. BALFOUR-BROWNE, M.A.

(*Department of Entomology, British Museum (Natural History), London*)

I originally submitted the present proposal to the International Commission on Zoological Nomenclature for the purpose of securing authority for the retention of the spelling *Rhantus* for the well-known coleopterous genus concerned, notwithstanding the fact that as originally published by Dejean in 1833, this name was spelt “ Rantus ”. At the time when I submitted this application (April 1940), it was impossible for the Commission to take decisions on new cases, and I realised that considerable delay would be inevitable. Later, a second element entered into this case, when it was realised that under a strict interpretation of the expression “ indication ”, as given in the Commission’s *Opinion* 1, it would be necessary to review the literature for the purpose of determining the place where this generic name was first published. This particular difficulty disappeared in 1948 as the result of the decision of the Thirteenth International Congress of Zoology, to liberalise the provisions of Proviso (a) to Article 25, and to cancel the relevant portion of the *Opinion* referred to above (1950, *Bull. zool. Nomencl.* 4 : 78—80). Finally, it was found that, when the generic name *Rantus* was published on what is now seen to be the first occasion on which this name appeared in the literature, in conditions which satisfy the provisions of Article 25, the genus so named was based upon a misidentified type species. In order that this matter also may be placed on a satisfactory footing, it is necessary to ask the Commission to give a ruling regarding the type species of this genus under the clarified and amended rules for dealing with genera based upon misidentified type species, laid down by the International Congress of Zoology in 1948 (see 1950, *Bull. zool. Nomencl.* 4 : 158—159).

2. In the circumstances I have redrafted my application, in order both to take account of the decisions taken by the Paris Congress and to include within its scope each of the three problems involved. I deal with these separately in turn, in the following paragraphs.

(1) Author and date of publication of the name "Rantus"

3. The generic name *Rantus* first appeared in print in 1833 in Dejean's *Cat. Coléopt* (ed. 2) : 54. It was there attributed to Eschscholtz, by whom presumably it had been originally suggested in manuscript. Dejean cited four species as belonging to this genus and for three of them cited what he regarded as synonyms. In all, he cited under this generic name eight trivial names previously validly published for nominal species. He did not give any verbal diagnosis for this genus, nor did he designate or indicate a type species. Nevertheless, under the liberalisation of the definition of the expression "indication" adopted by the Paris Congress, the name *Rantus* Dejean, 1833, satisfies the requirements of Proviso (a) to Article 25 of the *Règles* and accordingly possesses rights under the Law of Priority. It is not a homonym of any previously published generic name consisting of the same word, and it is therefore an available name. Further, it is the oldest available generic name for the group of species associated with the species, hitherto recognised as the type species of the genus concerned.

(2) Type species of the genus "Rantus" Dejean, 1833

4. The first author to select a type species for the genus *Rantus* Dejean was Hope, who in 1839 (*Col. Mon.*, 2 : 131) selected what he called "*Dytiscus pulverosus* Knoch" as the type species of this genus, which, however, he attributed to Eschscholtz, by whom (as shown above), this name was originally proposed in manuscript. Knoch never published the name *Dytiscus pulverosus* but there is no doubt that the species to which Hope was referring when he made the foregoing type selection was the species which in 1825, Stephens had named *Colymbetes pulverosus* (Stephens, 1825, *Cat.* : 49 no. 489), for when dealing with the same species in 1828 (*Ill. Brit. Ent. Mand.* 2 : 69), Stephens added the following synonymy for this species : "*Dy. pulverosus* Knoch—*Co. pulverosus* Steph. Catal., p. 49, No. 489". This species, as I have shown (1939, *Ann. Mag. Hist.* (11) 3 : 109, is the same as that to which MacLeay in 1825 (*Annul. javan.* (ed. 1) : 135) gave the name *Colymbetes suturalis*. On the basis of the foregoing identification, the oldest available trivial name for the species selected as the type species of *Rantus* by Hope in 1838 is *suturalis* MacLeay, 1825.

5. The generic name *Rantus* is universally interpreted in the sense indicated by Hope's type selection, but, before we can accept that as a valid type selection, it is necessary that we should satisfy ourselves that the species selected by Hope was in fact one of Dejean's originally included species. It is at this point that difficulties begin to arise.

The trivial names cited by Dejean under the generic name *Rantus* are as follows :—

1. *notatus* Fabr.
Synonyms : *conspersus* Gyll.
pulverosus Knoch
2. *agilis* Fabr.
Synonym : *suturalis* Harr. [recte *suturellus* Harr.]
3. *adspersus* Fabr.
Synonym : *collaris* Gyll.
4. *suturalis* Dejean. (a new name)
Synonym : *notatus* Gyll.

6. It will be seen from the foregoing list that Dejean did include in his genus *Rantus* a species having the trivial name *pulverosus*, attributed by him to Knoch (doubtless for the same reasons as those explained above in connection with Hope's 1839 type selection) and doubtless denoting the species named *Colymbetes pulverosus* by Stephens in 1825. This nominal species (as already explained) and also that referred to by Dejean as "*conspersus* Gyll". (= *Dytiscus conspersus* Gyllenhal, 1808, *Ins. suec.* 1 : 482 (nec. Marsham, 1802)), are currently regarded as identical with the species represented by *Colymbetes suturalis* MacLeay, 1825 ; but, contrary to the view expressed in Dejean's *Catalogue*, the species so named is considered to be quite distinct from the species cited by Dejean as *Rantus notatus* Fabr. Dejean was doubtless referring to *Dytiscus notatus* as published by Fabricius in 1781 (*Spec. Ins.* 1 : 296), where, however, Fabricius did not publish this as a new name, the name in question having already been published by Bergsträsser in 1778 (*Nomencl. Ins. Hanau* 1 : 31).

7. It is, however, not now accepted by specialists that the species referred to *Dytiscus* by Gyllenhal, 1808, under the trivial name *notatus*, is the same species as *Dytiscus notatus* Bergsträsser, 1778 ; on the other hand, it is accepted that the species so referred to by Gyllenhal is the same species as that referred to by Fabricius in 1781, as *Dytiscus notatus*. It is now considered by specialists that Fabricius misidentified the *Dytiscus notatus* of Bergsträsser (which is now considered to be the same species as *Dytiscus nebolus* Forster, 1771, *Nov. Spec. Ins.* 1 : 56) and that Gyllenhal followed Fabricius in this misidentification. Accordingly, the species possessing the misapplied name *Dytiscus notatus* Fabricius, 1781 (nec *Dytiscus notatus* Bergsträsser, 1778), is now referred to as *Rantus frontalis* (Marsham, 1802) (= *Dytiscus frontalis* Marsham, 1802), the name *frontalis* Marsham being the earliest available name for the species (*vide* Balfour-Browne (J.), 1944, *Ann. Mag. nat. Hist.* (11) 11 : 354). Since Dejean listed as distinct species (1) *notatus* Gyllenhal (a preoccupied name which he proposed to replace by the name *suturalis* Dejean (not *suturalis* MacLeay, 1825)

and (2) *notatus* Fabricius (with synonyms *conspersus* Gyllenhal and *pulverosus* Knoch), it is perfectly clear that he misconceived the Fabrician species and that the species which he identified as *notatus* Fabricius is not that species but *suturalis* MacLeay, 1825 (= *pulverosus* (Knoch MS.) Stephens, 1828).

8. Two conclusions emerge from the data summarised above : (a) that the species *Colymbetes pulverosus* (Knoch MS.) Stephens, 1825, selected as the type species of *Rantus* (Eschscholtz MS.) Dejean by Hope in 1839, is a species which, under the decision taken by the Thirteenth International Congress of Zoology in Paris in 1948 (1950, *Bull. zool. Nomencl.* 4 : 177—180), is to be treated as having been originally included in the genus, and therefore that Hope's selection of this species as the type species of the genus *Rantus*, being the first such selection to be made, is valid under the *Règles* ; (b) that Dejean, in identifying the above species with *Dytiscus notatus* Fabricius, 1781, committed an error of identification and therefore that, as the above species was later validly selected to be the type species of this genus (by Hope in 1839), the genus *Rantus* Dejean, 1833, is a genus based upon a misidentified type species.

9. The position of a genus established on a misidentified type species (which already had been the subject of *Opinions* 65 and 169) was reviewed by the Commission and the Congress in 1948, when it was agreed that, where the Commission was satisfied that such an error had been committed by the original author of a genus, it should use its Plenary Powers to designate as the type species of the genus concerned, the species intended by the original author of the genus (or, if the identity of that species was doubtful, some other species in harmony with current nomenclatorial usage) but that, where the Commission was of the opinion that greater confusion than uniformity would result from using the Plenary Powers in this way, it should direct that the designation or indication, or, as the case might be, selection as the type species of the genus concerned, of the species cited by the original author of the genus be accepted (1950, *Bull. zool. Nomencl.* 4 : 158—159). When we consider the present case in the light of the foregoing decision, it is immediately apparent that greater confusion than uniformity would result if the Commission were to use its Plenary Powers to designate as the type species of the genus *Rantus* Dejean the nominal species "*Rantus notatus* Fabr.", with which Dejean synonymised the nominal species *Colymbetes pulverosus* Stephens, 1825, for such a type designation would run entirely counter to the currently accepted treatment of this genus. It follows therefore that the present case is one which should be dealt with under the second part of the decision summarised above. I accordingly ask the Commission to direct that, notwithstanding the error of identification committed by Dejean at the time (1833) when he published the generic name *Rantus*, the nominal species *Colymbetes pulverosus* Stephens, 1828, included by him in this genus and (in 1839) selected by Hope, as the type species of this genus, is to be accepted as such.

(3) The question whether the name "Rantus" Dejean, 1833, should be emended to "Rhantus" under Article 19

10. The name *Rantus* was published by Dejean in 1833, without any indication of the origin of the word so selected. Thirteen years later Agassiz (1846, *Nomencl. zool. Index univ.* : 321) pointed out that the correct orthography of the Greek word $\rho\alpha\nu\tau\acute{o}\varsigma$, when transliterated into the Latin alphabet, was not "rantus" but "rhantus", and he accordingly emended the spelling of this generic name to *Rhantus*. This emended spelling has ever since been generally adopted; in 1935, however, F. Balfour-Browne restored the original spelling (*Rantus*), arguing that no emendation of a generic name should be accepted "unless made by the original author and within the same volume of the publication in which the original spelling appeared". The question of the interpretation of Article 19 of the *Règles* was, I am aware, carefully considered by the Commission and the Congress in Paris in 1948, when certain clarifications were agreed upon and arrangements for a comprehensive review of the problems involved in the emendation of names to be carried out by the Secretary to the Commission, in consultation with interested specialists, with a view to a thorough-going clarification of Article 19 at the next (Copenhagen, 1953) meeting of the Congress (1950, *Bull. zool. Nomencl.* 4 : 141—144).¹ It is quite clear from the decisions taken in Paris that the grounds on which F. Balfour-Browne (1935) sought to justify the abandonment of the long-established spelling *Rhantus*, in favour of the original spelling *Rantus*, are invalid, because not in accordance with the *Règles*. In view of the ambiguity of the wording of Article 19 (and, in particular, the absence of guidance as to how to interpret the governing word, "évident"), it is possible that for other reasons the emendation of the name *Rantus* to *Rhantus* is not justified under the provisions of this Article. In any case, there can clearly be no finality in this matter until the Commission has given a definite ruling one way or the other.

11. When I originally raised this question with the Commission (April, 1940) I did so because my correspondent Dr. Hugh B. Leach (Vernon, B.C.), had drawn my attention to the fact that in the then recently published Fourth Supplement to the Leng Catalogue of the Coleoptera of North America North of Mexico, Dr. R. E. Blackwelder (United States National Museum, Washington, D.C.), had used the accustomed spelling "*Rhantus*", notwithstanding the paper published in 1935 referred to above. At the same time, Dr. Leach sent me an extract from a letter which he had received from Dr. Blackwelder, which reads as follows: "*Rantus* and *Dytiscus* do come under Article 19, in my opinion, but each not as a *lapsus calami* but as an error of transcription. The reasons given by Balfour-Browne for not accepting the corrections seem to me to have no basis in the Rules, or in our attempts to get a stable nomenclature. And this in spite of the fact that I do not hesitate to back any change that seems necessary. There

¹ See in this connection paragraph 15 of the present *Opinion*.

is nothing in the Rules that requires that corrections of original spellings must be made by the original author or within a set period of time, but the Appendix to the Rules does indicate that the proper way to transliterate *Rantus* from the Greek is *Rhantus*". It was because I agreed with Dr. Blackwelder that the emended spelling (*Rhantus*) ought to be retained in this case, that I then asked the Commission to give a Ruling in this sense. I am still of the opinion that nothing but unnecessary confusion and instability would result from the reversion from the spelling *Rhantus* to the original but defective spelling *Rantus*, and I accordingly ask the Commission to rule that under Article 19 the emended spelling *Rhantus* is to be accepted and therefore that this genus should be known as *Rhantus* (emend. of *Rantus*) Dejean, 1833.

Recommendation submitted to the International Commission on Zoological Nomenclature

12. In the light of the considerations advanced in the present application, I ask the International Commission on Zoological Nomenclature :—

- (1) to give a Ruling that the genus *Rantus* Dejean, 1833, is based upon a misidentified type species, since *Colymbetes pulverosus* Stephens, 1828, which was selected as its type species by Hope in 1839, is not, as erroneously stated by Dejean, the same species as that which he called *Rantus notatus* Fabr. (i.e., *notatus* Bergsträsser, 1778) ; that greater confusion than uniformity would result if the species with which Dejean misidentified *Colymbetes pulverosus* Stephens, 1828, were now to be designated under the Plenary Powers as the type species of the genus *Rantus* Dejean ; and therefore that the species *Colymbetes pulverosus* Stephens, 1828, is to be accepted as the type species of this genus ;
- (2) to declare that under Article 19 the spelling of the generic name published by Dejean in 1833 is to be emended from *Rantus* to *Rhantus* ;
- (3) to place the generic name *Rhantus* (emend. of *Rantus*) Dejean, 1833 (type species, by selection by Hope, 1839 : *Colymbetes pulverosus* Stephens, 1828) on the *Official List of Generic Names in Zoology* ;
- (4) to place the trivial name *suturalis* MacLeay, 1825, as published in the binominal combination *Colymbetes suturalis*, on the *Official List of Specific Trivial Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On receipt of Mr. Balfour-Browne's preliminary communication of November

1944, the problems connected with the name *Rantus* Dejean were given the Registered Number Z.N.(S.) 171.

3. *Publication difficulties in the period 1944—1947* : Owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, deliveries by the printer of material sent for printing for the *Bulletin* were so slow that it was thought desirable to withhold further applications until the printer had delivered those already in his hands. In consequence, the present application had not been sent to the printer by the time that in 1946 the Commission found it necessary to make other arrangements for its printing. The delays so involved made it impossible to publish the present application in the *Bulletin of Zoological Nomenclature* prior to the Session held by the International Commission in Paris in 1948.

4. *Issue of Public Notices in 1947* : On 20th November 1947, however, Public 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, for, although the applicant did not ask for the use of those Powers, the alternative to the grant of the application submitted would have been for the Commission to use its Plenary Powers to designate, as the type species of the genus *Rantus* Dejean, 1833, the nominal species intended by Dejean in place of the species which he misidentified with the species ultimately selected by Hope to be the type species of this genus. Thus, the publication of these Notices put the Commission in a position to deal with this case in whichever way it might think proper. The publication of the foregoing Notices elicited no objection to the use of the Plenary Powers in this case.

5. *Postponement of the present application at Paris in 1948* : The present application was not brought before the International Commission at its Session held in Paris in 1948, for it was not certain at that time as to what work should be treated as that in which the name *Rantus* had been first validly published by Dejean, having regard to the fact that on the first occasion on which he published this name (1833, in the 2nd edition of his *Cat. Coléopt.*) Dejean gave no diagnosis for the genus so named

and neither designated nor indicated a type species for it. The general problem of the interpretation to be given to Proviso (a) to Article 25 of the *Règles* so involved was settled by the Paris Congress in favour of recognising, as available, generic names published in the foregoing manner (1950, *Bull. zool. Nomencl.* 4 : 78—80). It was accordingly necessary for the present case to be re-examined in the light of the foregoing decision. This was done in 1950, and the application, so revised, was received on 3rd November of that year. By that time the preparation and publication of the Official Records of the Paris Session had been completed, and it had been possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications relating to individual nomenclatorial cases submitted to the Commission for decision.

6. Publication of the present application: The present application, revised in the manner indicated in the immediately preceding paragraph, was sent to the printer in December 1950 and was published on 20th April 1951 in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (Balfour-Browne (J.), 1951, *Bull. zool. Nomencl.* 2 : 40—45).

7. Issue in 1951 of a Second Series of Public Notices: Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951 both in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Mr. Balfour-Browne's application was published) and also to the other prescribed serial publications. In addition, Notice was given to a number of entomological serial publications likely to be interested. The publication of these Notices elicited the communications relating to the second part of the present application (i.e. that concerned with the orthography of the name *Rantus*) reproduced in the immediately following paragraphs.

8. Communication received from Professor W. A. F. Balfour-Browne (Collin, Dumfries, Scotland): On 11th June 1951, Professor W. A. F. Balfour-Browne (Collin, Dumfries, Scotland) addressed

the following communication to the International Commission, raising an objection to the second part of the present application (i.e. the portion relating to the orthography of the generic name *Rantus*) (Balfour-Browne (W. A. F.), 1952, *Bull. zool. Nomencl.* 6 : 170):—

I have just seen in the 11th May *Science* your notice of proposed suspensions of the Rules, and among the generic names mentioned I see *Rantus*. I have not got any previous literature on this subject but if the suggestion is that the spelling is to be changed to *Rhantus*, I hope that the Commission will not approve that proposal. The rule states that the original spelling is the correct one, and “*Rantus*” is the original spelling.

9. *Communication received from Dr. Per Brinck (Lunds Universitets Zoologiska Institution, Lund, Sweden):* On 9th April 1952 there was received in the Office of the Commission a letter dated 5th April 1952, with enclosure, from Dr. Per Brinck (*Lunds Universitets Zoologiska Institution, Lund, Sweden*) on the subject of the present case. In this letter Dr. Brinck drew attention to a passage on the subject of the orthography of the name *Rantus* Dejean in a paper by himself entitled “*Nomenklatorische und systematische Studien über Dytisciden*” (1944, *Förh. K. fysiogr. Sällsk. Lund* 13 (1943) : 134—146), of which he annexed a copy. The name *Rantus* was the tenth and last of the names dealt with in the foregoing paper. An English translation of the passage relating to it is summarised as follows:—

The name *Rantus* was probably (though not certainly) based on the Greek verbal adjective *ῥαυτός* (derived from the verb “to moisten”). Assuming this is the correct derivation, the question is whether it is wrong to transliterate with a simple “r” (not “rh”). According to Poche (1938 : 313) this is not incorrect. He gives several examples to show that the Romans themselves were not so particular about always transliterating the Greek “spiritus asper” with an “h”. Poche regarded it as wrong therefore to emend names from spellings which the Romans themselves sometimes adopted. Stebbing (1896) came to the same conclusion in regard to another similar case (*Oplophorus/Hoplophorus*): “The Latins themselves were uncertain whether an “H” was a letter or only a breathing . . . Why should we, then, be more Roman than the Romans?”

I therefore regard the Agassiz emendation as unnecessary and prefer to return to the original spelling.

10. Note by the Secretary on Dr. Brinck's comment: The prescribed period of notice relating to the present case had expired at the time when Dr. Brinck's letter was received and the Voting Paper (V.P.(52)6) relating to the name *Rantus Dejean* had just been issued to the Members of the International Commission. In replying to Dr. Brinck, Mr. Hemming explained the stage which had been reached in the consideration of this case, but undertook to bring his representations to the International Commission in a separate note to be circulated as soon as possible. This note, which contained an English translation of the relevant portion of Dr. Brinck's paper, was issued to the Commission on 12th April 1952. Annexed to this note was the following postscript prepared by the Secretary:—

With reference to Dr. Brinck's comment I should draw the attention of the Commissioners to the fact that Section "F" of the *Appendice* to the *Règles* (on the transliteration of Greek words into the Latin alphabet) states in the penultimate example cited that the correct transliteration of a word beginning with the letter "r" surmounted by a rough breathing (*Spiritus asper*) is "rh", the example cited being the word "Rhea". The Poche/Stebbing argument advanced by Dr. Brinck is thus rejected in the *Appendice* to the *Règles*.

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

11. Issue of Voting Paper V.P.(52)6: On 7th April 1952 a Voting Paper (V.P.(52)6) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the name *Rantus Dejean*, 1833, as specified in Points (1) to (4) in the last paragraph on pp. 44—45 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. in paragraph 12 of the application reproduced in the first paragraph of the present *Opinion*].

12. The prescribed Voting Period: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

13. *Particulars of the Voting on Voting Paper V.P.(52)6* : The state of the voting on Voting Paper V.P.(52)6 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received):*

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Hankó ; Pearson ; Bonnet ;
Lemche ; Vokes ; Bradley ; Boschma ; Hemming ;

(b) *Negative Votes:*

None ;

(c) *Voting Paper V.P.(52)6 was not returned by two (2) Commissioners:*

Jaczewski ; Mertens².

14. *Declaration of Result of Vote:* On 8th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)6, signed a Certificate that the Votes cast were as set out in paragraph 13 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

15. The provisions of Article 19 of the *Règles*, relating to the emendation of incorrectly formed zoological names, were completely revised by the Fourteenth International Congress of Zoology, Copenhagen, 1953. Under the decision so taken, the emendation (to *Rhantus*) of a name published in the manner

² Professor Mertens indicated (in a letter dated 7th July, 1952) that he desired to be excused from voting on the present case.

in which the name *Rantus* Dejean, 1833, was published will not in future be permissible under the foregoing Article, and such an emendation, in order to acquire valid force, will require to be the subject of a direction by the International Commission. The Copenhagen Congress adopted, however, a further provision protecting decisions interpreting Article 19 previously taken by the Commission (see, 1953, *Copenhagen Decisions zool. Nomencl.* : 45, Decision 74). This latter decision confirms and validates the Ruling in regard to the foregoing name given in the present *Opinion*.

16. On 28th February 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)6.

17. The following are the original references for the names which appear in the Ruling given in this *Opinion* :—

Rantus (Invalid Original Spelling of *Rhantus*) Dejean, 1833, *Cat. Coléopt.* (ed. 2) : 54
Rhantus (emend. of *Rantus*) Dejean, 1833, *Cat. Coléopt.* (ed. 2) : 54
suturalis, *Colymbetes*, MacLeay, 1825, *Annul. javan.* (ed. 1) : 135

18. The reference for the type selection for the genus *Rhantus* (emend. of *Rantus*) Dejean, 1833, specified in the Ruling given in the present *Opinion* is :—Hope, 1839, *Col. Mon.* 2 : 131.

19. The gender of the generic name *Rhantus* Dejean, 1833, is masculine.

20. 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*.

21. 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.

22. The present *Opinion* shall be known as *Opinion Two Hundred and Eighty-Nine* (289) of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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**

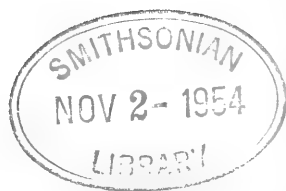
Edited by

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

VOLUME 8. Part 7. Pp. 89—98

OPINION 290

Validation, under the Plenary Powers, of the generic names *Acantholyda* Costa, 1894 (Class Insecta, Order Hymenoptera) and *Acanthocnema* Becker, 1894 (Class Insecta, Order Diptera)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 290

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold B. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 290

VALIDATION, UNDER THE PLENARY POWERS, OF THE
GENERIC NAMES "ACANTHOLYDA" COSTA, 1894
(CLASS INSECTA, ORDER HYMENOPTERA) AND
"ACANTHOCNEMA" BECKER, 1894 (CLASS
INSECTA, ORDER DIPTERA)

RULING : (1) Under the Plenary Powers the generic name *Acanthocnema* Costa (A.), 1859, is hereby suppressed for the purposes of both the Law of Priority and of the Law of Priority.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 713 and 714 respectively :—(a) *Acanthocnema* Becker, 1894 (gender : feminine) (type species, by original designation : *Cordylura nigrimana* Zetterstedt, 1846) (Class Insecta, Order Diptera) ; (b) *Acantholyda* Costa, 1894 (gender : feminine) (type species, by selection by Rohwer (1910) : *Tenthredo erythrocephala* Linnaeus, 1758) (Class Insecta, Order Hymenoptera).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 121 and 122 respectively ; (a) *erythrocephala* Linnaeus, 1758, as published in the combination *Tenthredo erythrocephala* ; (b) *nigrimana* Zetterstedt, 1846, as published in the combination *Cordylura nigrimana*.

(4) The generic name *Acanthocnema* Costa (A.), 1859, as suppressed, under the Plenary Powers, under (1) above, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 103.

I.—THE STATEMENT OF THE CASE

On 7th November 1944 Dr. R. B. Benson (*British Museum (Natural History), London*) submitted a preliminary application for the suppression, under the Plenary Powers of the name *Acanthocnema* Costa (A.), 1859 (Class Insecta, Order Hymenoptera) for the purpose of validating the generic name *Acantholyda* Costa (A.), 1894. This subject formed ultimately—see paragraph 3 below—the subject of the following application by Dr. Benson:—

Proposed validation under the Plenary Powers of the names “Acantholyda” Costa, 1894 (Class Insecta, Order Hymenoptera) and “Acanthocnema” Becker, 1894 (Class Insecta, Order Diptera)

By R. B. BENSON, M.A.

(*Department of Entomology, British Museum (Natural History), London*)

In 1859 A. Costa in O. Costa, *Fauna Regno Napoli*, Imen. 3, Lididei : 2, described a genus *Acanthocnema* without any included species. In 1894 in *Prosp. Im. Ital.* : 232, he emended the name to *Acantholyda*. There is no possible doubt that *Acantholyda* was meant to replace *Acanthocnema* because there is only one group in the family LYDIDAE (now known as PAMPHILIIDAE) in which the key character used, the presence of a pre-apical fore-tibial spine, is present. The name *Acantholyda* Costa, 1894, has been in general use in the Order Hymenoptera now for about 30 years, and the group to which it is attached contains a number of forestry pests in the Old and New Worlds and occurs frequently in economic literature.

The name *Acanthocnema* Costa, 1859, on the other hand, has been entirely overlooked in the Order Hymenoptera and has never been used since its inception. Furthermore, Becker, 1894, *Berlin. ent. Z.* 39 : 136, gave the name *Acanthocnema* to a valid genus of CORDYLURIDAE (Order Diptera) and the name is at present in use in that Order.

The strict application of the *Règles* in this case would clearly result in greater confusion than uniformity, since it would involve the transfer of the well-known name *Acanthocnema* from the Order Diptera to the Order Hymenoptera. The International Commission on Zoological Nomenclature are accordingly asked to use their Plenary Powers to suppress the name *Acanthocnema* Costa, 1859, and to validate the names *Acantholyda* Costa, 1894 (Order Hymenoptera) and *Acanthocnema* Becker, 1894 (Order Diptera). At the same time the International Commission are asked to place the above names, so validated, on the *Official List of Generic Names in Zoology*. The gender of the name

Acantholyda Costa is feminine, as also is that of *Acanthocnema* Becker. The type species of the first of these genera is *Tenthredo erythrocephala* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 558, that species having been so selected by Rohwer in "The Genotypes of the Sawflies and Woodwasps, or the Super-Family Tenthredinoidea", published in 1911 (*Tech. Ser. U.S. Bur. Ent.* 20 : 73). The type species of *Acanthocnema* Becker, 1894, is *Cordylura nigrimana* Zetterstedt, 1846, *Dipt. Scand.* 5 : 2040, by original designation. The foregoing names are regarded as being the oldest available names for the species concerned and it is accordingly proposed that the trivial name *erythrocephala* Linnaeus, 1758, as published in the binominal combination *Tenthredo erythrocephala*, and the trivial name *nigrimana* Zetterstedt, 1846, as published in the binominal combination *Cordylura nigrimana*, should be placed on the *Official List of Specific Trivial Names in Zoology*. Finally, on the suppression of the name *Acanthocnema* Costa, 1859, that name should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On receipt of Dr. Benson's preliminary communication of November 1944, the case of the name *Acantholyda* Costa was given the Registered Number Z.N.(S.) 175.

3. *Postponement of the present application at Paris in 1948* : Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and the present is one of the cases which was postponed on this account. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. It was necessary slightly to revise the present application in the light of certain of the decisions of the Paris Congress, and this was done in the summer of 1950. Dr. Benson's application was finally settled on 16th August 1950.

4. *Publication of the present application* : The present application, as revised in the manner explained in the immediately preceding paragraph, was sent to the printer in September 1950 and was published on 20th April 1951 in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (Benson, 1951, *Bull. zool. Nomencl.* 2 : 46).

5. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951 both in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Benson's application was published, and also to the other prescribed serial publications. In addition, Notice was given to a number of entomological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

6. *Support received from Dr. R. Lambert and Dr. O. Peck (Department of Agriculture, Ottawa)* : On 13th October 1951, Dr. R. Lambert and Dr. O. Peck (*Department of Agriculture, Division of Entomology, Ottawa, Canada*) addressed the following joint letter to the Commission in support of Dr. Benson's application (Lambert and Peck, 1952, *Bull. zool. Nomencl.* 6 : 170) :—

On page 46 of volume 2 of the *Bulletin of Zoological Nomenclature*, Mr. R. B. Benson sets forward reasons for conserving the generic name *Acantholyda* Costa, and the name *Acanthocnema* Becker in Diptera. The proposed preservation of these names with its related details are approved by the undersigned upon the basis of Mr. Benson's reasoning. However, it should be noted that the pertinent Costa articles have not been available to us.

Your attention should be drawn to an error by Benson in his statement of the selection of the type species of *Acantholyda* Costa by Rohwer. While Rohwer did mention the name of the type species in 1911 (*Tech. Ser. U.S. Bur. Ent.* 20 : 73), as stated by Benson, yet this was antedated in his paper in 1910 (*Can. Ent.* 42 : 216). The latter publication was mailed on 4th June, according to a statement on page 220 of that volume.

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

7. *Issue of Voting Paper V.P.(52)7* : On 7th April 1952 a Voting Paper (V.P.(52)7) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the names *Acantholyda* Costa, 1894, and *Acanthocnema* Becker, 1894, as set out at the foot of the present Voting Paper". The formula so set out embodied the proposals submitted by Dr. Benson, which had not been summarised at the conclusion of his application.

8. *The prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

9. *Particulars of the Voting on Voting Paper V.P.(52)7* : The state of the voting on Voting Paper V.P.(52)7 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)* :

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Hankó ; Pearson ; Bonnet ;
Mertens ; Lemche ; Vokes ; Bradley ; Boschma ;
Hemming ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper V.P.(52)7 was not returned by one (1) Commissioner* :

Jaczewski.

10. *Declaration of Result of Vote* : On 8th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)7,

signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. On 1st March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)7.

12. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

- Acanthocnema* Costa (A.), 1859, in Costa (O.), *Fauna Regno Napoli*, Imen. **3** Lididei : 2
Acantholyda Costa (O.), 1894, *Prosp. Im. Ital.* : 232
erythrocephala, *Tenthredo*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 558
nigrimana, *Cordylura*, Zetterstedt, 1846, *Dipt. Scand.* **5** : 2040

13. The following is the reference for the type selection for the genus *Acantholyda* Costa, 1894, specified in the Ruling given in the present *Opinion* :—Rohwer, 1910, *Canad. Ent.* **42** : 216

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 Ninety (290)* of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, 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 8. Part 8. Pp. 99—114

OPINION 291

Addition of the names of thirteen genera of the Order
Collembola (Class Insecta) 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 291

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold B. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ÉSAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 291

ADDITION OF THE NAMES OF THIRTEEN GENERA OF THE ORDER COLLEMBOLA (CLASS INSECTA) TO THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY"

RULING : (1) The under-mentioned names of genera of the Order Collembola (Class Insecta) are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 715 to 727 respectively :—(a) *Actaletes* Giard, 1889 (gender : masculine) (type species, by monotypy : *Actaletes neptuni* Giard, 1889) ; (b) *Bourletiella* Banks, 1899 (gender : feminine) (type species, by original designation : *Sminthurus hortensis* Fitch, 1863) ; (c) *Cyphoderus* (emend. of *Cyphodeirus*) Nicolet, 1842 (gender : masculine) (type species, by selection by Börner (1903) : *Cyphoderus albinus* Nicolet, 1842) ; (d) *Isotoma* Bourlet, 1839 (gender : feminine) (type species, by selection by Börner (1903) : *Isotoma viridis* Bourlet, 1839) ; (e) *Isotomurus* Börner, 1903 (gender : masculine) (type species, by original designation : *Podura palustris* Müller (O.F.), 1776) ; (f) *Lepidocyrtus* Bourlet, 1839 (gender : masculine) (type species, by monotypy : *Lepidocyrtus curvicollis* Bourlet, 1839) ; (g) *Neelus* Folsom, 1896 (gender : masculine) (type species, by monotypy : *Neelus murinus* Folsom, 1896) ; (h) *Onychiurus* Gervais, 1841 (gender : masculine) (type species, by original designation : *Podura ambulans* Linnaeus, 1758) ; (i) *Orchesella* Templeton, 1835 (gender : feminine) (type species, by selection by Börner (1903) : *Podura cincta* Linnaeus, 1758) ; (j) *Paronella* Schött, 1893 (gender : feminine) (type species, by monotypy : *Paronella fusca* Schött, 1893) ; (k) *Sminthurides* Börner, 1900 (gender : masculine) (type species, by selection by Börner (1906) : *Sminthurus aquaticus* Bourlet, 1842) ; (l) *Sminthurus*

(emend. of *Smynthurus*) Latreille, 1802 (gender : masculine) (type species, by selection by Börner (1906) : *Podura viridis* Linnaeus, 1758) ; (m) *Tullbergia* Lubbock, 1876 (gender : feminine) (type species, by monotypy : *Tullbergia antarctica* Lubbock, 1876).

(2) The under-mentioned specific names, as published in combination with the generic names cited in brackets—parentheses—immediately after each name, are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 123 to 135 respectively :—(a) *albinus* Nicolet, 1842 (*Cyphoderus*) ; (b) *ambulans* Linnaeus, 1758 (*Podura*) ; (c) *antarctica* Lubbock, 1876 (*Tullbergia*) ; (d) *aquaticus* Bourlet, 1842 (*Smynthurus*) ; (e) *cincta* Linnaeus, 1758 (*Podura*) ; (f) *curvicollis* Bourlet, 1839 (*Lepidocyrtus*) ; (g) *fusca* Schött, 1893 (*Paronella*) ; (h) *hortensis* Fitch, 1863 (*Smynthurus*) ; (i) *murinus* Folsom, 1896 (*Neelus*) ; (j) *neptuni* Giard, 1889 (*Actaletes*) ; (k) *palustris* Müller (O.F.), 1776 (*Podura*) ; (l) *viridis* Bourlet, 1839 (*Isotoma*) ; (m) *viridis* Linnaeus, 1758 (*Podura*).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 104 to 107 respectively :—(a) *Cyphodeirus* (Invalid Original Spelling of *Cyphoderus*) Nicolet, 1842 ; (b) *Isotoma* Dejean, 1834 (a *nomen nudum*) ; (c) *Isotoma* Dejean, 1837 (a *nomen nudum*) ; (d) *Smynthurus* (Invalid Original Spelling of *Smynthurus*) Latreille, 1802.

I.—THE STATEMENT OF THE CASE

On 9th January 1946, M. Hermann Gisin (*Muséum d'Histoire Naturelle, Genève, Switzerland*) submitted to the International Commission an application for the addition of the names of thirteen genera in the Order Collembola (Class Insecta) to the *Official List of Generic Names in Zoology*. For the reasons explained in paragraph 3 below, it was found necessary at a later date to expand this application in certain respects, and it was

not until 8th September 1950 that the following definitive application was submitted to the Commission :—

**Proposed addition to the “ Official List of Generic Names in Zoology ”
of the names of thirteen genera in the Order Collembola
(Class Insecta)**

By HERMANN GISIN
(*Muséum d'Histoire Naturelle, Genève*)

I submit to the International Commission on Zoological Nomenclature the proposal that the under-mentioned thirteen names of genera in the Order Collembola (Class Insecta), should be placed on the *Official List of Generic Names in Zoology*. Each of these names is an available name and has, as its type species, the species specified below, that species having been duly so designated, indicated or selected under the *Règles*. The names now submitted are among the most important and most generally used in the Order Collembola. Each forms the basis, moreover, either of a family or subfamily name.

*Names proposed to be added to the “ Official List of Generic
Names in Zoology ”*

Actaletes Giard, 1889, *Le Naturaliste* (2) **11** : 123 (type species, by monotypy: *Actaletes neptuni* Giard, 1889, *Le Naturaliste* (2) **11** : 123).

Bourletiella Banks, 1899, *J. N. Y. ent. Soc.* **7** : 194 (type species, by original designation: *Sminthurus hortensis* Fitch, 1863, *8th Ann. Rep. N. Y. agric. Soc.* : 668).

Cyphoderus (emend. of *Cyphodeirus*) Nicolet, 1842, *N. D. Allg. schweiz. Ges.* **6** (3) : 63 (type species, by selection by Börner, 1903 (*S. B. naturf. Fr. Berlin* **1903** : 180) : *Cyphoderus albinus* Nicolet, 1842, *N. D. Allg. schweiz. Ges.* **6** (3) : 67).

Isotoma Bourlet, 1839, *Mém. Soc. R. Sci. Lille* **1839** (1) : 339 (type species, by selection by Börner, 1903 (*S. B. Ges. naturf. Fr. Berlin* **1903** : 171) : *Isotoma viridis* Bourlet, 1839, *Mém. Soc. R. Sci. Lille* **1839** (1) : 401).

Isotomurus Börner, 1903, *S. B. Ges. naturf. Fr. Berlin* **1903** : 171 (type species, by original designation: *Podura palustris* Müller, 1776, *Zool. dan. Prodr.* : 184).

- Lepidocyrtus** Bourlet, 1839, *Mém. Soc. R. Sci. Lille* **1839** (1) : 391, 392 (type species by monotypy : *Lepidocyrtus curvicollis* Bourlet, 1839, *Mém. Soc. R. Sci. Lille* **1839** (1) : 392).
- Neelus** Folsom, 1896, *Psyche* **7** : 391 (type species, by monotypy : *Neelus murinus* Folsom, 1896, *Psyche* **7** : 391).
- Onychiurus** Gervais, 1841, *Echo Monde savant* **8** : 372 (type species, by original designation : *Podura ambulans* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 608).
- Orchesella** Templeton, 1835, *Trans. ent. Soc. Lond.* **1** (2) : 92 (type species, by selection by Börner, 1903 (*S. B. Ges. naturf. Fr. Berlin* **1903** : 180) : *Podura cincta* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 609).
- Paronella** Schött, 1893, *Bih. svensk. Vetensk. Akad. Handl.*, Stockholm **19** (4) (no. 4) : 18 (type species, by monotypy : *Paronella fusca* Schött, 1893, *Bih. svensk. Vetensk. Akad. Handl.*, Stockholm **19** (4) (No. 4) : 18).
- Sminthurides** Börner, 1900, *Zool. Anz.* **23** : 616 (type species, by selection by Börner, 1906 (*Mitt. naturh. Mus. Hamburg* **23** : 182) : *Sminthurus aquaticus* Bourlet, 1842, *Ann. Soc. ent. France* **10** : xli).
- Sminthurus** (emend. of *Smynthurus*) Latreille, 1802, *Hist. nat. Crust. Ins.* **3** : 72 (type species, by selection by Börner, 1906) *Mitt. naturh. Mus. Hamburg* **23** : 183) : *Podura viridis* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 608).
- Tullbergia** Lubbock, 1876, *Ann. Mag. nat. Hist.* (4) **18** : 324 (type species, by monotypy : *Tullbergia antarctica* Lubbock, 1876, *Ann. Mag. nat. Hist.* (4) **18** : 324).

2. I have to add, with reference to the decision by the Thirteenth International Congress of Zoology that in future the gender of generic names added to the *Official List* is to be specified therein (1950, *Bull. zool. Nomencl.* **4** : 341), that the gender of the words constituting the generic names included in the present application is as follows :—

- (a) *Masculine nouns* : *Actaletes* Giard, 1889 ; *Cyphoderus* Nicolet, 1842 ; *Isotomurus* Börner, 1903 ; *Lepidocyrtus* Bourlet, 1839 ; *Neelus* Folsom, 1896 ; *Onychiurus* Gervais, 1841 ; *Sminthurides* Börner, 1900 ; *Sminthurus* Latreille, 1802 ;
- (b) *Feminine nouns* : *Bourletiella* Banks, 1899 ; *Isotoma* Bourlet, 1839 ; *Orchesella* Templeton, 1835 ; *Paronella* Schött, 1893 ; *Tullbergia* Lubbock, 1876.

3. In conformity with the decision, taken by the foregoing Congress, when establishing the *Official List of Specific Trivial Names in Zoology* (1950, *Bull. zool. Nomencl.* 4 : 269—271), the adoption of the present proposals relating to the addition of names to the *Official List of Generic Names in Zoology* will involve also the placing of the following specific trivial names on the *Official List of Specific Trivial Names in Zoology*, the names in question being the trivial names of the species which are respectively the type species of the thirteen genera, the names of which it is proposed should be placed on the *Official List of Generic Names in Zoology*. In every case the trivial name concerned is both itself an available name and also the name currently accepted by specialists as the oldest such name for the species concerned.

Trivial names proposed to be added to the "Official List of Specific Trivial Names in Zoology"

- albinus** Nicolet, 1842, as published in the binominal combination *Cyphoderus albinus*.
- ambulans** Linnaeus, 1758, as published in the binominal combination *Podura ambulans*).
- antarctica** Lubbock, 1876, as published in the binominal combination *Tullbergia antarctica*.
- aquaticus** Bourlet, 1842, as published in the binominal combination *Sminthurus aquaticus*.
- cincta** Linnaeus, 1758, as published in the binominal combination *Podura cincta*.
- curvicollis** Bourlet, 1839, as published in the binominal combination *Lepidocyrtus curvicollis*.
- fusca** Schött, 1893, as published in the binominal combination *Paronella fusca*.
- hortensis** Fitch, 1863, as published in the binominal combination *Sminthurus hortensis*.
- murinus** Folsom, 1896, as published in the binominal combination *Neelus murinus*.
- neptuni** Giard, 1889, as published in the binominal combination *Actaletes neptuni*.

palustris Müller, 1776, as published in the binominal combination *Podura palustris*.

viridis Bourlet, 1839, as published in the binominal combination *Isotoma viridis*.

viridis Linnaeus, 1758, as published in the binominal combination *Podura viridis*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application*: On receipt of M. Gisin's preliminary communication of January 1946, the project for the addition to the *Official List of Generic Names in Zoology* of a group of names of genera in the Order Collembola was given the Registered Number Z.N.(S.) 207.

3. *Postponement of the present application at Paris in 1948*: Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and partly for this reason and partly because of the need for a study at leisure of the details involved in proposals for the addition of names to the *Official List*, the present was one of the cases which it was decided not to place before the Commission on that occasion. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. It was necessary at that stage to invite M. Gisin to revise his application in the present case, in view of the decision taken by the Paris Congress in 1948 that, when generic names are placed on the *Official List of Generic Names*, the specific names of the type species of the nominal genera concerned should, if the oldest available names for the species in question, be placed at the same time on a corresponding *Official List* established

by that Congress. This revision was completed by 8th September 1950.

4. *Publication of the present application* : The present application, revised in the manner indicated in the immediately preceding paragraph, was sent to the printer in September 1950 and was published on 20th April 1951 in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (Gisin, 1951, *Bull. zool. Nomencl.* 2 : 56—58).

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

5. *Issue of Voting Paper V.P.(52)8* : On 7th April 1952 a Voting Paper (V.P.(52)8) was issued in which Members of the Commission were invited to vote either for, or against, the proposal “ for the addition of thirteen names to the *Official List of Generic Names* and of the same number of trivial names to the *Official List of Specific Trivial Names in Zoology*, as specified respectively on pp. 56—57 and page 58 of volume 2 of the *Bulletin of Zoological Nomenclature* ” [*i.e.*, the proposals set out in paragraphs 1 and 3 of the application reproduced in the first paragraph of the present *Opinion*].

6. *The prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

7. *Particulars of the Voting on Voting Paper V.P.(52)8* : The state of the voting on Voting Paper V.P.(52)8 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)* ; subject to the exception made by one (1) Commissioner in the case of two of the names included in the foregoing Voting Paper :

Calman ; Hering ; do Amaral ; Dymond ; Cabrera ;
Stoll ; Esaki ; Hankó ; Riley ; Bonnet ; Mertens ;

Lemche ; Vokes ; Bradley (except as regards the names *Cyphoderus* and *Sminthurus*) ; Boschma ; Pearson¹ ; Hemming ;

- (b) *A Negative Vote had been given by one (1) Commissioner in regard to the names included in the foregoing Voting Paper specified below :*

Bradley (in respect of the names *Cyphoderus* and *Sminthurus*) ;

- (c) *Voting Paper V.P.(52)8 was not returned by one (1) Commissioner :*

Jaczewski.

8. *Comments by two Commissioners in regard to individual names included in M. Gisin's application :* In returning their completed Voting Papers, two Commissioners (J. Chester Bradley ; N. D. Riley), commented on certain of the names included in M. Gisin's application. These comments are reproduced in the immediately following paragraphs.

9. *Comment by Professor J. Chester Bradley :* In returning his copy of Voting Paper V.P.(52)8, Professor J. Chester Bradley voted against the proposal relating to the names *Cyphoderus* and *Sminthurus*, and added the following note :—" We are asked to vote for the invalid emendations *Cyphoderus* and *Sminthurus*. This we cannot do, except under Plenary Powers. But no proposal has been made to employ the Plenary Powers and no argument presented in favor of the emendations "

10. *Comment by Mr. N. D. Riley :* In returning his copy of Voting Paper V.P.(52)8, Mr. N. D. Riley drew attention, with reference to M. Gisin's proposal regarding the name *Isotoma Bourlet*, 1839, to the fact that no mention was made in that application to the earlier name *Isotoma Dejean*, 1834 (Class Insecta, Order Coleoptera).

¹ Commissioner Pearson exercised in this case the right conferred by the Thirteenth International Congress of Zoology, Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other members of the Commission (1950, *Bull. zool. Nomencl.* **4** : 50—51).

11. *Action taken by the Secretary on the points raised by Commissioners Bradley and Riley:* On 30th December 1952, Mr. Francis Hemming, Secretary to the Commission, in his capacity as Returning Officer for the vote taken on V.P.(52)8, placed the following Minute on the File setting out the action taken by him in the light of the considerations advanced by Commissioner Bradley (paragraph 9) and Commissioner Riley (paragraph 10) :—

Points raised by Commissioners Bradley and Riley on certain of the names of genera of Collembola proposed by M. Gisin for addition to the "Official List of Generic Names on Zoology"

Minute by Francis Hemming, Secretary to the International Commission on Zoological Nomenclature as Returning Officer for the Vote taken on Voting Paper V.P.(52)8

In the following Minute, I set out the action taken in regard to the points raised by Commissioners Bradley and Riley on certain of the names of genera proposed by M. Gisin for addition to the *Official List of Generic Names in Zoology*.

(1) Commissioner Bradley's points in regard to the emended names "Cyphoderus" and "Sminthurus"

2. In a note dated 18th May 1952 annexed to his completed copy of Voting Paper V.P.(52)8 (received on 3rd July 1952), Commissioner Bradley, after voting against the addition to the *Official List of Generic Names in Zoology* (1) of the name *Cyphoderus* (emend. of *Cyphodeirus*) Nicolet, 1842, and (2) of the name *Sminthurus* (emend. of *Smynthurus*) Latreille, 1802, added that he took this course on the ground that he regarded these emendations to be invalid.

3. On 3rd December 1952 I drew the attention of M. Gisin to the points raised by Commissioner Bradley and invited him to furnish his comments thereon. This M. Gisin did in the following letter dated 12th December 1952 :—

Letter from M. Hermann Gisin, dated 12th December 1952

Je crois que l'orthographe originelle des deux noms génériques *Cyphodeirus* et *Smynthurus*, au sujet desquels vous me demandez des compléments d'information, peut être considérée comme une faute de transcription au sens de l'article 19 des Règles.

Pour *Sminthurus*, voici ce que Mr. J. T. Salmon vient d'écrire dans une publication toute récente (Key and Bibliography

to the Collembola, 1951) : " The original spelling of this generic name as given by Latreille in 1804, when he founded the genus, was *Smynthurus*. It would appear to have been derived from the Greek words *σμήνθος* (meaning a mouse) and *οὐρά* (a tail), in which case the amendment which has been made by most authors to the spelling *Sminthurus* is grammatically correct and allowable under the International Rules of Zoological Nomenclature ". Agassiz (*Nomenclator*, 1846) donne la même étymologie de ce mot. Je souscris pleinement à l'avis de Mr. Salmon qui exprime très certainement l'avis de tous les spécialistes.

Cyphoderus est tiré des mots grecs pour " bosse " et " cou ". Je ne suis pas compétant pour la langue grecque, mais mon dictionnaire donne comme racine grecque *δερ-*, et non *δειρ-* qui semble être une orthographe aberrante (incorrecte) (en français il n'y aurait d'ailleurs pas de différence de prononciation entre " der " et " deir ", et Nicolet parlait effectivement français).

Quant à l'usage actuel des deux noms, je puis dire qu'aucun spécialiste n'emploie actuellement encore l'ancienne orthographe, qui a presque complètement disparue aussitôt que leur amendement a été proposé. Un coup d'oeil sur mes fiches bibliographiques montre que, dans l'ensemble, chacun des deux noms en question est utilisé dans la littérature scientifique *plusieurs centaines* de fois avec l'orthographe amendée, et une dizaine de fois seulement avec l'orthographe originelle et cela seulement par des anciens auteurs et quelques copistes sans importance.

(2) Commissioner Riley's point in regard to the name " *Isotoma* "

4. The point raised by Commissioner Riley in regard to the name *Isotoma* Bourlet, 1839, unlike Commissioner Bradley's points in regard to the names *Cyphoderus* and *Smynthurus*, raised an issue which, at least in the first instance, was not one of direct concern to specialists in the Collembola, raising, as it did, the question whether the generic name *Isotoma* had been validly published for a genus in some other part of the Animal Kingdom (Class Insecta, Order Coleoptera) prior to its having been published in the Collembola by Bourlet in 1839. I, therefore, asked Commissioner Riley, in his capacity as Keeper of the Department of Entomology at the British Museum (Natural History), London, to investigate further, with his colleagues, the point which he had raised in regard to the foregoing generic names. Mr. Riley kindly consented to do this and on 27th November 1952 furnished the following Report :—

Isotoma Bourlet, 1839

I have looked up the occurrence of the generic name *Isotoma* in Dejean's *Catalogue* and I find that it does not occur in the

First Edition. It does, however, occur in the Second Edition (1834 : 214) and in the Third Edition (1837 : 236) in exactly the same form each time, as below :—

Trachélides
Isotoma Dejean
rufescens Dej. Buenos Ayres

In each case the name *Isotoma* Dejean is clearly a *nomen nudum*, for the sole species on which it is based (*rufescens*) is also a *nomen nudum*.

I think that this effectively disposes of the issue.

(3) Determination of the issues raised by Commissioners Bradley and Riley

5. As Returning Officer for the vote taken on Voting Paper V.P.(52)8, I have carefully considered what action is incumbent upon me in the light of the points raised by Commissioners Bradley and Riley, and I now give as follows the decision which I have reached in this matter :—

- (a) *The emendations "Cyphoderus" and "Sminthurus"*. The problem of the revision of the provision in the *Règles* (Article 19) relating to the emendation of names is due to be considered at the next International Congress of Zoology. It would be incorrect, however, to postpone decisions on individual cases because of the possibility or even the likelihood that a given provision will be revised at some later date. It is necessary therefore that decisions should be taken in the light of the provisions existing at the time that cases are submitted for that purpose. In the case of the emendation of names, the issue submitted now falls to be decided in the light of the interim decision taken by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 142). In the present case, the applicant clearly stated that the spelling *Cyphoderus* was an emendation of the original spelling *Cyphodeirus* and that the spelling *Sminthurus* was an emendation of the original spelling *Smynthurus*. In the light of the information so afforded, sixteen out of the seventeen Members of the Commission have voted in favour of accepting the emended spellings as emendations made in accordance with Article 19 of the *Règles*.

I therefore rule : (i) that no case has been established for the recommittal of the proposals submitted in regard to the emended names *Cyphoderus* and *Sminthurus* ; (ii) that, in

accordance with the provisions governing the *Official Lists* and *Official Indexes*, the decision taken, by sixteen votes to one vote, to accept the foregoing emended spellings carries with it automatically a decision to place the original spellings *Cyphodeirus* and *Smynthurus* so rejected on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

- (b) *The generic names "Isotoma" Dejean, 1834, and "Isotoma" Dejean, 1837*: It has been shown that the names *Isotoma* Dejean, 1834, and *Isotoma* Dejean, 1837, either of which, if an available name, would have invalidated the name *Isotoma* Bourlet, 1839 (one of the names included in the proposal voted upon in Voting Paper V.P.(52)8) are both *nomina nuda*.

I therefore rule: (i) that the name *Isotoma* Bourlet, 1839, is an available name and, in accordance with the unanimous vote of the seventeen Members of the Commission who have returned completed copies of Voting Paper V.P.(52)8, is eligible for admission to the *Official List of Generic Names in Zoology*; (ii) that under the provisions governing the *Official Lists* and *Official Indexes*, the decision to place the name *Isotoma* Bourlet, 1839, on the foregoing *Official List* carries with it automatically a decision to place the *nomina nuda* *Isotoma* Dejean, 1834, and *Isotoma* Dejean, 1837, on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

FRANCIS HEMMING

Returning Officer for the Vote taken on Voting Paper V.P.(52)8

30th December 1952

12. Declaration of Result of Vote: On 31st December 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)8, signed a Certificate that the Votes cast were as set out in paragraph 7 above and declaring that the proposal submitted in the foregoing Voting Paper, as clarified in his Minute of 30th December 1952, had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

13. The provisions of Article 19 of the *Règles*, relating to the emendation of incorrectly-formed zoological names, were completely revised by the Fourteenth International Congress of

Zoology, Copenhagen, 1953. Under the decision so taken, the approval of the emendation *Cyphoderus* of the name published as *Cyphodeirus* by Nicolet in 1842, and of the emendation *Sminthurus* of the name published as *Smynthurus* by Latreille in 1802 could not have been effected by an interpretative *Opinion* and, in order to acquire valid force, would have required the use by the Commission of its Plenary Powers. The Copenhagen Congress adopted, however, a further provision protecting decisions interpreting Article 19 previously taken by the Commission (see 1953, *Copenhagen Decisions zool. Nomencl.* : 45, Decision 74). This latter decision confirms and validates the Ruling in regard to the foregoing names given in the present *Opinion*.

14. On 3rd March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)8, as clarified by the Minute by the Secretary reproduced in paragraph 11 of the present *Opinion*.

15. The original references for the generic names placed on the *Official List of Generic Names in Zoology*, and for the specific names placed on the *Official List of Specific Names in Zoology*, by the Ruling given in the present *Opinion* are set out in full in the application reproduced in the first paragraph of this *Opinion*. The application contains also full particulars of the manner in which the type species of the nominal genera concerned were designated, indicated, or, as the case may be, selected as such. The original references for the names *Isotoma* Dejean, 1834, and *Isotoma* Dejean, 1837, placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* by the Ruling given in the present *Opinion* are cited in the letter from Mr. N. D. Riley quoted in paragraph 4 of the Minute by the Secretary reproduced in paragraph 11 of the *Opinion*.

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 Ninety-One (291) of the International Commission on Zoological Nomenclature.

DONE in London, this Third day of March, 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 8. Part 9. Pp. 115—130

OPINION 292

Validation, under the Plenary Powers, of the generic name *Cardinia* (Class Lamellibranchiata) as from Agassiz (J.L.R.), [1841], for use in its accustomed sense



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 292

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

VALIDATION, UNDER THE PLENARY POWERS, OF THE
 GENERIC NAME "CARDINIA" (CLASS LAMELLI-
 BRANCHIATA) AS FROM AGASSIZ (J.L.R.), [1841],
 FOR USE IN ITS ACCUSTOMED SENSE

RULING: Under the Plenary Powers, the action specified below is hereby taken :—(a) The under-mentioned generic names are hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy :—(i) *Cardinia* Roemer, 1839 ; (ii) *Cardinia* Agassiz (J.L.R.), [1840] ; (b) 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 :—(i) *Thalassides* Berger, 1833 ; (ii) *Sinemuria* de Christol, 1841 ; (c) The generic name *Cardinia* Agassiz (J.L.R.), [1841], as published on page 207 of the German Edition of Sowerby's *Mineral Conchology*, is hereby validated with *Unio listeri* Sowerby (J.), 1817, as type species ; (d) The specific name *coburgensis* Berger, 1833, as published in the combination *Thalassides coburgensis*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 728 :—*Cardinia* Agassiz (J.L.R.), [1841], as validated under (1) (c) above (gender : feminine) (type species, by designation, under the Plenary Powers, under (1) (c) above : *Unio listeri* Sowerby (J.), 1817).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Nos. severally specified below :—(a) the following generic names suppressed, under the Plenary Powers, under (1) (a) above for the purposes both of the Law of Priority and of the Law of Homonymy ; (i) *Cardinia* Roemer, 1839 (Name No. 108) ; (ii) *Cardinia* Agassiz (J.L.R.), [1840] (Name

No. 109); (b) the following generic names suppressed, under the Plenary Powers, under (1) (b) above for the purposes of the Law of Priority but not those of the Law of Homonymy :—(i) *Thalassides* Berger, 1833 (Name No. 110); (ii) *Sinemuria* de Christol, 1841 (Name No. 111); (c) the name *Cardinia* Agassiz (J.L.R.), 1838 (an invalid name because not published with an indication) (Name No. 112); (d) the name *Ginorga* Gray, 1840 (a *nomen nudum*) (Name No. 113); (e) the under-mentioned names which are invalid by reason of being junior objective synonyms of the name *Cardinia* Agassiz (J.L.R.), [1841], as validated, under the Plenary Powers, under (1) (c) above :—(i) *Ginorga* Strickland, 1842 (Name No. 114); (ii) *Dihora* [Anon.], 1842 (Name No. 115); (iii) *Storhodon* Zittel, 1881 (Name No. 116); (f) the under-mentioned names which are invalid by reason of being junior homonyms :—(i) *Pachyodon* Stutchbury, 1842 (a junior homonym of *Pachyodon* Meyer, 1838) (Name No. 117); (ii) *Thalassites* Quenstedt, 1843 (an emendation of *Thalassides* Berger, 1833, and a junior homonym of *Thalassites* Swainson, 1837) (Name No. 118).

(4) The specific name *listeri* Sowerby (J.), 1817, as published in the combination *Unio listeri* (specific name of the type species of *Cardinia* Agassiz (J.L.R.), [1841]) is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 136.

(5) The specific name *coburgensis* Berger, 1833, as published in the combination *Thalassides coburgensis* and as suppressed, under the Plenary Powers, under (1) (d) above, is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 73.

I.—THE STATEMENT OF THE CASE.

On 15th January 1946 Dr. L. R. Cox (*British Museum (Natural History), London*) submitted an application for the use by the

Commission of its Plenary Powers for the purpose of preserving the well-known Lamellibranch generic name *Cardinia* for use in its accustomed sense with *Unio listeri* Sowerby (J.), 1817, as type species. For the reasons explained in paragraph 3 below, it was necessary at a later stage to expand this application in certain respects. The definitive application, so revised, which was received from Dr. Cox on 22nd December 1950, was as follows :—

**Proposed use of the Plenary Powers to validate the generic name
“*Cardinia*” (Class Lamellibranchiata) as from Agassiz (J.L.R.),
[1841], for use in its accustomed sense**

By L. R. COX, Sc.D., F.R.S.

(*Department of Geology, British Museum (Natural History), London*)

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to validate, as from Agassiz (J.L.R.), [1841], the well-known generic name *Cardinia* in its accustomed sense, *i.e.*, with *Unio listeri* Sowerby (J.), 1817 (*Min. Conch.* 2 : 123) as type species.

The earliest described representatives of this genus were mainly referred by J. Sowerby and other authors to the genus *Unio* Retzius, 1788 (*Diss. nova Test. Gen.* : 16). In 1833 a shell from the Lower Lias of the neighbourhood of Coburg was described by a Dr. Berger (*Neues Jahrb. Min.* 1833 : 69) under the name *Thalassides coburgensis* (gen. et sp. nov.). The description reads as follows : “ Sie gehören zu den Dimyarien, und haben eine der Länge nach eiförmige Gestalt. Die äussere Fläche scheint glatt, nur etwa mit Zuwachs-Streifen versehen? An einem Exemplar fand ich an der Stelle des Schlosses ein seichtes Grübchen, während die andern weder Grübchen noch Zahn besitzen. Beiderseits des Schlosses ist ein Seitenzahn. Das randliche Band liegt in einer Vertiefung des Schlossrandes. Die zusammenliegenden Klappen sind nicht klaffend”. No figure was given by Berger.

Subsequent authors have recognized that the fossil so named and described was some representative of the genus now known as *Cardinia*, but its specific identity is doubtful and the trivial name *coburgensis* has nowhere been adopted.

The generic name *Cardinia*, now universally employed for the genus typified by *Unio listeri* Sowerby, was first published by Agassiz (J.L.R.) in 1838 (*Verh. schweiz. naturf. Ges.* 23 : 104). No species was cited and the genus was merely defined as including “*ci-devant Unio* des terrains secondaires”. This cannot be regarded as sufficient to constitute an “*indication*” for the purposes of Article 25 of the

Règles. Accordingly the name *Cardinia* has no status in zoological, nomenclature as from Agassiz (J.L.R.), 1838.

The name *Cardinia* was next published by F. A. Roemer in 1839 (*Verstein. norddeutsch. Oolithengebirges*, Nachtr. : 38), where the following passage appears immediately after the description of an unfigured species to which was applied the name *Cardita oblecta*, attributed to Goldfuss : " Agassiz bildet aus dieser Art seine Gattung *Cardinia*, und nennt jene *Cardinia sulcata* ; wir haben indessen keine Kennzeichen zu finden vermocht, welche die Trennung der Gattung verlangten ". Goldfuss never described a species under the name *Cardita oblecta*, and this name should therefore be attributed to Roemer. Brauns considered that the species to which Roemer applied this name was identical with *Unio listeri* Sowerby ; he was, however, notoriously sweeping in his synonymies and his judgment in this matter cannot be accepted in the absence of supporting evidence from other sources. The name *Cardinia sulcata* referred to by Roemer as having been given by Agassiz (J.L.R.) was not published by that author until 1843 (*Études crit. Moll. foss.* (3) : 227). The species so named by Agassiz (J.L.R.) was (like *Cardita oblecta*) regarded by Brauns as identical with *Unio listeri* Sowerby ; Brauns accordingly treated the trivial name *sulcata* Agassiz (J.L.R.) as a junior synonym of *listeri* Sowerby. Although Roemer did not accept the genus *Cardinia* (erected, as he believed, by Agassiz (J.L.R.)), it could be argued that his use of the name *Cardinia* constituted the establishment of a nominal genus *Cardinia* Roemer with *Cardita oblecta* Roemer as type species, by monotypy. The genus *Cardinia*, so established, would be indeterminate, it being impossible definitely to establish the identity of its type species. The status of the nominal genus *Cardinia* (Agassiz MS.) of Roemer, 1839, is therefore just as unsatisfactory as that of *Thalassides* Berger.

The next occasion on which the name *Cardinia* appeared in print was in the German edition by Agassiz (J.L.R.) of Sowerby's *Mineral Conchology* (: 58). The exact dates on which the various parts of the German edition were published are not known, but the portion containing page 58 was considered by Sherborn (*Index Anim. Pars secunda* : cxviii) as having been published in 1840. That date is accepted here, though it is possible that the portion in question was not published until 1841. In this work it was suggested that the two Carboniferous species *Unio subconstrictus* Sowerby, 1813, and *Unio acutus* Sowerby, 1813, and the Cornbrash species *Unio uniformis* Sowerby, 1813, should be referred to this genus, " welche ich nach einer iasischen [? liasischen] Species desselben Typus aufgestellt habe ". The distinctive characters of the hinge were described. The work referred to in the above passage (the *Études crit. Moll. foss.* (3)) in which the genus was founded on Liassic species was at that time still in manuscript. Of the three species cited under the name *Cardinia* in the passage referred to above, the first and second are now referred to

the genus *Carbonicola* McCoy, 1855 (in Sedgwick & McCoy, *Synop. Class. brit. palaeozoic Rocks* 2 : 514), and the third to the genus *Pleuromya* Agassiz (J.L.R.), [1842—1844] (German ed. of Sowerby's *Min. Conch.* : 439). In consequence, the selection of any of these species as the type species of *Cardinia* Agassiz (J.L.R.), [1840], would be most undesirable and would certainly lead to confusion.

The name *Cardinia* was next published in 1841, again by Agassiz (J.L.R.), on page 207 of the same translation of the *Mineral Conchology*. No descriptive remarks were given for the genus, but three species were cited, as being referable to it, namely *Unio crassissima* Sowerby, 1817, *Unio listeri* Sowerby, 1817, and *Unio hybrida* Sowerby, 1817. Up to July, 1948, the name *Cardinia* as published by Agassiz (J.L.R.) in the foregoing manner would, apart from any other consideration, have been invalid, for, being published without a generic diagnosis and without either a designated or indicated type species, it would have been a name published without an "indication" within the meaning of that expression as used in Proviso (a) to Article 25 of the *Règles*. Under a decision taken by the Thirteenth International Congress of Zoology at its Paris meeting in July, 1948, the definition of the expression "indication" as applied to generic names published prior to 1st January, 1931, has been liberalised (see 1950, *Bull. zool. Nomencl.* 4 : 78—80) and in consequence a name such as *Cardinia* Agassiz, [1841], now ranks as a name published with an "indication", and, if not invalidated in some other way, such a name is now an available name. Unfortunately, however, as we have seen, the name *Cardinia* Agassiz (J.L.R.), [1841], is invalid by reason of being a junior homonym of *Cardinia* Roemer, 1839. We may note, however, that if this difficulty were to be overcome by the suppression by the Commission of the name *Cardinia* Roemer, 1839, under its Plenary Powers, *Cardinia* Agassiz (J.L.R.), [1841], would become the oldest available generic name objectively available for the genus now universally known as *Cardinia*, provided that *Unio listeri* Sowerby (the second of the species cited by Agassiz (J.L.R.)) was the type species of this genus; it would still be necessary, however, for the Commission to suppress under its Plenary Powers all generic names of earlier date that are subjectively identical with *Cardinia* Agassiz (J.L.R.), [1841], as defined above, before the name *Cardinia* Agassiz could validly be applied to this genus.

As regards the type species of the genus *Cardinia*, it may be noted that in the year following the second publication of this name by Agassiz (J.L.R.) in the German edition of the *Mineral Conchology*, an anonymous reviewer, discussing the genus *Cardinia* wrote (1842, *Neues Jahrb. f. Min.* 1842 : 497) "*Unio listeri* Dow. dient am besten als Typus". This observation was made, however, with reference not to Agassiz's use of the name *Cardinia* in the *Mineral Conchology*, but to the use of this name by Strickland (H.E.), when discussing Agassiz's then unpublished *Etudes critiques*, in the Report of the British Association for the year 1842. Under a ruling given by

the Thirteenth International Congress of Zoology, Paris, 1948 (see 1950, *Bull. zool. Nomencl.* 4 : 348), such action does not constitute the selection of a type species for the nominal genus *Cardinia* Agassiz (J.L.R.), that genus not having been under consideration at the time when the anonymous reviewer of Strickland's paper made the foregoing selection (even if the passage quoted above could be regarded as a selection under Rule (g), if "rigidly construed", as required by the *Règles*). Quite apart from the foregoing special considerations relating to the action of the anonymous reviewer of 1842, it cannot be supposed that Agassiz's use of the generic name *Cardinia* on page 207 of the German edition of the *Mineral Conchology* (in a sense not, in his eyes, materially different from the manner in which he had used this name on page 58 of the same work) constitutes the establishment of a new generic name ranking from the later of the two pages cited above. In order to secure such a status for *Cardinia*, as so used, it would be necessary for the Commission to use its Plenary Powers; similarly, those Powers would be needed to provide a type species for this genus.

From the particulars given above, it will be seen that the difficulties in the present case could be overcome, (1) if the generic names *Cardinia* Roemer, 1839, and *Cardinia* Agassiz (J.L.R.), [1840], were to be suppressed by the Commission under its Plenary Powers (thereby making the name *Cardinia* Agassiz (J.L.R.), [1841], objectively available), (2) if all generic names of older date that have as their type species species which are today subjectively regarded as being referable to the genus *Cardinia* (as universally understood) were to be suppressed under the same powers, and (3) if *Unio listeri* Sowerby were to be designated as the type species of *Cardinia* Agassiz (J.L.R.), [1841].

In addition to the generic name *Thalassides* Berger, 1833 (to which reference has already been made), there is another generic name which is subjectively identical with, *Cardinia* Agassiz (J.L.R.), [1841], and may have priority over that name. This is the name *Sinemuria* de Christol, 1841 (*Bull. Soc. géol. France* (1) 12 : 92), which was applied by its original author to a species which is now considered to belong to the genus *Cardinia*. The difficulty which arises in this case is that, whereas it is known that the name *Sinemuria* de Christol was published in 1841 just before 26th May (the date of the recorded receipt by the Geological Society of London of the part of the *Bull. Soc. géol. France* in which this name appeared), no evidence has yet been found as to the exact date of publication of page 207 of Agassiz's German edition of the *Mineral Conchology*, although it is believed to have been in the same year. Thus, *Sinemuria* may have been published before the foregoing publication of the name *Cardinia*. In any case, the latter can at present rank for priority only as from 31st December, 1841 (see 1950, *Bull. zool. Nomencl.* 4 : 223—225). Accordingly, as matters now stand, the name *Sinemuria* de Christol, May, 1841, has priority over *Cardinia* Agassiz (J.L.R.), [1841] (ranking as from 31st December

of that year). It is essential therefore that, as part of the general settlement of the problem raised by the name *Cardinia*, the name *Sinemuria* de Christol should be suppressed, since otherwise it would take precedence over the name *Cardinia*.

In addition, there are several names which, on the validation of the name *Cardinia* Agassiz (J.L.R.), [1841], it would be desirable should finally be disposed of, by being placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. Three of these names are objective synonyms of *Cardinia* Agassiz (J.L.R.), [1841]; one is a *nomen nudum*; two are invalid junior homonyms of older names. The six names in question are: (1) *Ginorga* Gray, 1840 (*Syn. Contents Brit. Mus.* (ed. 42) : 150) (a *nomen nudum*); (2) *Ginorga* Gray, (*nom. nud.*) Strickland, 1842 (*Rep. Brit. Ass. (Plymouth, 1841) Trans. Sect.* : 65) (cited as a synonym of *Cardinia*); (3) *Dihora* ("Gray") [Anon.], 1842 (*Neues Jahrb. Min.* 1842 : 496) (cited as a synonym of *Cardinia*); (4) *Pachyodon* Stutchbury, 1842 (*Ann. Mag. nat. Hist.* 8 : 481) (a homonym of *Pachyodon* Meyer, 1838, *Jahrb. f. Min.* 1838 : 414); (5) *Thalassites* Quenstedt, 1843 (*Floezgeb. Wuertemb.* 1843 : 143) (an emendation of *Thalassides* Berger, 1833) (a homonym of *Thalassites* Swainson, 1837, *Nat. Hist. Classif. Birds* 2 : 372); (6) *Storhodon* ("Brown") Zittel, 1881 (*Palaeozool.* 2 : 62) (name attributed to Brown without a bibliographical reference and cited as a synonym of *Cardinia*).

After careful consideration, I have come to the conclusion that, in order to prevent the most serious confusion, accompanied by a far-reaching disturbance in the nomenclature of this group, it is essential that the International Commission on Zoological Nomenclature should use its Plenary Powers to such extent as is necessary to validate the generic name *Cardinia* Agassiz (J.L.R.), [1841] (as published on page 207 of the German edition of Sowerby's *Mineral Conchology*) with *Unio listeri* Sowerby, 1817, as type species. The proposal which I accordingly submit is that the International Commission should:—

(1) use its Plenary Powers:—

(a) to suppress the under-mentioned names for the purposes both of the Law of Priority and of the Law of Homonymy:—

(i) *Cardinia* Roemer, 1839;

(ii) *Cardinia* Agassiz (J.L.R.), [1840];

(b) to suppress the under-mentioned generic names for the purposes of the Law of Priority, but not for those of the Law of Homonymy:—

(i) *Thalassides* Berger, 1833;

(ii) *Sinemuria* de Christol, 1841;

- (c) to validate the generic name *Cardinia* Agassiz (J.L.R.), [1841] (as published on page 207 of the German edition of Sowerby's *Mineral Conchology*), with *Unio listeri* Sowerby, 1817, as type species ;
- (d) to suppress for the purposes of the Law of Priority, but not for those of the Law of Homonymy the trivial name *coburgensis* Berger, 1833, as published in the binominal combination *Thalassides coburgensis* ;
- (2) place the generic name *Cardinia* Agassiz (J.L.R.), [1841], as proposed under (1) (c) above to be validated under the Plenary Powers (type species, by designation under the Plenary Powers under (1) (c) above : *Unio listeri* Sowerby, 1817) on the *Official List of Generic Names in Zoology* ;
- (3) place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the under-mentioned rejected or invalid names :—
- (a) the two names specified in (1) (a) above, proposed to be suppressed for all purposes under the Plenary Powers ;
- (b) the two names specified in (1) (b) proposed to be suppressed for the purposes of the Law of Priority, but not for those of the Law of Homonymy, under the Plenary Powers ;
- (c) the name *Cardinia* Agassiz (J.L.R.), 1838 (an invalid name, because not published with an indication) ;
- (d) the name *Ginorga* Gray, 1840 (a *nomen nudum*) ;
- (e) the under-mentioned objective synonyms of *Cardinia* Agassiz (J.L.R.), 1841 (as proposed under (1) (c) to be validated under the Plenary Powers) :—
- (i) *Ginorga* Strickland, 1842 ;
- (ii) *Dihora* [Anon.], 1842 ;
- (iii) *Storhodon* Zittel, 1881 ;
- (f) the under-mentioned invalid homonyms :—
- (i) *Pachyodon* Stutchbury, 1842 ;
- (ii) *Thalassites* Quenstedt, 1843 ;
- (4) place the specific trivial name *listeri* Sowerby, 1817, as published in the binominal combination *Unio listeri*, on the *Official List of Specific Trivial Names in Zoology* ;
- (5) place the specific trivial name *coburgensis* Berger, 1833, as published in the binominal combination *Thalassides coburgensis* (as proposed under (1) (d) above to be suppressed under the

Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy) on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On receipt of Dr. Cox's preliminary application in January 1946, the problem represented by the name *Cardinia* was given the Registered Number Z.N.(S.) 208.

3. *Postponement of the present application at Paris in 1948*: Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and partly for this reason and partly because of the complicated nature of the issues involved, the present was one of the cases which it was decided not to place before the Commission at that Session. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. It was necessary at that stage to ask Dr. Cox to revise his application in the present case, in order to take account of the decisions taken by the Paris Congress to establish an *Official List of Specific Names in Zoology* (then styled the *Official List of Specific Trivial Names in Zoology*) and *Official Indexes of Rejected and Invalid Names* (both generic and specific). Correspondence on this subject ensued between the Secretary and Dr. Cox in the period September-December 1950, and (as already explained), Dr. Cox submitted his revised application in this case on 22nd December of that year.

4. *Publication of the present application* : The present application was sent to the printer immediately upon the receipt of the

revised text (paragraph 3 above) and was published on 20th April 1951 in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (Cox, 1951, *Bull. zool. Nomencl.* 2 : 59—64).

5. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Cox's application was published) and to the other prescribed serial publications. The publication of these Notices elicited no objection to the action proposed.

6. *Support received for Dr. Cox's application* : Letters of support for Dr. Cox's application were received from the following specialists :—(a) Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) ; (b) Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M., Germany*) ; (c) the Joint Committee on Zoological Nomenclature for Paleontology in America. The communications so received are given in the immediately following paragraphs.

7. *Support received from Dr. W. J. Arkell (Sedgwick Museum, Cambridge University, Cambridge)* : On 3rd June 1951, Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) wrote a letter to the Commission on a number of cases, including the present application, as regards which he said :—“ Z.N.(S.) 208. I agree with this application and wish to support it ” (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 334).

8. *Support received from Professor Dr. C. R. Boettger (Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M., Germany)* : On 27th August 1951, Dr. Robert Mertens transmitted to the Commission a communication from Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M.*), commenting upon a number of recently published cases. Dr. Boettger's comment on Dr. Cox's application was as follows :—“ Ich schliesse mich den Ausführungen von Dr. L. R. Cox an ”.

9. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America*: On 9th April 1952 there was received in the Office of the Commission a large number of letters from Professor G. Winston Sinclair (then of *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America, submitting statements of the views of members of the Committee on applications published in the *Bulletin of Zoological Nomenclature*. It appeared that the despatch of these letters had been held back by Professor Sinclair until he was in a position to send the entire set to the Commission, and it was presumably on this account that the letter relating to the present case, though dated 6th February 1952, was not received until 9th April. By that time the prescribed period of notice had expired and the Voting Paper (V.P.(52)9) relating to the present case had just been issued to the Members of the Commission (see paragraph 10 below), and it was too late to include in it particulars of the views of the Joint Committee. A note giving the information contained in Professor Sinclair's letter was, however, issued on 12th April 1952 to the Members of the Commission who were thus placed in possession of the views of the Joint Committee. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted :

To support the petition (8) :

A. Myra Keen
 Siemon W. Muller
 Katherine V. W. Palmer
 John B. Reeside, Jr.
 J. Marvin Weller
 Bobb Schaeffer
 Bryan Patterson
 R. C. Moore

To oppose the petition (3) :

Don L. Frizzell
 G. Winston Sinclair
 J. W. Wells

In registering their support, Miss Keen and Dr. Muller comment that they do so although the case seems to them to be weak. My own opposition is due to the absence of any proof that confusion is threatened.

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

10. Issue of Voting Paper V.P.(52)9 : On 7th April 1952 a Voting Paper (V.P.(52)9) was issued in which the Members of the Commission were invited to vote either for, or against, the "proposal relating to the generic name *Cardinia* (Class Lamelli-branchiata) as specified in Points (1) to (5) on pages 63 and 64 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e., the points set out in the concluding paragraph of the application reproduced in the first paragraph of the present *Opinion*].

11. The prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

12. Particulars of the Voting on Voting Paper V.P.(52)9 : The state of the voting on Voting Paper V.P.(52)9 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received) :*

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Cabrera ; Stoll ; Esaki ; Hankó ; Bonnet ; Mertens ;
Lemche ; Vokes ; Bradley ; Boschma ; Pearson¹ ;
Hemming ;

(b) *Negative Votes :*

None ;

¹ Commissioner Pearson exercised in this case the right conferred by the Thirteenth International Congress of Zoology, Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other members of the Commission (1950, *Bull. zool. Nomencl.* 4 : 50—51).

(c) *Voting Paper V.P.(52)9* was not returned by one (1) Commissioner :

Jaczewski.

13. Declaration of Result of Vote : On 8th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)9, signed a Certificate that the Votes cast were as set out in paragraph 12 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

14. On 4th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)9.

15. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

Cardinia Agassiz (J.L.R.), 1838, *Verh. schweiz. naturf. Ges.* **23** : 104
Cardinia Roemer, 1839, *Verstein. norddeutsch. Oolithengebirges*,
 Nachtr. : 38

Cardinia Agassiz (J.L.R.), [1840], Sowerby's *Min. Conch.* (German ed.) : 58

Cardinia Agassiz (J.L.R.), [1841], Sowerby's *Min. Conch.* (German ed.) : 207

coburgensis, *Thalassides*, Berger, 1833, *Neues Jahrb. Min.* **1833** : 69

Dihora [anon.], 1842, *Neues Jahrb. Min.* **1842** : 496

Ginorga Gray, 1840, *Syn. Contents Brit. Mus.* (ed. 42) : 150

Ginorga Strickland, 1842, *Rep. Brit. Ass. (Plymouth, 1841)*
Trans. Sect. : 65

listeri, *Unio*, Sowerby (J.), 1817, *Min. Conch.* **2** : 123

Pachyodon Stutchbury, 1842, *Ann. Mag. nat. Hist.* **8** : 481

Sinemuria de Christol, 1841, *Bull. Soc. géol. France* (1) **12** : 92

Storhodon Zittel, 1881, *Palaeozool.* **2** : 62

Thalassides Berger, 1833, *Neues Jahrb. Min.* **1833** : 69

Thalassites Quenstedt, 1843, *Floezgeb. Wuertemb.* **1843** : 143

16. The gender of the generic name *Cardinia* Agassiz (J.L.R.), [1841], is feminine.

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 Ninety-Two (292) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourth day of March, 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

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OPINION 293

Validation, under the Plenary Powers, of the generic name
Scyllarides Gill, 1898 (Class Crustacea, Order Decapoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 293

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold B. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 293

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "SCYLLARIDES" GILL, 1898 (CLASS CRUSTACEA, ORDER DECAPODA)

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) *Pseudibacus* Guérin-Méneville, 1855 ; (b) *Scyllaridia* Bell, 1857.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 729 :—*Scyllarides* Gill, 1898 (gender : masculine) (type species, by original designation : *Scyllarus aequinoctialis* Lund, 1793) (Class Crustacea, Order Decapoda).

(3) The under-mentioned generic names, as suppressed under the Plenary Powers, under (1) above, are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 119 and 120 respectively :—(a) *Pseudibacus* Guérin-Méneville, 1855 ; (b) *Scyllaridia* Bell, 1857.

(4) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 137 :—*aequinoctialis* Lund, 1793, as published in the combination *Scyllarus aequinoctialis*.

I.—THE STATEMENT OF THE CASE

On 27th May 1946, Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) submitted to the

Commission a paper containing proposals in regard to the names of seven genera of the Orders Stomatopoda and Decapoda (Class Crustacea). One of the names dealt with in this paper was *Scyllarides* Gill, 1898 (Class Crustacea, Order Decapoda). Later, the separate elements comprised in the foregoing application were split up, and on 4th September 1950 the following definitive application relating exclusively to the present case was submitted to the Commission :—

**Proposed use of the Plenary Powers to render the generic name
“*Scyllarides*” Gill, 1898 (Class Crustacea,
Order Decapoda) the oldest available name
for the species currently referred
thereto**

By L. B. HOLTHUIS

(*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)

The present application relates to a generic name, *Scyllarides* Gill, 1898 (Class Crustacea, Order Decapoda), which is in general use, but which is not the oldest available name for the genus concerned. The ruthless application of the *Règles* in the present case would give rise to much quite unnecessary confusion, and I accordingly ask the International Commission on Zoological Nomenclature to prevent this confusion by using their Plenary Powers in such a way as to permit the continued use of the above generic name.

2. The following are the original references to the generic names dealt with in the present application :—

Scyllarides Gill, 1898, *Science* (n.s.) 7 : 98 (type species, by original designation : *Scyllarus aequinoctialis* Lund, 1793, *Skr. naturh. Selsk. Kbh.* (2) 2 : 21).

Scyllaridia Bell, 1857, *Monogr. foss. malacostr. Crust. Great Brit.* 1 : 35 (type species, by monotypy : *Scyllaridia koenigi* Bell, 1857, *Monogr. foss. malacostr. Crust. Great Brit.* 1 : 35).

Pseudibacus Guérin-Méneville, 1855, *Rev. Mag. Zool.* (2) 7 : 137 (type species, by monotypy : *Pseudibacus veranyi* Guérin-Méneville, 1855, *Rev. Mag. Zool.* (2) 7 : 137).

3. The name *Scyllarides* Gill, 1898, is the generally accepted name for a well-known genus of large Decapoda Macrura Reptantia. Strictly, however, this name, though available nomenclatorially, is not, under current taxonomic ideas, available for the genus to which it is at present applied, for twice before the publication of Gill's paper, other authors published different names for genera, having, as their respective type species, species now regarded as congeneric with *Scyllarus aequinoctialis* Lund, the type species of *Scyllarides* Gill, 1898.

4. First, Guérin-Méneville in 1855 described a new Crustacean from the Mediterranean under the name *Pseudibacus veranyi*. Later, it was found that this Crustacean was the natant stage of the species at present best known as *Scyllarides latus* (Latreille, 1803) (= *Scyllarus latus* Latreille, 1803, *Hist. nat. Crust. Ins.* 6 : 182), a common inhabitant of the Mediterranean and West African coasts. The generic name *Pseudibacus* Guérin-Méneville, 1855, is the oldest available generic name for any of the species at present recognised as belonging to the genus *Scyllarides* Gill, 1898, and accordingly the latter name should be replaced by the name *Pseudibacus* Guérin-Méneville.

5. Second, Bell in 1857 described a new genus of fossil Crustacea, for which he published the generic name *Scyllaridia*. The type species of this genus is *Scyllaridia koenigi* Bell, 1857. This species was considered by Woods (1925, *Mon. palaeontol. Soc. Lond.* 1922—1923 : 39) and by Glaessner (1929, in *Fossilium Catalogus* 9 (41) : 375) to be referable to the genus at present known by the name *Scyllarides* Gill, 1898.

6. Thus, on the basis of current taxonomic ideas, the generic name *Scyllarides* Gill, 1898, is twice over a subjective synonym of an older available generic name, first to *Pseudibacus* Guérin-Méneville, 1855, second, to *Scyllaridia* Bell, 1857. Under the Law of Priority, the correct name for this genus is therefore *Pseudibacus* Guérin-Méneville, 1855. But the name *Pseudibacus* is not at present used as a generic name at all, being employed only to denote an immature stage (the so-called *Pseudibacus* stage), while the name *Scyllaridia* has never been used for any but fossil species, while even for these it was dropped by Woods (1925) in favour of the well-known name *Scyllarides* Gill, 1898. As the name *Scyllarides* Gill is at present in general use, both for immature and adult forms of living species and also for fossil species, no useful purpose would be served—and, indeed, only unnecessary confusion caused—if the well-known name *Scyllarides* Gill, 1898, were to be replaced by either of the little-known names (*Pseudibacus* Guérin-Méneville, 1855, and *Scyllaridia* Bell, 1857) referred to above. I accordingly ask the International Commission on Zoological Nomenclature to prevent confusion from arising in the nomenclature of this group, by using their Plenary Powers in such a way as to secure that the generic name *Scyllarides* Gill, 1898, is the oldest available generic name for the species at present referred to that genus. The

concrete proposals which I therefore submit for consideration are that the Commission should :—

- (1) use their Plenary Powers to suppress the under-mentioned generic names for the purposes of the Law of Priority, but not for those of the Law of Homonymy :—
 - (a) *Pseudibacus* Guérin-Méneville, 1855 ;
 - (b) *Scyllaridia* Bell, 1857 ;
- (2) place on the *Official List of Generic Names in Zoology* the generic name : *Scyllarides* Gill, 1898 (type species, by original designation : *Scyllarus aequinoctialis* Lund, 1793) ;
- (3) place on the *Official Index of Rejected and Invalid Names in Zoology* the generic names (a) *Pseudibacus* Guérin-Méneville, 1855, and (b) *Scyllaridia* Bell, 1857, suppressed under (1) above ;
- (4) place on the *Official List of Specific Trivial Names in Zoology* the trivial name *aequinoctialis* Lund, 1793, as published in the binominal combination *Scyllarus aequinoctialis*.

7. I should add, with reference to the decision by the Thirteenth International Congress of Zoology, that in future the gender of every generic name added to the *Official List* is to be specified therein (1950, *Bull. zool. Nomencl.* 4 : 341), that the gender of the generic name *Scyllarides* is masculine.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On receipt in June 1946 of Dr. Holthuis' proposals relating to the names of genera of the Order Stomatopoda and to the name *Scyllarides* Gill and other names of genera of the Order Decapoda, it was decided, as an interim measure, to register the whole of Dr. Holthuis' proposals as a single unit, and the Registered Number Z.N.(S.) 231 was assigned to the File so opened. When in August 1950 an active start was made with the preparation for publication of the various cases comprised in Dr. Holthuis' original application of 1946, it was decided to break up that application into its component parts and to allot a separate Registered Number to

each case. The original Registered Number Z.N.(S.) 231 was retained for the application relating to the name *Crangon Fabricius*,¹ and the new Number Z.N.(S.) 473 was allotted to the present case.

3. Postponement of the present application at Paris in 1948 : Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and the present was one of the cases which for this reason was not placed before the Commission for discussion at that Session. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. As has already been explained, it was decided that the case of the name *Scyllarides* Gill should be treated as constituting a separate application, and this inevitably involved a certain amount of redrafting. In addition, it was necessary to expand the application somewhat, in order to take account of the decisions by the Paris Congress to establish an *Official List of Specific Names in Zoology* (then styled the *Official List of Specific Trivial Names in Zoology*) and also *Official Indexes of Rejected and Invalid Names* (both generic and specific). The application, so revised, was received on 4th September 1950.

4. Publication of the present application: The present application, revised in the manner indicated in the immediately preceding paragraph, was sent to the printer in September 1950, and was published on 20th April 1951 in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature* (Holthuis, 1951, *Bull. zool. Nomencl.* **2** : 81—82).

5. Issue of Public Notices: Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological

¹ The decision of the Commission in regard to the name *Crangon Fabricius*, 1793, has since been embodied in *Opinion* 333.

Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Holthuis' application was published) and also to the other prescribed serial publications. The publication of these Notices elicited no objection to the action proposed.

6. Support received for Dr. Holthuis' application: Letters of support for Dr. Holthuis' application were received from the following specialists :—(a) Professor Dr. Heinrich Balss (*Zoologische Staatssammlung, München a.D., Germany*) ; (b) Professor E. Sollaud (*Université de Lyon, Faculté des Sciences, Lyon, France*) ; (c) Dr. Ricardo Zariquiey (*Enfermedades de la Infancia, Barcelona, Spain*) ; (d) Dr. Isobel Gordon (*British Museum (Natural History), London*). The communications so received are given in the immediately following paragraphs.

7. Support received from Dr. Heinrich Balss (*Hauptkonservator der Zoologischen Staatssammlung, München a.D., Germany*) : On 6th July 1951, Professor Dr. Heinrich Balss (*Hauptkonservator der Zoologischen Staatssammlung München a.D., Germany*) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Balss, 1951, *Bull. zool. Nomencl.* **2** : 344) :—

Mr. L. B. Holthuis hat mir eine Reihe von Anträgen an die internationale Nomenklaturkommission zugesandt (Commission's references Z.N.(S.) 231 (*Crangon*), 209 (*Ligia*), 473 (*Scyllarides*), 474 (*Lysiosquilla*), 475 (*Odontodactylus*)).

Ich erlaube mir, Ihnen mitzuteilen, dass ich mit allen seinen Vorschlägen einverstanden bin.

8. Support received from Professor E. Sollaud (*Université de Lyon, Faculté des Sciences, Lyon, France*) :—On 11th July 1951 Professor E. Sollaud (*Université de Lyon, Faculté des Sciences, Lyon*) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Sollaud, 1951, *Bull. zool. Nomencl.* **2** : 344) :—

Je reçois de mon collègue et ami Mr. Holthuis, du Museum de Leide, cinq notes relative à des propositions faites à l'International Commission

on Zoological Nomenclature au sujet d'un certain nombre de noms de genres de Crustacés (Commission's references Z.N.(S.) 231 (*Crangon*), 209 (*Ligia*), 473 (*Scyllarides*), 474 (*Lysiosquilla*), 475 (*Odontodactylus*)).

Je vous informe que, après avoir lu attentivement ces notes, j'approuve entièrement les propositions de Mr. Holthuis. J'estime qu'une application rigoureuse, en toutes circonstances, du loi de priorité conduirait à d'inextricables confusions et, bien loin de servir notre science, lui serait très préjudiciable. Il est impossible d'abandonner de noms tel que *Ligia*, *Crangon*, *Alpheus*, . . . , qui sont passés dans le langage courant, et votre Commission fera oeuvre bien utile en freinant l'ardeur des " puristes " de la Priorité.

9. *Support received from Dr. Ricardo Zariquiey (Enfermedades de la Infancia, Barcelona, Spain)* : On 25th July 1951, Dr. Ricardo Zariquiey (*Enfermedades de la Infancia, Barcelona, Spain*) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Zariquiey, 1951, *Bull. zool. Nomencl.* 6 : 72) :—

Estudiadas detenidamente las propuestas Z.N.(S.) 231 sobre el uso de los nombres genéricos *Crangon* Fabricius, 1798, y *Alpheus* Fabricius, 1798, la Z.N.(S.) 209 sobre el uso del nombre genérico *Carcinus* Leach, 1814, y la Z.N.(S.) 473 sobre el nombre genérico *Scyllarides* Gill, 1898, debo manifestarle que estoy de acuerdo con las conclusiones de las mismas y que Voto " Si " a lo que propone el Dr. L. B. Holthuis, ponente de las mismas.

10. *Support received from Dr. Isobel Gordon (British Museum (Natural History), London)* : On 29th October 1951, Dr. Isobel Gordon (*British Museum (Natural History), London*) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Gordon, 1952, *Bull. zool. Nomencl.* 6 : 183) :—

I wish to say that I am willing to add my support to all the proposals submitted to the International Commission on Zoological Nomenclature by Dr. L. B. Holthuis :

Commission's Reference	Z.N.(S.) 231 (<i>Crangon</i>)
„	„ Z.N.(S.) 209 (<i>Ligia</i>)
„	„ Z.N.(S.) 473 (<i>Scyllarides</i>)
„	„ Z.N.(S.) 474 (<i>Lysiosquilla</i>)
„	„ Z.N.(S.) 475 (<i>Odontodactylus</i>)

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

11. *Issue of Voting Paper V.P. (52)10* : On 7th April 1952 a Voting Paper (V.P. (52)10) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to *Scyllarides* Gill, 1898, as specified in Points (1) to (4) on page 82 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. in the penultimate paragraph of the application reproduced in the first paragraph of the present *Opinion*].

12. *The prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 7th July 1952.

13. *Particulars of the Voting on Voting Paper V.P. (52)10* : The state of the voting on Voting Paper V.P. (52)10 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following fifteen (15) Commissioners (arranged in the order in which Votes were received)* :

Calman ; Hering ; do Amaral ; Dymond ; Riley ;
Stoll ; Esaki ; Hankó ; Bonnet ; Mertens ; Lemche ;
Vokes ; Bradley ; Boschma ; Hemming ;

(b) *Negative Votes had been given by two (2) Commissioners* :

Cabrera ; Pearson ;

(c) *Voting Paper V.P. (52)10 was not returned by one (1) Commissioner* :

Jaczewski.

14. *Declaration of Result of Vote* : On 8th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper

V.P. (52)10, signed a Certificate that the Votes cast were as set out in paragraph 13 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

15. On 4th March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P. (52)10.

16. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

aequinoctialis, *Scyllarus*, Lund, 1793, *Skr. naturh. Selsk. Kbh.* (2) 2 : 21

Pseudibacus Guérin-Méneville, 1855, *Rev. Mag. Zool.* (2) 7 : 137
Scyllarides Gill, 1898, *Science* (n.s.) 7 : 98

Scyllaridia Bell, 1857, *Monogr. foss. malacostr. Crust. Great Brit.* 1 : 35

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 on 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 Ninety-Three (293) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourth day of March, 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 8. Part 11. Pp. 143—154

OPINION 294

Validation, under the Plenary Powers, of the generic name *Lysiosquilla* Dana, 1852 (Class Crustacea, Order Stomatopoda)

LONDON :

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 294

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 294

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "LYSIOSQUILLA" DANA, 1852 (CLASS CRUSTACEA, ORDER STOMATOPODA)

RULING :—(1) Under the Plenary Powers, the generic name *Erichthus* Latreille, 1817, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 730 :—*Lysiosquilla* Dana, 1852 (gender ; feminine) (type species, by selection by Fowler (1912) : *Lysiosquilla inornata* Dana, 1852).

(3) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 121 :—*Erichthus* Latreille, 1817, as suppressed, under the Plenary Powers, under (1) above.

(4) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 138 :—*inornata* Dana, 1852, as published in the combination *Lysiosquilla inornata* (specific name of type species of *Lysiosquilla* Dana, 1852).

I.—THE STATEMENT OF THE CASE

On 27th May 1946, Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) submitted to the Commission a paper containing proposals in regard to the names of seven genera of the Orders Stomatopoda and Decapoda (Class Crustacea). One of the names dealt with in this paper was *Lysiosquilla* Dana, 1852 (Class Crustacea, Order Stomatopoda). Later, the separate elements comprised in the foregoing application

were split up, and on 4th September 1950 the following definitive application relating exclusively to the present case was submitted to the Commission :—

**Proposed use of the Plenary Powers to render the generic name
“*Lysiosquilla*” Dana, 1852 (Class Crustacea, Order
Stomatopoda) the oldest available name for the
species currently referred thereto**

By L. B. HOLTHUIS

(*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)

The present application relates to a generic name, *Lysiosquilla* Dana, 1852 (Class Crustacea, Order Stomatopoda), which is in general use and is extremely well known, but which is not the oldest available generic name for the group of species concerned. The ruthless application of the *Règles* in the present case would give rise to enormous confusion, without serving any useful purpose whatever. I accordingly ask the International Commission on Zoological Nomenclature to use their Plenary Powers in such a way as to permit the continued use of the above generic name.

2. The following are the original references to the generic names dealt with in the present application :—

Lysiosquilla Dana, 1852, *U.S. explor. Exped.* **13** : 616 (type species, by selection by Fowler, 1912, *Ann. Rep. New Jersey State Mus.* **1911** : 539 : *Lysiosquilla inornata* Dana, 1852, *U.S. explor. Exped.* **13** : 616).

Erichthus Latreille, 1817, Cuvier's *Règn. anim.* (ed. 1) **3** : 43 (type species, by monotypy : *Astacus vitreus* Fabricius, 1775, *Syst. Ent.* : 417).

3. The name *Lysiosquilla* is in general use for a genus of Stomatopoda which inhabits the tropical and sub-tropical regions of the globe. Some of the species of this genus are very common, and the name occurs in many places in carcinological literature. In fact, every carcinologist who acknowledges the distinctness of this genus from the genus *Squilla* Fabricius, 1793 (*Ent. syst.* **2** : viii, 511) uses the name *Lysiosquilla* Dana for the adult forms of the species of this genus.

4. As far back, however, as the year 1817 larvae of species of this genus were placed by Latreille in a genus to which he gave the name *Erichthus*. As the name *Erichthus* Latreille, 1817, is much older than the name *Lysiosquilla* Dana, 1852, it should, under the Law of Priority, be used in place of that generic name by all who subjectively identify these genera with one another. The name *Erichthus* Latreille was often used by the older authors to denote larval forms, but is today used as a term to denote a certain group of larvae rather than as a generic

name. This may be seen from the fact that at present the term *Lysierichthys* is used to denote the larvae of species of the genus *Lysiosquilla* Dana (i.e., the true *Erichthus* of Latreille), the term *Pseuderichthus* to denote the larvae of the genus *Pseudosquilla* Dana, 1852, and the term *Gonerichthus* to denote the larvae of species of the genus *Gonodactylus* Berthold, 1827, while the original name *Erichthus* has fallen into disuse.

5. The substitution of the name *Erichthus* Latreille for the name *Lysiosquilla* Dana would cause such very great confusion that I ask the International Commission on Zoological Nomenclature to take the necessary preventive action under their Plenary Powers. The concrete proposals which I accordingly submit are that the Commission should :

- (1) use their Plenary Powers to suppress for the purposes of the Law of Priority, but not for those of the Law of Homonymy, the generic name *Erichthus* Latreille, 1817 ;
- (2) place the generic name *Lysiosquilla* Dana, 1852 (type species, by selection by Fowler, 1912 : *Lysiosquilla inornata* Dana, 1852) on the *Official List of Generic Names in Zoology* ;
- (3) place the generic name *Erichthus* Latreille, 1817, as suppressed under (1) above, on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (4) place the trivial name *inornata* Dana, 1852, as published in the binominal combination *Lysiosquilla inornata*, on the *Official List of Specific Trivial Names in Zoology*.

6. The gender of the generic name *Lysiosquilla* is feminine.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On receipt in June 1946 of Dr. Holthuis' proposals relating to the names of genera of the Order Decapoda and to the name *Lysiosquilla* Dana, 1852, and other names of the Order Stomatopoda, it was decided, as an interim measure, to register the whole of Dr. Holthuis' proposals as a single unit, and the Registered Number Z.N.(S.) 231 was assigned to the File so opened. When in August, 1950 an active start was made with the preparation for publication of the various cases comprised in Dr. Holthuis' original application of 1946, it was decided to break that application into its component

parts and to allot a separate Registered Number to each case. The original Registered Number Z.N.(S.) 231 was retained for the application relating to the name *Crangon Fabricius*, and the new Number Z.N.(S.) 474 was allotted to the present case.

3. *Support received from Mr. Robert Gurney (Oxford)*: On 28th December 1946, Mr. Robert Gurney (*Boars Hill, Oxford*) wrote the following letter in support of Dr. Holthuis' application (Gurney, 1951, *Bull. zool. Nomencl.* 2 : 85) :—

I am entirely in agreement with Dr. Holthuis' proposal in regard to the generic name *Lysiosquilla* Dana, 1852. I can hardly believe that any one would be so anti-social as to propose to use the name *Erichthus* in place of *Lysiosquilla* even if such action were justified under the Rules. But in any case such a proposal, if made at the present time, could not, I think, be successfully maintained, since there is as yet no positive proof that "Erichthus" is the larva of any species of the genus *Lysiosquilla*, still less that it is the larva of any particular species of that genus. There is no reasonable doubt about *Lysiosquilla* having a larva of that type ; but, in order to prove his case, such a mischief-maker would, I take it, have to prove that *Erichthus vitreus* (Fabricius) is the larva of a particular species of *Lysiosquilla*. That at the moment he could not do, but the proof may be forthcoming some day and it is very necessary to avoid any more upheavals in nomenclature. I hope that the Commission will get the name *Lysiosquilla* permanently established.

4. *Publication of the present application*: Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and the present was one of the cases which for this reason was not placed before the Commission for discussion at that Session. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparation for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. As has already been explained, it was decided that the case of the name *Lysiosquilla* Dana, 1852, should be treated as constituting a separate application, and this inevitably involved a certain amount of re-drafting. In addition, it was necessary to

expand the application somewhat, in order to take account of the decisions by the Paris Congress to establish an *Official List of Specific Names in Zoology* (then styled the *Official List of Specific Trivial Names in Zoology*) and also *Official Indexes of Rejected and Invalid Names* (both generic and specific). The application, so revised, was received on 4th September 1950, and about a fortnight later was sent to the printer. Publication took place on 20th April 1951 in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature* (Holthuis, 1951, *Bull. zool. Nomencl.* **2** : 83—84).

5. Issue of Public Notices: Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Holthuis' application was published, and also to the other prescribed serial publications. The publication of these Notices elicited no objection to the action proposed.

6. Support received for Dr. Holthuis' application: In addition to the letter received from Mr. Robert Gurney in 1946 (paragraph 3), letters of support for Dr. Holthuis' application were received from the following specialists :—(a) Professor Dr. Heinrich Balss (*Zoologische Staatssammlung, München a.D., Germany*); (b) Professor E. Sollaud (*Université de Lyon, Faculté des Sciences, Lyon, France*); (c) Dr. R. P. Bigelow (*Woods Hole, Massachusetts, U.S.A.*); (d) Dr. Isobel Gordon (*British Museum (Natural History), London*). The communications so received are given in the immediately following paragraphs.

7. Support received from Dr. Heinrich Balss (*Hauptkonservator der Zoologischen Staatssammlung, München a.D., Germany*): On 6th July 1951, Professor Dr. Heinrich Balss (*Hauptkonservator der Zoologischen Staatssammlung, München a.D., Germany*) wrote the following letter in support of the present and certain other

applications relating to the names of genera of the Class Crustacea (Balss, 1951, *Bull. zool. Nomencl.* **2** : 344) :—

Mr. L. B. Holthuis hat mir eine Reihe von Anträgen an die internationale Nomenklaturkommission zugesandt (Commission's references Z.N.(S.) 231 (*Crangon*), 209 (*Ligia*), 473 (*Scyllarides*), 474 (*Lysiosquilla*), 475 (*Odontodactylus*)).

Ich erlaube mir, Ihnen mitzuteilen, dass ich mit allen seinen Vorschlägen einverstanden bin.

8. Support received from Professor E. Sollaud (Université de Lyon, Faculté des Sciences, Lyon, France):—On 11th July 1951, Professor E. Sollaud (Université de Lyon, Faculté des Sciences, Lyon) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Sollaud, 1951, *Bull. zool. Nomencl.* **2** : 344) :—

Je reçois de mon collègue et ami Mr. Holthuis, du Museum de Leide, cinq notes relative à des propositions faites à l'International Commission on Zoological Nomenclature au sujet d'un certain nombre de noms de genres de Crustacés (Commission's references Z.N.(S.) 231 (*Crangon*), 209 (*Ligia*), 473 (*Scyllarides*), 474 (*Lysiosquilla*), 475 (*Odontodactylus*)).

Je vous informe que, après avoir lu attentivement ces notes, j'approuve entièrement les propositions de Mr. Holthuis. J'estime qu'une application rigoureuse, en toutes circonstances, du loi de priorité conduirait à d'inextricables confusions et, bien loin de servir notre science, lui serait très préjudiciable. Il est impossible d'abandonner de noms tels que *Ligia*, *Crangon*, *Alpheus*, . . . , qui sont passés dans le langage courant, et votre Commission fera oeuvre bien utile en freinant l'ardeur des "puristes" de la Priorité.

9. Support received from Dr. R. P. Bigelow (Woods Hole, Massachusetts, U.S.A.): On 2nd August 1951 Dr. R. P. Bigelow (Woods Hole, Massachusetts, U.S.A.) wrote the following letter in support of Dr. Holthuis' application (Bigelow, 1952, *Bull. zool. Nomencl.* **6** : 220) :—

May I ask you to present to the International Commission my endorsement of the proposals of L. B. Holthuis (1951, *Bull. zool. Nomencl.* **2** : 83—84 and 86—87) that the Commission use their Plenary Powers to validate the following generic names :—

Lysiosquilla Dana, 1852
Odontodactylus Bigelow, 1893

It certainly is true that the ruthless application of the *Règles* in these cases would cause endless confusion, and it would not serve any useful purpose.

10. *Support received from Dr. Isobel Gordon (British Museum (Natural History), London)*: On 29th October 1951, Dr. Isobel Gordon (*British Museum (Natural History), London*) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Gordon, 1952, *Bull. zool. Nomencl.* **6** : 183) :—

I wish to say that I am willing to add my support to all the proposals submitted to the International Commission on Zoological Nomenclature by Dr. L. B. Holthuis :

Commission's Reference	Z.N.(S.) 231 (<i>Crangon</i>)
„	„ Z.N.(S.) 209 (<i>Ligia</i>)
„	„ Z.N.(S.) 473 (<i>Scyllarides</i>)
„	„ Z.N.(S.) 474 (<i>Lysiosquilla</i>)
„	„ Z.N.(S.) 475 (<i>Odontodactylus</i>)

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

11. *Issue of Voting Paper V.P.(52)11* : On 15th April 1952, a Voting Paper (V.P.(52)11) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal “ relating to the name *Lysiosquilla* Dana, 1852, as specified in Points (1) to (4) on page 84 of volume 2 of the *Bulletin of Zoological Nomenclature* ” [i.e. the Points specified in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

12. *The prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952,

13. *Particulars of the Voting on Voting Paper V.P.(52)11* : The state of the voting on Voting Paper V.P.(52)11 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received):*

Hering ; Calman ; Riley ; Dymond ; Esaki ; Pearson ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Bradley ; Boschma ; Stoll ; Mertens ; Hemming ;

(b) *Negative Votes :*

None ;

(c) *Voting Paper V.P.(52)11 was not returned by one (1) Commissioner:*

Jaczewski.

14. *Declaration of Result of Vote :* On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)11, signed a Certificate that the Votes cast were as set out in paragraph 13 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

15. On 5th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)11.

16. The following are the original references for the names which appear in the Ruling given in the present *Opinion*:—

Erichthus Latreille, 1817, *Règn. anim.* (ed. 1) **3** : 43
inornata, *Lysiosquilla*, Dana, 1852, *U.S. explor. Exped.* **13** : 616
Lysiosquilla Dana, 1852, *U.S. explor. Exped.* **13** : 616

17. The following is the reference for the type selection for the genus *Lysiosquilla* Dana, 1852, specified in the Ruling given in the present *Opinion* :—Fowler, 1912, *Ann. Rep. New Jersey State Mus.* 1911 : 539.

18. 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 on 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*.

19. 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.

20. The present *Opinion* shall be known as *Opinion* Two Hundred and Ninety-Four (294) of the International Commission on Zoological Nomenclature.

DONE in London, this Fifth day of March, 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 8. Part 12. Pp. 155—166

OPINION 295

Validation, under the Plenary Powers, of the generic name
Odontodactylus Bigelow, 1893 (Class Crustacea, Order
Stomatopoda)

LONDON :

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 295

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 295

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "ODONTODACTYLUS" BIGELOW, 1893 (CLASS CRUSTACEA, ORDER STOMATOPODA)

RULING :—(1) Under the Plenary Powers, the generic name *Gammaris* [H.S.], 1876, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 731 :—*Odontodactylus* Bigelow, 1893 (gender : masculine) (type species, by subsequent selection by Bigelow (1931) : *Cancer scyllarus* Linnaeus, 1758) (Class Crustacea, Order Stomatopoda).

(3) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 122 :—*Gammaris* [H.S.], 1876, as suppressed, under the Plenary Powers, under (1) above.

(4) The undermentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 139 :—*scyllarus* Linnaeus, 1758, as published in the combination *Cancer scyllarus* (specific name of the type species of *Odontodactylus* Bigelow, 1893).

I.—THE STATEMENT OF THE CASE

On 27th May 1946, Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) submitted to the

Commission a paper containing proposals in regard to the names of seven genera of the Orders Stomatopoda and Decapoda (Class Crustacea). One of the names dealt with in this paper was *Odontodactylus* Bigelow, 1893 (Class Crustacea, Order Stomatopoda). Later, the separate elements comprised in the foregoing application were split up, and on 6th September 1950 the following definitive application relating exclusively to the present case was submitted to the Commission :—

**Proposed use of the Plenary Powers to validate the generic name
“*Odontodactylus*” Bigelow, 1893 (Class Crustacea,
Order Stomatopoda)**

By L. B. HOLTHUIS

(*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)

The present application relates to a generic name *Odontodactylus* Bigelow, 1893, which is in universal use for a well-known genus of Stomatopoda, but which is technically invalid, being a synonym of an earlier generic name which has hitherto been completely overlooked in the literature. The substitution of a totally unknown name for the well-established name *Odontodactylus* would give rise to great confusion and would serve no useful purpose of any kind. I accordingly ask the International Commission on Zoological Nomenclature to prevent the ruthless application of the Law of Priority in this way by using their Plenary Powers to validate the generic name *Odontodactylus* Bigelow, 1893.

2. The following are the references to the generic names dealt with in the present application :—

Odontodactylus Bigelow, 1893, *Johns Hopkins Univ. Circ.* **12** : 100 (type species, by subsequent selection by Bigelow, 1931 (*Bull. Mus. comp. Zool.* **72** : 144) : *Cancer scyllarus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 633).

Gamaris [H.S.], 1876, *Ceylon*, **2** : 275 (type species, by monotypy : *Cancer scyllarus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 633).

3. In the second volume of a work published in 1878 under the title “*Ceylon, a general Description of the Island, historical, physical, statistical, Containing the most recent information, by an Officer, late of the Ceylon Rifles. London. 1876*”, the author, whose identity is unknown and who wrote over the initials “H.S.”, gave, at the end of the twenty-ninth chapter, a list of the species of Crustacea recorded by H. Milne Edwards (1837, *Hist. nat. Crust.* **2**) as occurring in the

Indian seas. In this list "H.S." inserted the entry "*Gamaris scyllarus*, Rump." There is no doubt that the species so referred to is the species *Cancer scyllarus* Linnaeus, 1758.

4. The above species is, however (as shown above), the type species of the well-known genus *Odontodactylus* Bigelow, 1893. Accordingly, under the Law of Priority, the name *Odontodactylus* Bigelow is invalid, being an objective junior synonym of the name *Gamaris* [H.S.], 1876. It would, however, be ridiculous to abandon so well established a name as *Odontodactylus* in a favour of a name (*Gamaris*) that has never been in use, is quite unknown and was published by an author who was almost certainly not a carcinologist. I accordingly ask the International Commission to use their Plenary Powers to prevent the quite unnecessary confusion which follow such a change. The concrete proposals which I therefore submit for consideration are that the Commission should :—

- (1) use their Plenary Powers (a) to suppress the generic name *Gamaris* [H.S.], 1876, for the purposes of the Law of Priority, but not for those of the Law of Homonymy, and (b) to validate the generic name *Odontodactylus* Bigelow, 1893 ;
- (2) place on the *Official List of Generic Names in Zoology* the generic name *Odontodactylus* Bigelow, 1893 (type species, by subsequent selection by Bigelow, 1931 : *Cancer scyllarus* Linnaeus, 1758), as validated in (1) (b) above ;
- (3) place the generic name *Gamaris* [H.S.], 1876, as suppressed under (1) (a) above, on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (4) place on the *Official List of Specific Trivial Names in Zoology* the trivial name *scyllarus* Linnaeus, 1758, as published in the binominal combination *Cancer scyllarus*.

5. I should add, with reference to the decision by the Thirteenth International Congress of Zoology, that in future the gender of every generic name added to the *Official List* is to be specified therein (1950, *Bull. zool. Nomencl.* 4 : 341), that the gender of the generic name *Odontodactylus* is masculine.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On receipt in June 1946 of Dr. Holthuis' proposals relating to the names of genera of the Order Decapoda and to the name *Odontodactylus* Bigelow, 1893, and other names of genera of the Order Stomatopoda,

it was decided, as an interim measure, to register the whole of Dr. Holthuis' proposals as a single unit, and the Registered Number Z.N.(S.) 231 was assigned to the File so opened. When in August 1950 an active start was made with the preparation for publication of the various cases comprised in Dr. Holthuis' original application of 1946, it was decided to break up that application into its component parts and to allot a separate Registered Number to each case. The original Registered Number Z.N.(S.) 231 was retained for the application relating to the name *Crangon Fabricius*, and the new Number Z.N.(S.) 475 was allotted to the present case.

3. *Publication of the present application:* Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and the present one was one of the cases which for this reason was not placed before the Commission for discussion at that Session. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. As has already been explained, it was decided that the case of the name *Odontodactylus* Bigelow, 1893, should be treated as constituting a separate application, and this inevitably involved a certain amount of redrafting. In addition, it was necessary to expand the application somewhat, in order to take account of the decisions by the Paris Congress to establish an *Official List of Specific Names in Zoology* (then styled the *Official List of Specific Trivial Names in Zoology*) and also *Official Indexes of Rejected and Invalid Names* (both generic and specific). The application, so revised, was received on 4th September 1950, and about a fortnight later was sent to the printer. Publication took place on 20th April 1951 in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature* (Holthuis, 1951, *Bull. zool. Nomencl.* 2 : 86—87).

4. *Issue of Public Notices:* Under the revised arrangements approved by the Thirteenth International Congress of Zoology,

Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Holthuis' application was published, and to the other prescribed serial publications. The publication of these Notices elicited no objection to the action proposed.

5. Support received for Dr. Holthuis' application : Letters of support for Dr. Holthuis' application were received from the following specialists :—(a) Professor Dr. Heinrich Balss (*Zoologische Staatssammlung, München a.D., Germany*) ; (b) Professor E. Sollaud (*Université de Lyon, Faculté des Sciences, Lyon, France*) ; (c) Dr. R. P. Bigelow (*Woods Hole, Massachusetts, U.S.A.*) ; (d) Dr. Isobel Gordon (*British Museum (Natural History), London*). The communications so received are given in the immediately following paragraphs.

6. Support received from Dr. Heinrich Balss (Hauptkonservator der Zoologischen Staatssammlung, München a.D., Germany): On 6th July 1951, Professor Dr. Heinrich Balss (*Hauptkonservator der Zoologischen Staatssammlung, München a.D., Germany*) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Balss, 1951, *Bull. zool. Nomencl.* **2** : 344) :—

Mr. L. B. Holthuis hat mir eine Reihe von Anträgen an die internationale Nomenklaturkommission zugesandt (Commission's references Z.N.(S.) 231 (*Crangon*), 209 (*Ligia*), 473 (*Scyllarides*), 474 (*Lysiosquilla*), 475 (*Odontodactylus*)).

Ich erlaube mir, Ihnen mitzuteilen, dass ich mit allen seinen Vorschlägen einverstanden bin.

7. Support received from Professor E. Sollaud (Université de Lyon, Faculté des Sciences, Lyon, France) :—On 11th July 1951, Professor E. Sollaud (*Université de Lyon, Faculté des Sciences, Lyon*) wrote the following letter in support of the present and

certain other applications relating to the names of genera of the Class Crustacea (Sollaud, 1951, *Bull. zool. Nomencl.* **2** : 344) :—

Je reçois de mon collègue et ami Mr. Holthuis, du Museum de Leide, cinq notes relative à des propositions faites à l'International Commission on Zoological Nomenclature au sujet d'un certain nombre de noms de genres de Crustacés (Commission's references Z.N.(S.) 231 (*Crangon*), 209 (*Ligia*), 473 (*Scyllarides*), 474 (*Lysiosquilla*), 475 (*Odontodactylus*)).

Je vous informe que, après avoir lu attentivement ces notes, j'approuve entièrement les propositions de Mr. Holthuis. J'estime qu'une application rigoureuse, en toutes circonstances, du loi de priorité conduirait à d'inextricables confusions et, bien loin de servir notre science, lui serait très préjudiciable. Il est impossible d'abandonner de noms tels que *Ligia*, *Crangon*, *Alpheus*, . . . , qui sont passés dans le langage courant, et votre Commission fera oeuvre bien utile en freinant l'ardeur des "puristes" de la Priorité.

8. Support received from Dr. R. P. Bigelow (Woods Hole, Massachusetts, U.S.A.) : On 2nd August 1951 Dr. R. P. Bigelow (Woods Hole, Massachusetts, U.S.A.) wrote the following letter in support of Dr. Holthuis' application (Bigelow, 1952, *Bull. zool. Nomencl.* **6** : 220) :—

May I ask you to present to the International Commission my endorsement of the proposals of L. B. Holthuis (1951, *Bull. zool. Nomencl.* **2** : 83—84 and 86—87) that the Commission use their Plenary Powers to validate the following generic names :—

Lysiosquilla Dana, 1852
Odontodactylus Bigelow, 1893

It certainly is true that the ruthless application of the *Règles* in these cases would cause endless confusion, and it would not serve any useful purpose.

9. Support received from Dr. Isobel Gordon (British Museum (Natural History), London) : On 29th October 1951, Dr. Isobel Gordon (British Museum (Natural History), London) wrote the following letter in support of the present and certain other applications relating to the names of genera of the Class Crustacea (Gordon, 1952, *Bull. zool. Nomencl.* **6** : 183) :—

I wish to say that I am willing to add my support to all the proposals submitted to the International Commission on Zoological Nomenclature by Dr. L. B. Holthuis :

Commission's Reference	Z.N.(S.) 231	(<i>Crangon</i>)
"	"	Z.N.(S.) 209 (<i>Ligia</i>)
"	"	Z.N.(S.) 473 (<i>Scyllarides</i>)
"	"	Z.N.(S.) 474 (<i>Lysiosquilla</i>)
"	"	Z.N.(S.) 475 (<i>Odontodactylus</i>)

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

10. Issue of Voting Paper V.P.(52)12 : On 15th April 1952, a Voting Paper (V.P.(52)12) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the name *Odontodactylus* Bigelow, 1893, as specified in Points (1) to (4) on page 87 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. the Points specified in paragraph 4 of the application reproduced in the first paragraph of the present *Opinion*].

11. The prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

12. Particulars of the Voting on Voting Paper V.P.(52)12 : The state of the voting on Voting Paper V.P.(52)12 at the close of the prescribed Voting Period closed on 15th July 1952.

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received):*

Hering ; Calman ; Riley ; Dymond ; Esaki ; Pearson ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Bradley ; Boschma ; Stoll ; Mertens ; Hemming ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper V.P.(52)12 was not returned by one (1) Commissioner:*

Jaczewski.

13. Declaration of Result of Vote : On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)12, signed a Certificate that the Votes cast were as set out in paragraph 12 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

14. On 5th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)12.

15. The following are the original references for the names which appear in the Ruling given in the present *Opinion*:—

Gamaris [H.S.], 1876, *Ceylon* **2** : 275

Odontodactylus Bigelow, 1893, *Johns Hopkins Univ. Circ.* **12** : 100
scyllarus, *Cancer*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 633

16. The following is the reference for the type selection for the genus *Odontodactylus* Bigelow, 1893, specified in the Ruling given in the present *Opinion* :—Bigelow, 1931, *Bull. Mus. comp. Zool.* **72** : 144.

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 on 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 Ninety-Five* (295) of the International Commission on Zoological Nomenclature.

DONE in London, this Fifth day of March, 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 8. Part 13. Pp. 167—178

OPINION 296

Suppression, under the Plenary Powers, for nomenclatorial purposes, of volume 3 (*Regnum Lapideum*) of the Twelfth Edition of the *Systema Naturae* of Linnaeus published in 1768 and of the corresponding volume in the Houttuyn (1785), Gmelin (1793) and Turton (1806) editions of the above work.



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Zoological Nomenclature
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 296

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 296

SUPPRESSION, UNDER THE PLENARY POWERS, FOR
NOMENCLATORIAL PURPOSES, OF VOLUME 3
("REGNUM LAPIDEUM") OF THE TWELFTH
EDITION OF THE "SYSTEMA NATURAE" OF
LINNAEUS PUBLISHED IN 1768 AND OF
THE CORRESPONDING VOLUME IN
THE HOUTTUYN (1785), GMELIN
(1793) AND TURTON (1806)
EDITIONS OF THE
ABOVE WORK

RULING :—(1) Under the Plenary Powers, the volumes specified below of the under-mentioned works are hereby suppressed for nomenclatorial purposes :—
(a) Linnaeus, 1768, *Systema Naturae* (12th Edition), volume 3 (*Regnum Lapideum*) ; (b) Houttuyn (M.), 1785, *Natuurlyke Historie*, volume 3 ; (c) Gmelin (J.F.), 1793, Linnaeus, *Systema Naturae* (13th Edition), volume 3 ; (d) Turton (W.), 1806, *A General System of Nature* . . . Charles Linné, volume 7.

(2) The volumes suppressed for nomenclatorial purposes, under the Plenary Powers, in (1) above, of the four editions of the *Systema Naturae* there specified are hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Works Nos. 17 to 20 respectively.

I.—THE STATEMENT OF THE CASE

On 10th March 1949, Mr. R. Winckworth (*London*) submitted the following application for the suppression, under the Plenary Powers, of the names of fossils published in 1768 in volume 3 (*Regnum Lapideum*) of the 12th Edition of the *Systema Naturae*

of Linnaeus and of the corresponding volumes in three later editions of the same work :—

Proposed use of the Plenary Powers to suppress certain names published for fossil animals by Linnaeus in 1768 and by other authors in later editions of the works of Linnaeus

By R. WINCKWORTH
(London)

The twelfth edition of Linnaeus' *Systema Naturae* includes a third volume "Regnum Lapideum", published in 1768. Part of this (pages 153—174) treats of Petrificata and contains a number of binominal names for fossil animals. If, however, an attempt is made to use these names, confusion at once arises: for the generic names correspond to the classes, not to the genera, of the first volume, e.g., *Zoolithus* is the fossil genus equivalent to Mammalia, and *Helmintholithus* to Vermes. The trivial names may correspond to species or to groups of species or to genera. Thus, *Helmintholithus Hammonites* contains four general references and nine further (lettered) references, which are stated to be "totidem distinctae species": *Helmintholithus Anomites* contains references to eleven species of *Anomia* named in volume 1: *Helmintholithus Gryphites* is the same as *Anomia Gryphus* of volume 1. It seems difficult to apply these names of fossils without introducing confusion. Application is hereby made to the Commission to suppress the names introduced in Linnaeus, 1768, *Systema Naturae*, (ed. 12) 3: 153—174, and also in such other works as are later editions of, or amplifications based on, this volume of the *Systema*.

2. In particular the suppression should apply to :—

Linnaeus, 1768, *Systema Naturae*, (ed. 12) 3

J. F. Gmelin, 1793, *Systema Naturae*, (ed. 13) 3

M. Houttuyn, 1785, *Natuurlyke Historie*, 3

W. Turton, 1806, *A general System of Nature*, 7

3. This application has the unanimous support of the Nomenclature Committee of the Malacological Society of London.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On receipt in March 1949 of Mr. Winckworth's application, the problem presented

by the names given to fossils in the volume of the 12th Edition of the *Systema Naturae* devoted to minerals was given the Registered Number Z.N.(S.) 418.

3. *Application submitted independently by Dr. Thomas W. Amsden (The Johns Hopkins University, Baltimore, Maryland, U.S.A.):* On 28th November 1949, Dr. Thomas W. Amsden (*The Johns Hopkins University, Department of Geology, Baltimore, Maryland, U.S.A.*), who was not aware of the proposals submitted to the International Commission by Mr. Winckworth, independently submitted the following request for a ruling on the question of the availability of the names published in the volume referred to above :—

Question on the status of names used in the “Systema Naturae”, Edition 12, volume 3, 1768 ; with special reference to the term “Conchidium”

By THOMAS W. AMSDEN

(*The Johns Hopkins University, Department of Geology, Baltimore, Maryland, U.S.A.*)

I wish to have an *Opinion* on the status of the names used by Linnaeus in his *Systema Naturae*, edition 12, volume 3, 1768. I am especially interested in the terms *Helmintholithus*, *Conchidium* and *bilocularis* as used on pages 162—163.

2. *Helmintholithus* was used as a major heading or group followed by the descriptive phrase “Petrificatum vermis”. The name *Conchidium* was placed by Linnaeus under *Helmintholithus* along with a number of other names such as *Hammonites* and *Anomites*. After the word *Conchidium* is a string of terms, “Helminthol. Patellae? bilocularis. Conchidium” followed by a reference to his *Museum Tessinianum* of 1753.

3. In the years following the publication of this work these names were given different interpretations by different authors. Hisinger in 1799 (*Minerographiske anmärkningar öfver Gottland* : 285) used *bilocularis* as a species, placing it in the genus *Anomia*. Hisinger’s usage as quoted in St. Joseph (1937, *Norsk Geolisk Tidsskrift*, 17 : 260) (I have not seen the original paper) is as follows :

Anomia bilocularis testa obovata multisulcata, nate incurvata : valva longiore sepimento longitudinali in duo loculamenta divisa.

Finnes vid Klinteberg til myckenhet med och utan hopsittande parskal, och är den samma hvars ena skal i Syst. Nat. T. III, 101. 33B blifvit räknad til *Helminth. Patellaria. Conchidium*.

4. It would appear from this that Hisinger was referring to the same form as Linnaeus.

5. On the other hand, Wahlenberg (1819, *Nova Acta Soc. Sci. Upsal*, 8 : 67) regarded *conchidium* of Linnaeus as a species in the genus *Anomites* (*A. bilocularis* of Hisinger was listed as a synonym). Dalman (1828, *K. Svenska Vetensk. Akad. Handl.*, for 1827 : 125) also regarded *conchidium* as a species and placed it in the new genus *Gypidia*. This usage was followed by Davidson in 1853 (*British Fossil Brachiopoda* 1 : 99) who placed *conchidium* as a species in Sowerby's genus *Pentamerus*.

6. Sherborn (1902, *Index Animalium, 1758—1800* : 236) was apparently uncertain as to the status of *conchidium* as he refers to it as "conchidium Helmintholithus". He lists *Helmintholithus* on page 453 of this volume with a note stating "The Helmintholithi are referred to in groups, e.g. *H. lepadis*, *H. veneris* and are therefore not quoted". On page 1125 he gives "' Helmintholithus ' . . . conchidium."

6. In later years *Conchidium* has come to be regarded as a genus with *bilocularis* as the type species (e.g. Hall and Clarke 1894, *Paleontology* volume 8, part 2, p. 233 ; Schuchert and Cooper 1932, *Mem. Peabody Museum of Natural History*, 4 : 181).

8. St. Joseph in 1937 (*Norsk Geologiske Tidsskrift*, 17 : 258—261) discussed the problem at some length and concluded that Linnaeus had used these names in a trinomial sense and hence they were invalid. He decided, however, that the generic name *Conchidium* and the specific name *bilocularis* were correctly used by Hisinger in 1799 (see above) and could therefore be retained but should be credited to this author. It appears to me that Hisinger's usage of *bilocularis* is clear enough but the manner in which *Conchidium* is employed would seem to be equivocal.

9. In view of these uncertainties, I would like to propose the following questions :

- (1) Are the organic names used in the *Systema Naturae*, edition 12, vol. 3 valid ?
- (2) If these names are valid, what is the status of the terms *Helmintholithus*, *Conchidium* and *bilocularis* ? Is *Helmintholithus* or *Conchidium* the generic name ? If *Conchidium* is the generic

name, is *bilocularis* the specific name, or is this merely a description phrase and *Conchidium* a genus without species?

- (3) In the event that these names are invalid, is *Conchidium* of Hisinger, 1799, available as a generic name?

4. *Publication of the present application:* At the time of the receipt of the applications submitted by Mr. Winckworth and Dr. Amsden, the entire resources of the International Commission were concentrated upon the preparation and publication, in the *Bulletin of Zoological Nomenclature*, of the Official Records of the Session held by the Commission at Paris in 1948. It was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin* of applications relating to individual nomenclatorial cases submitted to the Commission for decision. Mr. Winckworth's application was sent to the printer in December 1950, and was published in Part 3 of volume 2 of the *Bulletin* on 20th April 1951 (Winckworth, 1951, *Bull. zool. Nomencl.* 2 : 88).

5. *Issue of Public Notices:* Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1952, both in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Mr. Winckworth's application was published, and also to the other prescribed serial publications. In addition, Notice was given to certain other serial publications likely to be interested in this application. The publication of these Notices elicited no objection to the action proposed.

6. *Support received for Mr. Winckworth's application:* In addition to the support unanimously tendered by the Malacological Society of London (paragraph 1), support for the present application was received from the following specialists:— (a) Dr. F. Elizabeth S. Alexander (*Sedgwick Museum, Cambridge University, Cambridge*); (b) Professor Dr. Rudolf Richter (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a.M., Germany*); (c) Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*); (d) Mr. Leslie Bairstow (*British*

Museum (Natural History), London); (e) The Joint Committee on Zoological Nomenclature for Paleontology in America. The communications so received are given in the immediately following paragraphs.

7. *Support received from Dr. F. Elizabeth S. Alexander (Sedgwick Museum, Cambridge University, Cambridge)*: In submitting an application to the Commission on the names *Conchidium* and *Pentamerus*, Dr. F. Elizabeth Alexander (*Sedgwick Museum, Cambridge University, Cambridge*) had occasion to refer to the use of the name *Conchidium* by Linnaeus in volume 3 of the 12th edition of the *Systema Naturae* and in this connection submitted the following statement of support for Mr. Winckworth's application for the suppression for nomenclatorial purposes of the foregoing volume (Alexander, 1951, *Bull. zool. Nomencl.* **2** : 89)¹:—

I understand that Mr. R. Winckworth submitted an application supported by the Nomenclature Committee of the Malacological Society of London, asking the Commission to remove all doubts regarding the availability of names published in this volume [volume 3 of Linnaeus, 1768, *Syst. Nat.* (ed. 12)] by suppressing it for nomenclatorial purposes (Commission's File Z.N.(S.) 418). I feel strongly that this course is desirable, since until this is done, confusion is bound to arise, at least as far as the Brachiopoda are concerned.

8. *Support received from Professor Dr. Rudolf Richter (Natur-Museum u. Forschungs-Institute Senckenberg, Seckenberg-Anlage, Frankfurt a.M., Germany)*: In a letter dated 30th May 1951 (transmitted by Professor Dr. Robert Mertens, with a large number of comments on other cases, under cover of a letter dated 27th August 1951) from which the following is an extract, Professor Dr. Rudolf Richter (*Natur-Museum u. Forschungs-Institut, Senckenberg, Senckenberg-Anlage, Frankfurt a.M.*) gave his support to Mr. Winckworth's application (Richter, 1952, *Bull. zool. Nomencl.* **6** : 213):—Der Vorschlag, die Namen zu unterdrücken ist zweckmässig.

¹ The passage here quoted was inserted by Dr. Alexander in her revised application dated 10th October 1950 in regard to the generic name *Conchidium*. For the decision of the Commission in regard to that name see *Opinion 297*.

9. *Support received from Dr. Joshua L. Baily, Jr. (San Diego, California, U.S.A.):* In a letter dated 22nd June 1951 (concerned mainly with other matters), Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) wrote as follows as regards the present case: "Z.N.(S.) 418 : I am in complete agreement with this proposal, although I am not familiar with the work in question".

10. *Support received from Mr. Leslie Bairstow (British Museum (Natural History), London):* In a letter dated 23rd August 1951, Mr. Leslie Bairstow (*British Museum (Natural History), London*) indicated as follows his support for Mr. Winckworth's proposal (Bairstow, 1952, *Bull. zool. Nomencl.* 6 : 213):—

I strongly support the proposal in regard to the above matter submitted to the International Commission on Zoological Nomenclature by Mr. R. Winckworth (1951, *Bull. zool. Nomencl.* 2 : 88), for I have had in mind for eighteen years the desirability of the suppression of the names for fossil animals introduced in the *Systema Naturae*, *Regnum Lapideum*, by Linnaeus, 1768, and Gmelin, 1793.

11. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America:* On 9th April 1952 there was received in the Office of the Commission a large number of letters from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America, submitting statements of the views of the members of the Committee on applications published in the *Bulletin of Zoological Nomenclature*. It appeared that the despatch of these letters had been held back by Professor Sinclair until he was in a position to send the entire set to the Commission, and it was presumably on this account that the letter relating to the present case, though dated 6th February 1952, was not received until 9th April. By that time the Prescribed Period of Notice had expired, and the Voting Paper (V.P.(52)13) relating to the present case had already been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when a few days later the Voting Paper was despatched (15th April), a supplementary sheet containing the particulars included in Professor Sinclair's letter was issued to the Members of the Commission, who were thus placed in possession of the

views of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted :

To support the petition (9)

Don L. Frizzell
Bobb Schaeffer
Katherine V. W. Palmer
Bryan Patterson
Siemon W. Muller
A. Myra Keen
John B. Reeside, Jr.
John W. Wells
G. Winston Sinclair

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

12. *Issue of Voting Paper V.P.(52)13* : On 15th April 1952, a Voting Paper (V.P.(52)13) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the suppression, for nomenclatorial purposes, of the four volumes specified in the penultimate paragraph on page 88 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. paragraph 2 of the application reproduced in the first paragraph of the present *Opinion*].

13. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

14. Particulars of the Voting on Voting Paper V.P.(52)13 : The state of the voting on Voting Paper V.P.(52)13 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received):*

Hering ; Calman ; Riley ; Dymond ; Esaki ; Pearson ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Boschma ; Stoll ; Bradley ; Mertens ; Hemming ;

(b) *Negative Votes:*

None ;

(c) *Voting Paper V.P. (52)13 was not returned by one (1) Commissioner:*

Jaczewski.

15. Declaration of Result of Vote : On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)13, signed a Certificate that the Votes cast were as set out in paragraph 14 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

16. 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 or part of a 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 decisions apply 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 entries relating to the four volumes suppressed under the Plenary Powers in the Ruling given in the present *Opinion*.

17. On 6th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)13, as supplemented by the action taken under the General Directive issued to the Commission by the International Congress of Zoology, as specified in paragraph 16 above.

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 Ninety-Six (296) of the International Commission on Zoological Nomenclature.

DONE in London, this Seventh day of March, 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 8. Part 14. Pp. 179—198

OPINION 297

Validation, under the Plenary Powers, of the generic name *Conchidium* Oehlert, 1887 (Class Brachiopoda) for use in its accustomed sense

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 297

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 297

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "CONCHIDIUM" OEHLERT, 1887 (CLASS BRACHIOPODA) FOR USE IN ITS ACCUSTOMED SENSE

RULING :—(1) It is hereby ruled :—(a) that neither Hisinger (1799) nor Bronn (1848) re-inforced the pre-1758 generic name *Conchidium* by adoption or acceptance (*Opinion 5*) and therefore that that name acquired no rights in zoological nomenclature in virtue of having been published by either of those authors ; (b) that the term *Conchidium*, as published by Wahlenberg in 1821, was not used as a generic name and therefore that the alleged generic name *Conchidium* Wahlenberg, 1821, is a cheironym ; (c) that the generic name *Conchidium* ranks in zoological nomenclature from Oehlert (1887), the first author by whom it was published in conditions which satisfy the requirements of Article 25 of the *Règles*.

(2) Under the Plenary Powers, (a) all selections of type species for the genus *Pentamerus* Sowerby (J.), 1813, made prior to the present Ruling, are hereby set aside ; (b) *Pentamerus oblongus* Sowerby (J. de C.), 1839, is hereby designated to be the type species of the genus *Pentamerus* Sowerby, 1813 ; (c) the specific name *laevis* Sowerby (J.), 1813, as published in the combination *Pentamerus laevis*, 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 List of Generic Names in Zoology* as Names Nos. 732 and 733 respectively :—(a) *Conchidium* Oehlert, 1887 (gender : neuter) (type species, by original designation : *Anomia bilocularis* Hisinger, 1799) ; (b) *Pentamerus* Sowerby (J.), 1813 (gender : masculine)

(type species, by designation, under the Plenary Powers, under (2)(b) above: *Pentamerus oblongus* Sowerby (J. de C.), 1839).

(4) The under-mentioned generic names and alleged generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 123 to 129 respectively:—(a) the under-mentioned generic names declared under (1)(a) above to possess no status in zoological nomenclature:—(i) *Conchidium* Hisinger, 1799; (ii) *Conchidium* Bronn, 1848; (b) *Conchidium* Wahlenberg, 1821, ruled, under (1)(b) above, to be a cheironym; (c) *Gypidia* Dalman, 1828 (a junior objective synonym of *Pentamerus* Sowerby (J.), 1813); (d) the under-mentioned *nomina nuda*:—(i) *Trimurus* Caldwell, 1934; (ii) *Miopentamerus* Alexander (*née* Caldwell), 1936; (e) *Miopentamerus* Woods, 1937 (a junior objective synonym of *Pentamerus* Sowerby (J.), 1813, as defined under the Plenary Powers, under (1)(c) above).

(5) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 140 to 142 respectively:—(a) *bilocularis* Hisinger, 1799, as published in the combination *Anomia bilocularis* (specific name of the type species of *Conchidium* Oehlert, 1887); (b) *knightii* Sowerby (J.), 1813, as published in the combination *Pentamerus knightii*; (c) *oblongus* Sowerby (J. de C.), 1839, as published in the combination *Pentamerus oblongus* (specific name of the type species of *Pentamerus* Sowerby (J.), 1813, under the ruling given, under the Plenary Powers, under (2)(b) above).

(6) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 74:—*laevis* Sowerby (J.), 1813, as published in the combination *Pentamerus laevis* and as suppressed, under the Plenary Powers, under (2)(c) above.

I.—THE STATEMENT OF THE CASE

On 28th March 1947, Dr. F. Elizabeth S. Alexander submitted to the Commission a paper in which she drew attention to the serious confusion which would arise if the *Règles* were to be strictly applied to the names of the Brachiopod genera *Conchidium* and *Pentamerus*, and asked that steps should be taken by the Commission to legalise the current usage of these generic names. For the reasons explained in paragraph 3 below, it was necessary at a later stage to revise and expand this application in certain respects. The definitive application in this case, which was submitted to the Commission by Dr. Alexander on 10th October 1950, was as follows :—

Proposed use of the Plenary Powers to prevent the confusion which would result, under a strict application of the “ Règles ”, from the sinking of the name “ Conchidium ” as a synonym of “ Pentamerus ” Sowerby, 1813 (Class Brachiopoda) and the transfer of the latter name to the genus now known as “ Conchidium ”

By F. ELIZABETH S. ALEXANDER, M.A., Ph.D.
(*Sedgwick Museum, Cambridge University, Cambridge*)

The object of the present application is to ask the International Commission on Zoological Nomenclature to prevent the serious confusion, both in systematic zoology and in stratigraphy, which would result from the strict application of the *Règles* to the generic names *Pentamerus* Sowerby (J.), 1813, and *Conchidium* Oehlert, 1887.

I. History of the generic name “ Conchidium ” commonly, though erroneously, attributed to Linnaeus

2. The earliest reference to the generic name *Conchidium* which has so far been traced is in Linnaeus' *Museum Tessinianum* (: 90, pl. V, fig. 8) published in 1753, where a species is described (with a locality) and figured under the accidentally binominal name *Conchidium biloculare*. The species so described and figured is perfectly recognisable and is the species named *Anomia bilocularis* by Hisinger in 1799. Neither the generic name *Conchidium* nor the trivial name *biloculare*, as published by Linnaeus in the *Mus. Tess.*, possesses any availability in zoological nomenclature, since that work, being published prior to 1758, was published before the starting point of zoological nomenclature (Article 26).

3. The next occasion on which the generic name *Conchidium* appears is in 1768 in volume 3 of the 12th edition of the *Systema Naturae*.

In that volume a trinomial system of nomenclature is used and accordingly the name *Conchidium* acquired no standing in zoological nomenclature in virtue of being so published. (I understand that Mr. R. Winckworth submitted an application supported by the Nomenclature Committee of the Malacological Society of London, asking the Commission to remove all doubts regarding the availability of names published in this volume by suppressing it for nomenclatorial purposes (Commission File Z.N.(S.) 418). I feel strongly that this course is desirable since, until this is done, confusion is bound to arise at least so far as the Brachiopods are concerned.)

4. As already mentioned, Hisinger in 1799 gave the name *Anomia bilocularis* to the species described and figured by Linnaeus in 1753 under the name *Conchidium biloculare*. In doing so, Hisinger added the note that the species had previously been referred to other genera ; his note reads : " Helminth. Patellaria. Conchidium ". He did not, however, either accept or adopt the name *Conchidium* and accordingly, under *Opinion 5*, he did not bestow any availability under the *Règles* on the pre-1758 name *Conchidium*. (See *Bull. zool. Nomencl.* 4 : 150 for the decision taken in Paris in 1948 to incorporate the substance of *Opinion 5* in the *Règles*.)

5. The term " Conchidium " was next used by Wahlenberg in 1821, where in a general description of Septate Anomites reference is made to the group of the " Conchidiums ". Wahlenberg used the word " Conchidium " as a specific trivial name, applying the specific name *Anomites conchidium* to the species which he was then describing. The fact that the word " conchidium " was there printed with a capital initial letter (as " Conchidium ") misled Sherborn (1926, *Index Anim.* (Pars secund) : 1444, line 11) into thinking that Wahlenberg had used this word as a generic name. (The description given by Wahlenberg and the references that he gave make it clear that the species which he was describing was *Anomia bilocularis* Hisinger, 1799.)

6. The next appearance in the literature of the name *Conchidium* was in 1848 when it was used by Bronn (1 : 322). Like Hisinger (1799), Bronn (1848) did not reinforce this pre-1758 name by acceptance or adoption (as required by *Opinion 5*) and accordingly he conferred no availability upon this name.

7. At last in 1887 we come upon the first occasion when the name *Conchidium* was published in conditions which satisfy the requirements of Article 25 ; this was by Oehlert, who (1) gave characters for the genus, (2) designated what he called " *Conchidium bilocularis* Linn." as the type species of this genus. As already explained, the pre-1758 name *Conchidium biloculare* possesses no status in zoological nomenclature, but that does not invalidate Oehlert's selection, as the type

species of *Conchidium*, of the species represented by the foregoing invalid name, that is, *Anomia bilocularis* Hisinger, 1799.

8. Under the *Règles*, therefore, *Anomia bilocularis* Hisinger, 1799, is the type species of the genus *Conchidium*, and has been so accepted by all subsequent authors, some of whom, however, have continued to attribute this generic name to Linnaeus instead of to Oehlert.

II. History of the generic name "Pentamerus" Sowerby (J.), 1813

9. The generic name *Pentamerus* Sowerby (J.), 1813 (*Min. Conch.* 1 : 73*—76*) was published without a designated type species ; three nominal species were referred to this genus, of which the first was *Pentamerus knighti* (incorrectly spelt *knightii*), a new species, and the third *Pentamerus laevis*, also a new species.

10. In 1853, Davidson (: 97) selected *Pentamerus knighti* Sowerby (J.), 1813, to be the type species of the genus *Pentamerus* Sowerby, 1813. This is a valid selection under Rule (g) in Article 30 of the *Règles*, and accordingly this species is the type species of this genus.

11. In 1894 (: 236—240), Hall and Clarke revised the genera *Pentamerus* and *Conchidium* and, in doing so, selected *Pentamerus oblongus* Sowerby (J. de C.), 1839, as the type species of *Pentamerus* Sowerby (J.), 1813, either being ignorant of, or ignoring, the earlier selection by Davidson (1853) of *Pentamerus knighti* Sowerby (J.), 1813, as the type species of this genus. The nominal species *Pentamerus oblongus* Sowerby (J. de C.), 1839, was not (and, by reason of the date of the publication of its name, could not have been) one of the nominal species originally included in the genus *Pentamerus* Sowerby, but it was regarded as such by those authors because, following Davidson (1867), they regarded the names *Pentamerus oblongus* Sowerby (J. de C.), 1839, and *Pentamerus laevis* Sowerby (J.), 1813, as names given to the adult and immature forms respectively of a single species, and the latter name had been cited by James Sowerby when he first published the name *Pentamerus*.

12. Although, as shown above, the action by Hall and Clarke was entirely contrary to the present *Règles*, it has been generally followed by subsequent authors, except that Schuckert and Le Vene (1929) and Schuckert and Cooper (1932) treated the nominal species *Pentamerus laevis* Sowerby (J.), 1813, and not *Pentamerus oblongus* Sowerby (J. de C.), 1839, as the type species of the genus *Pentamerus*.

III. The result which would follow from the strict application of the "Règles" in the present case

13. We have seen in the preceding Section that under the *Règles* (1) the type species of *Conchidium* Oehlert, 1887, is *Anomia bilocularis*

Hisinger, 1799 (the species currently accepted as such) and that the type species of *Pentamerus* Sowerby (J.), 1813, is *Pentamerus knighti* Sowerby (J.), 1813 (a species which has never been accepted as such by any author, other than Davidson in 1853) and not *Pentamerus laevis* Sowerby (J.), 1813, or *Pentamerus oblongus* Sowerby (J. de C.), 1839, which are commonly accepted as forms of a single species and one or other of which is universally accepted as the type species of *Pentamerus*.

14. According to currently accepted taxonomic ideas, the species *Anomia bilocularis* Hisinger, 1799, and *Pentamerus knighti* Sowerby (J.), 1813, are congeneric with one another and are both referable to the genus *Pentamerus* Sowerby (J.), 1813. The acceptance of the application of the *Règles* in this way would inevitably lead to the greatest confusion: (1) the well-known generic name *Conchidium* would disappear as a synonym of *Pentamerus*; (2) the species now referred to the genus *Pentamerus* would have to be placed in a genus with a different name; (3) the names of the Order, Superfamily and Family would have to be changed to conform with the change in the generic name; (4) stratigraphical literature would suffer also through the beds known as "Pentamerus beds" being characterised (as they would have to be) by some genus other than *Pentamerus*, while the genus which in future would have to be called by the name *Pentamerus* would be a genus occurring in a different horizon.

IV. Action by the International Commission on Zoological Nomenclature recommended

15. In view of the intolerable confusion both in systematic zoology and in stratigraphical literature to which the strict application of the *Règles* in the present case would at once give rise, I think it essential to ask the International Commission on Zoological Nomenclature to use its Plenary Powers in order to give valid force to current practice.

16. Before formulating my proposals for this purpose, I think that consideration should be given to the question whether *Pentamerus laevis* Sowerby (J.), 1813, or *Pentamerus oblongus* Sowerby (J. de C.), 1839, should be designated as the type species of the genus *Pentamerus* Sowerby (J.), 1813. The only advantage of selecting the first of these species as the type species is that it is one of the nominal species actually placed in the genus *Pentamerus* by Sowerby when he first published that generic name. Against this must be set the consideration that, although it is probable that the name *Pentamerus laevis* applies to an immature form of the species, the adult form of which was named *Pentamerus oblongus* by Sowerby (J. de C.) in 1839, there can be no certainty about this identification, as James Sowerby's holotype of *laevis* cannot be traced and in consequence the name *Pentamerus laevis* Sowerby (J.) is at present a *nomen dubium*. If at some future date the holotype of *P. laevis* were to be found and it was shown that this name

was applicable to some species not congeneric with *P. oblongus*, fresh confusion would arise in the use of the generic name *Pentamerus*. In these circumstances it appears to me that it would be most unwise to ask the Commission to use its Plenary Powers for the purpose of designating the doubtfully identifiable *P. laevis* as the type species of *Pentamerus* and that the only way of eliminating all risk of further confusion would be for the Commission to use its Plenary Powers to designate *P. oblongus* as the type species of this genus.

17. Having regard to the decision taken by the International Commission in Paris in 1948 (*Bull. zool. Nomencl.* 4 : 355) that *Opinions* should deal with all questions that arise in connection with any given case submitted, I think it right to draw attention to the following generic names which are involved in the synonymy of the name *Pentamerus* Sowerby : (1) *Gypidia* Dalman, 1828, is an uncalled-for substitute for the name *Pentamerus* Sowerby, of which therefore it is an objective synonym ; (2) the names *Trimurus* Caldwell, 1934, and *Miopentamerus* Alexander, 1936, which were both accidentally published in an attempt strictly to apply the *Règles* in the present case, are both *nomina nuda*; (3) *Miopentamerus* Woods, 1937, which was published with *Pentamerus oblongus* Sowerby, 1839, as the sole cited species, which is thus its type species by monotypy, will become an objective synonym of *Pentamerus* Sowerby (J.), 1813, if, as I recommend below, the Commission under its Plenary Powers designates *P. oblongus* as the type species of *Pentamerus*.

18. In the light of the considerations set forth in the present application and, in particular, the need for avoiding the serious confusion which would result from the strict application of the *Règles* in the present case, I ask the International Commission on Zoological Nomenclature :—

(1) to rule :—

- (a) that neither Hisinger (1799) nor Bronn (1848) reinforced the pre-1758 generic name *Conchidium* by adoption or acceptance (*Opinion* 5) and therefore that that name acquired no rights in zoological nomenclature in virtue of having been published by either of those authors ;
- (b) that the term *Conchidium*, as published by Wahlenberg in 1821, was not used as a generic name and therefore that the alleged generic name *Conchidium* Wahlenberg, 1821, is a cheironym ;
- (c) that the generic name *Conchidium* ranks in zoological nomenclature from Oehlert (1887), the first author by whom it was published in conditions which satisfy the requirements of Article 25 of the *Règles*;

(2) to use its Plenary Powers :—

- (a) to set aside all selections of type species for the genus *Pentamerus* Sowerby (J.), 1813, made prior to the proposed decision ;
- (b) to designate *Pentamerus oblongus* Sowerby (J. de C.), 1839, to be the type species of *Pentamerus* Sowerby, 1813 ;
- (c) to suppress for the purposes of the Law of Priority the trivial name *laevis* Sowerby (J.), 1813, as published in the binominal combination *Pentamerus laevis*;

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

- (a) *Conchidium* Oehlert, 1887 (type species, by original designation : *Anomia bilocularis* Hisinger, 1799) (gender of generic name : neuter) ;
- (b) *Pentamerus* Sowerby (J.), 1813 (type species, by designation under the Plenary Powers as proposed in (2)(b) above : *Pentamerus oblongus* Sowerby (J. de C.), 1839) (gender of generic name : masculine).

(4) to place the under-mentioned generic names and alleged generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology*:—

- (a) the under-mentioned generic names proposed, under (1)(a) above, to be declared to possess no status in zoological nomenclature :—
 - (i) *Conchidium* Hisinger, 1799 ;
 - (ii) *Conchidium* Bronn, 1848 ;
- (b) *Conchidium* Wahlenberg, 1821, proposed under (1)(b) to be declared a cheironym ;
- (c) *Gypidia* Dalman, 1828 (an objective synonym of *Pentamerus* Sowerby, 1813) ;
- (d) the under-mentioned *nomina nuda*:—
 - (i) *Trimurus* Caldwell, 1934 ;
 - (ii) *Miopentamerus* Alexander (*née* Caldwell), 1936 ;
- (e) *Miopentamerus* Woods, 1937 (type species, by monotypy : *Pentamerus oblongus* Sowerby, 1839) (an objective synonym of *Pentamerus* Sowerby (J.), 1813, when, as recommended in (2)(b) above, the foregoing species is designated under

the Plenary Powers as the type species of *Pentamerus* Sowerby);

- (5) to place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology*:—
- (a) *bilocularis* Hisinger, 1799, as published in the binominal combination *Anomia bilocularis*;
 - (b) *knighti* Sowerby (J.), 1813, as published in the binominal combination *Pentamerus knighti*, the trivial name then being incorrectly given as *knightii*¹;
 - (c) *oblongus* Sowerby (J. de C.), 1839, as published in the binominal combination *Pentamerus oblongus*;
- (6) to place the trivial name *laevis* Sowerby (J.), 1813, as published in the binominal combination *Pentamerus laevis*, as proposed under (2)(c) above, to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

References

- ALEXANDER (*Née* Caldwell), 1936, "A revision of the genus *Pentamerus* J. Sowerby 1813 . . .". *Abstr. geol. Soc. Lond.* No. 1315 : 116—117
- BRONN, 1848, *Index Palaeontologicus oder Uebersicht der bisjetzt bekannten Fossilen Organismen* 1 : 322
- CALDWELL, 1934, "Studies in the Aymestry". *Abstr. Diss. Univ. Camb.* 1933—1934 : 56
- DALMAN, 1828, Uppställning och Beskrifning af de i Sverige funne Terebratuliter. *Kongl. Vetenskaps. Academicus Handlingar., Fir Ar* 1827 : 97 and footnote 19
- DAVIDSON, 1853, *British Fossil Brachiopoda* Vol. 1, General Introduction. *Mon. Pal. Soc.* : 97
- , 1867, *British Fossil Brachiopoda* Vol. 3, Part VII Silurian, No. 2. *Mon. Pal. Soc.* : 153
- HALL and CLARKE, 1894, An Introduction to the study of the genera of Palaeozoic Brachiopoda. *Nat. Hist. N. Y., Palaeontology* 8 (2) : 231—240

¹ This statement was correct at the time of the preparation of Dr. Alexander's application, but, as explained in paragraph 16 below, the provisions in the *Règles* on this question were amended by the Fourteenth International Congress of Zoology, Copenhagen, 1953.

- HISINGER, 1799, *Minerographiske anmarkingar ofver Gottland. Nya Handl. Kongl. Vet. Acad.* **19** : 285
- LINNAEUS, 1753, *Museum Tessinianum* : 90, pl. V, fig. 8
- LINNAEUS, 1768, *Systema Naturae* (ed. 12) **3**
- OEHLERT, 1887, in Fischer's *Manuel de Conchyliologie et de Palaeontologie Conchyliologique* Part XI : 1311
- ST. JOSEPH, 1938, The Pentameracea of the Oslo Region. *Norsk. geol. Tidsskr.* : 256—265 and 299
- SCHUCHERT and COOPER, 1932, "Synopsis of the Brachiopod genera . . ." *Am. J. Sci.* (5) **22** : 241—251
- and ———, Brachiopod genera of the sub-orders Orthoidea and Pentameroidea. *Mem. Peabody Mus. Nat. Hist.* **4**, pt. 1
- SCHUCHERT and LE VENE, 1929, *Fossilium Catalogus I Animalia Pars 42 Brachiopoda* : 44, 95
- SHERBORN, C. D., 1925, *Index Animalium Pars VI* : 1444
- SOWERBY, J., 1813, *The Mineral Conchology of Great Britain* **1** : 73—76
- SOWERBY, J. DE C., 1839, in Murchison's *The Silurian System* Part II : 615, pl. xix, fig. 10
- WAHLENBERG, 1821, *Petrificata Telluris svecanae examinata. Nova Acta Regiae Soc. Scient. Upsal.* **8** : 63, 67
- WOODS, 1937, *Palaeontology* : 209—210

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On receipt of Dr. Alexander's communication of March 1947, the case of the names *Conchidium* and *Pentamerus* was given the Registered Number Z.N.(S.) 286.

3. *Publication of the present application:* Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and, partly for this reason and because of the complicated nature of the problems involved, the case of the name *Conchidium* was one of those which it was decided not to place before the Commission at that Session.

In the period immediately following, it was necessary to devote the whole of the resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin of Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. Correspondence took place between the Secretary and the applicant in September and October 1950 on the question on the form and scope of the application required in this case, and on 10th October 1950 the application revised in the light of these discussions was submitted to the Commission. It was at once sent to the printer, and publication took place on 20th April 1951 (Alexander, 1951, *Bull. zool. Nomencl.* **2** : 89—94).

4. Support received prior to publication: Prior to the publication of the present application in the *Bulletin*, support for it had been received from the following specialists :—(a) Dr. Thomas W. Amsden (*The Johns Hopkins University, Department of Geology, Baltimore, Maryland, U.S.A.*) ; (b) Dr. J. E. St. Joseph (*Cambridge University, Department of Geology, Sedgwick Museum, Cambridge*) ; (c) Dr. G. Arthur Cooper (*Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.*). The communications so received are given in the immediately following paragraphs.

5. Support received from Dr. Thomas W. Amsden (*The Johns Hopkins University, Department of Geology, Baltimore, Maryland, U.S.A.*): On 31st October 1950, Dr. Thomas W. Amsden (*The Johns Hopkins University, Department of Geology, Baltimore, Maryland, U.S.A.*) wrote the following letter in support of the present application (Amsden, 1951, *Bull. zool. Nomencl.* **2** : 96) :—

I received your letter of 24th October with the enclosed copy of the application by Dr. Elizabeth Alexander pertaining to the names *Conchidium* and *Pentamerus*. The problem concerned with these generic names is a complicated one and it seems to me that Dr. Alexander has proposed the best possible solution.

6. Support received from Dr. J. E. St. Joseph (*Cambridge University, Department of Geology, Sedgwick Museum, Cambridge*): On 7th November 1950, Dr. J. E. St. Joseph (*Cambridge*)

University, Department of Geology, Sedgwick Museum, Cambridge) wrote the following letter in support of the present application (St. Joseph, 1951, *Bull. zool. Nomencl.* **2** : 95) :—

I understand that Mrs. Elizabeth Alexander has submitted to the International Commission on Zoological Nomenclature an application concerning the names of the fossil brachiopod genera *Conchidium* auctt. and *Pentamerus* auctt.

Since I have also worked on these genera and have had an opportunity of reading through Mrs. Alexander's statement in the form in which it has been submitted to the Commission, I write to say that I am entirely in agreement with the principles of the case as she has outlined them, and that I hope that action may be taken to render valid the usage of these generic names in the way they are customarily used at present.

7. *Support received from Dr. G. Arthur Cooper (Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.)*; On 30th November 1950, Dr. G. Arthur Cooper (*Curator, Invertebrate Paleontology and Paleobotany, Smithsonian Institution, United States National Museum, Washington, D.C., U.S.A.*) wrote the following letter in support of the present application (Cooper, 1951, *Bull. zool. Nomencl.* **2** : 96) :—

Dr. Helen Muir-Wood, who is visiting here at the U.S. National Museum, turned over to me your letter concerning *Conchidium* and *Pentamerus*. As far as I am personally concerned, I would be agreeable to the Commission using its Plenary Powers to designate *Pentamerus oblongus* Sowerby, 1839, as type species of *Pentamerus* and to suppress the name *Pentamerus laevis*, which has priority over *P. oblongus*.

8. *Issue of Public Notices*: Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 3 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Alexander's application was published, and to the other prescribed serial publications. The publication of these Notices elicited no objection to the action proposed.

9. Support received after the publication of the present application: Letters of support for the present application were received from the following specialists after the publication of the present application in the *Bulletin of Zoological Nomenclature* :—
(a) Dr. Herta Schmidt (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a.M., Germany*);
(b) the Joint Committee on Zoological Nomenclature for Paleontology in America (by a majority). The communications so received are given in the immediately following paragraphs.

10. Support received from Dr. Herta Schmidt (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a.M., Germany*): On 4th June 1951, Dr. Herta Schmidt (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a.M.*) wrote the following letter in support of the present application (Schmidt, 1952, *Bull. zool. Nomencl.* **6**: 179) :—

Die von Dr. Elizabeth Alexander vorgeschlagene Lösung zur Beseitigung der bestehenden Unklarheiten erscheint mir zweckmässig.

11. Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America: On 9th April 1952 there was received in the Office of the Commission a large number of letters from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America, submitting statements of the views of members of the Committee on applications published in the *Bulletin of Zoological Nomenclature*. It appeared that the despatch of these letters had been held back by Professor Sinclair until he was in a position to send the entire set to the Commission, and it was presumably on this account that the letter relating to the present case, though dated 6th February 1952, was not received until 9th April. By that time the Prescribed Period of Notice had expired, and the Voting Paper (V.P.(52)14) relating to the present case had already been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when a few days later the Voting Paper was despatched (15th April), a supplementary sheet containing the particulars included in Professor Sinclair's letter was issued to the Members of the Commission, who were thus placed in possession of the views of the Joint Committee at the same time that they received

the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (six) :—(1) Katherine V. W. Palmer ; (2) Bryan Patterson ; (3) J. Marvin Weller ; (4) Bobb Schaeffer ; (5) John B. Reeside, Jr. ; (6) R. C. Moore. To oppose the petition (five) :—(1) Don L. Frizzell ; (2) A. Myra Keen ; (3) John W. Wells ; (4) Siemon W. Muller ; (5) G. Winston Sinclair.

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

12. *Issue of Voting Paper V.P.(52)14* : On 15th April 1952, a Voting Paper (V.P.(52)14) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal " relating to the names *Conchidium* and *Pentamerus* as specified in Points (1) to (6) on pages 93 and 94 of volume 2 of the *Bulletin of Zoological Nomenclature* " [i.e. the Points specified in paragraph 18 of the application reproduced in the first paragraph of the present *Opinion*].

13. *The prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

14. *Particulars of the Voting on Voting Paper V.P.(52)14* : The state of the voting on Voting Paper V.P.(52)14 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)*:

Hering ; Calman ; Riley ; Dymond ; Esaki ; do
Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ;
Pearson² ; Cabrera ; Bradley ; Boschma ; Stoll ;
Mertens ; Hemming ;

² Commissioner Pearson exercised in this case the right conferred by the Thirteenth International Congress of Zoology in Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other members of the Commission (1950, *Bull. zool. Nomencl.* 4 : 50—51).

(b) *Negative Votes:*

None ;

(c) *Voting Paper V.P.(52)14 was not returned by one (1) Commissioner:*

Jaczewski.

15. Declaration of Result of Vote: On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)14, signed a Certificate that the Votes cast were as set out in paragraph 14 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

16. At the time when the present application was submitted to, and approved by, the International Commission, the *Règles* provided that, where, contrary to the provisions of the third paragraph of Article 14, a specific name based upon the modern patronymic of a man was formed in the genitive singular otherwise than by the addition of the letter “-i” to the patronymic concerned, the error so committed was to be subject to automatic correction by later authors (1950, *Bull. zool. Nomencl.* **4** : 67—68). This problem arose in the present application in connection with the specific name of the nominal species *Pentamerus knightii* Sowerby (J.), 1813, which the applicant asked should be placed on the *Official List of Specific Trivial Names in Zoology* in the corrected form *knighti*. The foregoing was one of the proposals which was submitted to, and approved by the Commission in Voting Paper V.P.(52)14 (paragraphs 12—15) in 1952. This aspect of Article 14 was further considered by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which decided to replace the provision described above by a provision that in a case of this kind “the terminations “-i” and “-ii” are” to be treated as “permissible variants, the differences between them having no nomenclatorial significance” (1953, *Copenhagen Decisions zool. Nomencl.* : 54). Since the foregoing decision

applies to all names of the type discussed above, it supersedes the decision taken on this point by the Commission in its Vote on Voting Paper V.P.(52)14.

17. On 7th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)14, as modified in respect of the formation of the specific name *knightii* Sowerby (J.), 1813, as published in the combination *Pentamerus knightii*, in accordance with the decision of the Fourteenth International Congress of Zoology, Copenhagen, 1953, specified in paragraph 16 above.

18. The following are the original references for the names which appear in the Ruling given in the present *Opinion*:—

bilocularis, Anomia, Hisinger, 1799, *K. Vetensk. Acad. Nya Handl.* **19** : 285

Conchidium Hisinger, 1799, *K. Vetensk. Acad. Nya Handl.* **19** : 285

Conchidium Wahlenberg, 1821, *Nov. Acta. Soc. Sci. Upsal.* **8** : 63, 67

Conchidium Bronn, 1848, *Index palaeont.* **1** : 322

Conchidium Oehlert, 1887, in Fischer's *Manuel Conchyliologie* (11) : 1311

Gypidia Dalman, 1828, *K. Vetensk. Acad. Handl.* **1827** : 93

knightii, *Pentamerus*, Sowerby (J.), 1813, *Min. Conch.* **1** : 73*

laevis, *Pentamerus*, Sowerby (J.), 1813, *Min. Conch.* **1** : 76*

Miopentamerus Alexander (née Caldwell), 1936, *Abstr. geol. Soc. Lond.* **1315** : 116—117

Miopentamerus Woods, 1937, *Palaeontology* : 209—210

oblongus, *Pentamerus*, Sowerby (J. de C.), 1839, in Murchison (R.I.), *Silurian System* : 641, pl. 19, fig. 10

Pentamerus Sowerby (J.), 1813, *Min. Conch.* **1** : 73*, 76*

Trimurus Caldwell, 1934, *Abstr. Diss. Univ. Cambridge* **1933—1934** : 56

19. 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*.

20. 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.

21. The present *Opinion* shall be known as *Opinion Two Hundred and Ninety-Seven (297)* of the International Commission on Zoological Nomenclature.

DONE in London, this Seventh day of March, 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 8. Part 15. Pp. 199—208

OPINION 298

Designation, under the Plenary Powers, of a type species for the nominal genus *Capsus* Fabricius, 1803 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial practice



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 298

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts. England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 298

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "CAPSUS" FABRICIUS, 1803 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL PRACTICE

RULING :—(1) Under the Plenary Powers, (a) all type selections for the nominal genus *Capsus* Fabricius, 1803 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside, and (b) the nominal species *Cimex ater* Linnaeus, 1758, is hereby designated to be the type species of the foregoing genus.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 734 : *Capsus* Fabricius, 1803 (gender : masculine) (type species, by designation, under the Plenary Powers, under (1) above : *Cimex ater* Linnaeus, 1758).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 143 :—*ater* Linnaeus, 1758, as published in the combination *Cimex ater* (specific name of the type species of *Capsus* Fabricius, 1803, as designated, under the Plenary Powers, under (1) above).

I.—THE STATEMENT OF THE CASE

On 8th February 1946 Dr. W. E. China (*British Museum (Natural History), London*) submitted an application to the Commission for the designation, under the Plenary Powers, of a

type species for the genus *Capsus* Fabricius, 1803 (Class Insecta, Order Hemiptera) in harmony with current nomenclatorial usage. This application was slightly revised in June 1948 and for the reasons explained in paragraph 3 below was further revised in 1950. The application so revised, which was received on 22nd September 1950, was as follows :—

**Proposed use of the Plenary Powers to vary the type species of
“*Capsus*” Fabricius, 1803 (Class Insecta, Order Hemiptera)
in order to validate existing nomenclatorial practice**

By W. E. CHINA, Sc.D.

(Deputy Keeper, Department of Entomology, British Museum
(Natural History), London)

The object of the present application is to seek the help of the International Commission on Zoological Nomenclature in preventing the confusion which would inevitably arise if the *Règles* were strictly applied in the case of the generic name *Capsus* Fabricius, 1803 (*Syst. Rhynq.* : 241) (Class Insecta, Order Hemiptera).

2. The relevant facts are as follows : The genus *Capsus* Fabricius, as recognised by the majority of hemipterists, is based upon the species included in it by Fabricius as *Capsus ater* (= *Cimex ater* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 447). This species is treated as the type species of this genus, Reuter, Kirkaldy and other authors having claimed that Fabricius himself so designated this species in 1803. Fabricius did not, however, designate any type species in the work under consideration and it is necessary therefore to ascertain which of the species included in this genus in 1803 was first subsequently selected as the type species of the genus.

3. The first type selection made for this genus was that made by Latreille in 1810 (*Consid. gén. Crust. Arach. Ins.* : 433), the species so selected being cited as *Cimex spissicornis* Fabr., i.e., the species originally described as *Cimex spissicornis* Fabricius, 1777 (*Gen. Ins.* : 300). The species so named is currently accepted as being identical with *Cimex meriopterus* Scopoli, 1763 (*Ent. carn.* : 131).

4. The acceptance of this species as the type species of the genus *Capsus* Fabricius would involve the transfer of the well-known generic name *Capsus* from the sub-family now known as CAPSINAE to the sub-family now known as CYLLECORINAE, the introduction of the name MIRINAE for the sub-family now known as CAPSINAE, and the replacement of the genus *Capsus*, as at present understood, by the genus *Rhopalotomus* Fieber, 1858 (*Wien. ent. Monats.* 2 : 307).

5. The acceptance of the foregoing changes would undoubtedly lead, at the generic level, to greater confusion than uniformity. Further, such a change in the meaning to be attached to the generic name *Capsus* would involve the loss of a group name based upon the name of this genus. This would be very regrettable since the term "Capsid" for the family is well established among economic entomologists in Britain. In order to prevent the confusion which would follow the strict application of the *Règles* in this case, I ask the International Commission on Zoological Nomenclature :—

(1) to use its Plenary Powers :—

(a) to set aside all selections of type species for the genus *Capsus* Fabricius, 1803, made prior to the proposed decision ;

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

(2) to place the generic name *Capsus* Fabricius, 1803 (type species, by designation under the Plenary Powers, as proposed in (1) (b) above : *Cimex ater* Linnaeus, 1758) on the *Official List of Generic Names in Zoology* (gender of generic name : masculine);

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

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On the receipt in February 1946 of Dr. China's preliminary communication, the case of the generic name *Capsus* Fabricius, 1803, was given the Registered Number Z.N.(S.) 211.

3. *Publication of the present application:* Owing to the limited amount of time available, it was not possible for the International Commission at its Session held in Paris in 1948 to consider all the cases then awaiting attention, and the present application was one of those which for this reason was not placed before the Commission at that Session. In the period immediately following, it was necessary to devote the entire resources of the Commission to the preparation and publication of the Official Records of the Paris Session, and it was not until the autumn of 1950 that it was possible to resume preparations for the publication in the *Bulletin*

of *Zoological Nomenclature* of applications on individual nomenclatorial cases submitted to the Commission for decision. The establishment by the Thirteenth International Congress of Zoology, Paris, 1948, of an *Official List of Specific Names in Zoology* (then styled the *Official List of Specific Trivial Names in Zoology*) called for a slight expansion of the application relating to the present case. The application so revised was received on 22nd September 1950, and was at once sent to the printer. Publication took place on 20th April 1951 (China, 1951, *Bull. zool. Nomencl.* **2** : 103—104).

4. Issue of Public Notices: Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 20th April 1951, both in Part 4 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. China's application was published, and also to the other prescribed serial publications. In addition, Notices were issued to a number of entomological serial publications, both in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. Support received for Dr. China's application: Letters of support for Dr. China's application were received from the following specialists :—(a) Dr. S. v. Kéler (*Chief of the Hemiptera Department, Zoologisches Museum der Universität Berlin*) ; (b) Dr. J. C. M. Carvalho (*Universidade do Brasil, Museu Nacional, Rio de Janeiro, Brasil*). The communications so received are given in the immediately following paragraphs.

6. Support received from Dr. S. v. Kéler (Zoologisches Museum der Universität Berlin): On 18th May 1951, Dr. S. v. Kéler (*Chief of the Hemiptera Department, Zoologisches Museum der Universität Berlin*) wrote the following letter in support of the present application (Kéler, 1951, *Bull. zool. Nomencl.* **2** : 338) :—

Nach Kenntnisnahme und Ueberprüfung der Belange zu dem im 1951, *Bull. zool. Nomencl.* **2**(4) :. 103—104, veröffentlichten Antrag von

W. E. China über die Bestimmung von *Cimex ater* Linnaeus, 1758, als Typus der Gattung *Capsus* Fabricius, 1803, erkläre ich, dass ich den Antrag in allen Punkten unterstütze.

7. *Support received from Dr. J. C. M. Carvalho (Universidade do Brasil, Museu Nacional, Rio de Janeiro, Brasil):* On 18th September 1951, Dr. J. C. M. Carvalho (*Universidade do Brasil, Museu Nacional, Rio de Janeiro, Brasil*) wrote the following letter in support of the present application (Carvalho, 1952, *Bull. zool. Nomencl.* 6 : 179) :—

As I mentioned to you at Amsterdam, this letter is being written to support Dr. China's proposal for the International Commission to use its Plenary Powers to vary the type species of the genus *Capsus* Fabricius, 1803 (China, 1951, *Bull. zool. Nomencl.* 2 : 103—104).

The proposal is very desirable and will help considerably the specialists working in the Hemiptera.

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

8. *Issue of Voting Paper V.P.(52)15:* On 15th April 1952, a Voting Paper (V.P.(52)15) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to *Capsus* Fabricius, 1803, as specified in Points (1) to (3) on page 104 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. the Points specified in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

9. *The prescribed Voting Period:* As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

10. Particulars of the Voting on Voting Paper V.P.(52)15: The state of the voting on Voting Paper V.P.(52)15 at the close of the prescribed Voting Period was as follows :—

- (a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received):*

Hering ; Calman ; Riley ; Dymond ; Esaki ; Pearson ;
do Amaral ; Hankó ; Bonnet ; Mertens ; Lemche ;
Vokes ; Cabrera ; Bradley ; Boschma ; Stoll ; Hemming ;

- (b) *Negative Votes:*

None ;

- (c) *Voting Paper V.P.(52)15 was not returned by one (1) Commissioner:*

Jaczewski.

11. Declaration of Result of Vote : On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)15, signed a Certificate that the Votes cast were as set out in paragraph 10 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

12. On 8th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)15.

13. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

ater, Cimex, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 447
Capsus Fabricius, 1803, *Syst. Rhyng.* : 241

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 Ninety-Eight (298) of the International Commission on Zoological Nomenclature.

DONE in London, this Seventh day of March, 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 8. Part 16. Pp. 209—236

OPINION 299

Validation, under the Plenary Powers, of the generic names *Tettigonia* and *Acrida* in the Order Orthoptera (Class Insecta) as from Linnaeus, 1758 (Ruling supplementary to the Ruling given in *Opinion 124*)

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 299

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

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Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

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Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

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Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 299

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAMES "TETTIGONIA" AND "ACRIDA" IN THE ORDER ORTHOPTERA (CLASS INSECTA) AS FROM LINNAEUS, 1758 (RULING SUPPLE- MENTARY TO THE RULING GIVEN IN "OPINION" 124)

RULING :—(1) Under the Plenary Powers, (a) the names *Acrida* and *Tettigonia* are hereby validated as having been published as subgeneric names by Linnaeus in 1758 in volume 1 of the Tenth Edition of the *Systema Naturae*, (b) *Gryllus turritus* Linnaeus, 1758, is hereby designated to be the type species of *Acrida* Linnaeus, 1758, and (c) *Gryllus viridissimus* Linnaeus, 1758, is hereby designated to be the type species of *Tettigonia* Linnaeus, 1758.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 735 to 738 respectively :—(a) *Acheta* Fabricius, 1775 (gender : feminine) (type species, by selection by Curtis (1830) : *Gryllus domesticus* Linnaeus, 1758) ; (b) *Acrida* Linnaeus, 1758, as validated, under the Plenary Powers, under (1) (a) above (gender : feminine) (type species, by designation, under the Plenary Powers, under (1) (b) above : *Gryllus turritus* Linnaeus, 1758) ; (c) *Ledra* Fabricius, 1803 (gender : feminine) (type species, by selection by Latreille (1810) : *Cicada aurita* Linnaeus, 1758) ; (d) *Tettigonia* Linnaeus, 1758, as validated, under the Plenary Powers, under (1) (a) above (gender : feminine) (type species, by designation, under the Plenary Powers, under (1) (c) above : *Gryllus viridissimus* Linnaeus, 1758).

(3) The under-mentioned generic names and reputed generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 130 to 138 respectively : (a) *Acheta* Linnaeus,

1758 (a reputed but non-existent name); (b) *Bulla* Linnaeus, 1758 (: 427) (a reputed but non-existent name); (c) *Gryllulus* Uvarov, 1935 (a junior objective synonym of *Acheta* Fabricius, 1775); (d) *Mantes* Geoffroy, 1762 (a name published in a work rejected for nomenclatorial purposes); (e) *Mantis* Linnaeus, 1758 (a reputed but non-existent name); (f) *Tetigonia* Geoffroy, 1762 (a name published in a work rejected for nomenclatorial purposes); (g) *Tetigonia* Fourcroy, 1785 (a junior homonym of *Tettigonia* Linnaeus, 1758¹); (h) *Tetigonia* Blanchard, 1852 (a junior homonym of *Tetigonia* Fourcroy, 1785); (i) *Tettigonia* Fabricius, 1775 (a junior homonym of *Tettigonia* Linnaeus, 1758, as validated, under the Plenary Powers, under (1) (a) above).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 144 to 149 respectively:—(a) *aurita* Linnaeus, 1758, as published in the combination *Cicada aurita* (specific name of the type species of *Ledra* Fabricius, 1803); (b) *domesticus* Linnaeus, 1758, as published in the combination *Gryllus domesticus* (specific name of the type species of *Acheta* Fabricius, 1775); (c) *migratorius* Linnaeus, 1758, as published in the combination *Gryllus migratorius* (specific name of the type species of *Locusta* Linnaeus, 1758, as validated, under the Plenary Powers, in *Opinion* 158); (d) *religiosus* Linnaeus, 1758, as published in the combination *Gryllus religiosus* (specific name of the type species of *Mantis* Linnaeus, 1767); (e) *turritis* Linnaeus, 1758, as published in the combination *Gryllus turritus* (specific name of the type species, by designation, under the Plenary Powers, under (1) (b) above, of *Acrida* Linnaeus, 1758, as validated, under the Plenary Powers, under (1) (a) above); (f) *viridissimus* Linnaeus, 1758, as published in the combination *Gryllus viridissimus* (specific name of the type species, by designation, under the Plenary Powers, under (1) (c) above, of *Tettigonia* Linnaeus, 1758, as validated, under the Plenary Powers, under (1) (a) above).

¹ See paragraph 18 below.

I.—THE STATEMENT OF THE CASE

On 25th September 1947, Dr. Ashley B. Gurney (*United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*) submitted an application for the use of the Plenary Powers for the validation of the names *Tettigonia* and *Acrida* as from Linnaeus, 1758, *Systema Naturae*, Tenth Edition, the work in which they had appeared as terms for subdivisions of the genus *Gryllus* Linnaeus, 1758 (Class Insecta, Order Orthoptera). Intermediate terms of this type had been rejected by the International Commission in *Opinion* 124 as not possessing the status of subgeneric names as from the date on which they were so published by Linnaeus, but at the same time the Commission had issued an open invitation to specialists to submit applications for the validation of such terms as subgeneric names dating from Linnaeus, 1758, in cases where they considered this necessary in order to prevent confusion from arising. It was under this invitation that the present application was submitted by Dr. Gurney. In December 1947 Mr. Francis Hemming, Secretary to the Commission, visited Washington and while there discussed this case with Dr. Gurney. These discussions led Dr. Gurney to revise his application in certain respects, and on 28th September 1948 he submitted the following revised application :—

Proposed use of the Plenary Powers to validate the terms “*Tettigonia*” and “*Acrida*” (Class Insecta, Order Orthoptera) as subgeneric names as from Linnaeus, 1758 (application submitted in response to the invitation given in ‘*Opinion*’ 124)

By ASHLEY B. GURNEY

(*Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington, D.C., U.S.A.*)

The following application is hereby submitted to the International Commission on Zoological Nomenclature: (1) that *Tettigonia* Linnaeus be accepted as of subgeneric value as from 1758 (*Syst. Nat.* (ed. 10) 1 : 429), under the Plenary Powers, and that it be added to the *Official List of Generic Names in Zoology*, with *Gryllus viridissimus* Linnaeus, 1758, as type species; (2) that *Acrida* Linnaeus be accepted as of subgeneric value as from 1758 (*Syst. Nat.* (ed. 10) 1 : 427), under the Plenary Powers, and that it be added to the *Official List of Generic Names in Zoology*, with *Gryllus turritus* Linnaeus, 1758, as type species.

1. *Tettigonia*

2. *Tettigonia* is one of six subdivisions* of *Gryllus* recognised by Linnaeus, 1758, and used by him in a sense corresponding to subgenera of modern workers. Although this term was invalidated as of 1758 by *Opinion* 124 (1936), most taxonomic workers in the Orthoptera use the generic name *Tettigonia* Linnaeus, and the great majority of taxonomists and general entomologists utilise the orthopterous name TETTIGONIIDAE†. This family name dates from the supergeneric group Tettigoniae of Stoll, 1787 (*Spectres, Mantes*, etc. T. 1, Amsterdam), which was given the now accepted family-ending *-idae* by Krauss, 1902 (*Zool. Anz.* **25** : 538). The only other family names that have been widely used in the same sense are LOCUSTIDAE and PHASGONURIDAE‡. The former is obviously unavailable here because *Locusta* is restricted to another family by *Opinion* 158 (1945). The name PHASGONURIDAE dates from Kirby, 1891 (*Trans. ent. Soc. Lond.* **1891** : 405), but has been used less generally than TETTIGONIIDAE, and in recent years relatively little, partly because of the assumption on the part of many workers that *Phasgonura* Stephens, 1835 (*Ill. Brit. Ent.*, Mand. **6** : 15) (type species : *Gryllus viridissimus* Linnaeus) is a synonym of *Tettigonia* Linnaeus, 1758 (see discussion of type species below). Validation of *Tettigonia* Linnaeus would permit the continued general use of the family name TETTIGONIIDAE, thus avoiding further confusion in the nomenclature of an Order, the family names of which were formerly subject to frequent changes, but which in recent years have gradually become more standardised. The practice of working orthopterists indicates the desirability of validating *Tettigonia* Linnaeus.

3. There are differences of opinion concerning the species to be accepted as the type species of *Tettigonia* Linnaeus, and in the event of *Tettigonia* being validated, it is important that the type species be fixed beyond further argument. The use of the Plenary Powers may be necessary to fix as the type species the species which will create least confusion in the nomenclature of the Orthoptera. The majority of current workers accept *Gryllus viridissimus* Linnaeus as the type species, but I agree with Roberts, 1941 (*Trans. amer. ent. Soc.* **67** : 30—31) that the first definite selection was that of Kirby, 1890 (*Sci. Proc. Roy. Dublin Soc.* **6** : 481), *Gryllus verrucivorus* Linnaeus. If the latter selection is accepted, as should be done under a strict interpretation of the Rules, the genus *Decticus* Serville, 1831 (*Ann. Sci. nat.*, Paris **22** : 159) (type species : *Gryllus verrucivorus* Linnaeus) would fall as a synonym of *Tettigonia* Linnaeus, at the same time invalidating the well-known subfamily name DECTICINAE.

4. Uvarov, 1923 (*Trans. ent. Soc. Lond.* **1923** : 493) and others have considered that Leach, 1815 (*Edinburgh Encyclopedia* : 120) selected *Gryllus viridissimus* Linnaeus as the type species of *Tettigonia*. Since Leach merely listed the species with no indication of type significance that I have discovered, type selection is not evident. Karny, 1908 (*Zool. Annalen, Z. f. Ges. Zool.* **2** : 202—208) has argued that

G. viridissimus became the type species through the removal of all the other 16 species originally placed in *Tettigonia* by Linnaeus, 1758. Although selection of type species by elimination was once an accepted practice, it is believed to have no standing under present Rules except in the case of a genus containing two species when one is removed to be type species of another genus (*Opinion* 6, 1910) (also see *Opinion* 62, 1914)². Rehn, 1901 (*Canad. Ent.* 33 : 121) also reasoned by the method of elimination that *G. viridissimus* is the type species of *Tettigonia*, but his conclusion is so definite that it clearly constitutes a type selection, the first clear cut selection of that species, regardless of the reasoning involved³.

5. Kirby, 1890 (*l.c.*) reviewed the originally included species of *Tettigonia* Linnaeus and by the method of elimination concluded that *G. verrucivorus* should be the type species. (Quotation from Kirby : "—— which leaves *G. verrucivorus* as the type of *Tettigonia*".) While not accepting Kirby's method of arriving at a conclusion on the type species of *Tettigonia*, I believe, however, that his concluding statement, quoted above, constitutes a type selection, irrespective of the method used in reaching that conclusion.

6. In the interest of nomenclatorial stability, it appears advisable to fix *Gryllus viridissimus* Linnaeus, 1758, as the type species of *Tettigonia* Linnaeus, 1758.

2. Acrida

7. *Acrida* is the second subdivision of *Gryllus* recognised by Linnaeus, 1758. It is of prime importance as the basis of the family name ACRIDIDAE, and, since the acridids include a very large number of highly economic locusts and shorthorned grasshoppers, it is very desirable that stability of the family name be achieved. A great majority of both systematists and economic entomologists now use the name ACRIDIDAE†, which is derived from the supergeneric group *Acridites* of Latreille, 1825 (*Fam. Nat. Règne Anim.* : 414—416). All other names for the family are unsatisfactory because they lack priority, have had only a small amount of usage, or because they have been applied to different zoological groups in a manner that leads to confusion. For example, the name LOCUSTIDAE dates from the group *Locustariae* of Latreille, 1804 (*Hist. Nat. Crust. Ins.* 12 : 127—136), but at that time it was

² Even this last vestige of the principle of "elimination" was deleted from the *Règles* by the Fourteenth International Congress of Zoology, Copenhagen, 1953, for all future cases, though protection was given to cases where type species had already been determined under *Opinion* 6 (see 1953, *Copenhagen Decisions zool. Nomencl.* : 72, Decision 135).

³ By a decision taken by the Thirteenth International Congress of Zoology, Paris, 1948, a definite statement by an author that a given species is the type species of a particular genus is to be accepted, other things being equal, as a valid type selection, even if the author making that statement did not regard himself as making a selection and considered that the species in question was already the type species "by elimination" (1950, *Bull. zool. Nomencl.* 4 : 131).

applied to katydids or long-horned grasshoppers (the TETTIGONIIDAE of most current usage). In 1829, Stephens (*Brit. Ins.* : 301) applied the name LOCUSTIDAE to grasshoppers and locusts for the first time, and it has recently been done by Comstock, 1930 (*Introd. Ent.* : 252), Essig, 1942 (*College Ent.* : 90) and several others, though the name ACRIDIDAE is used by most modern taxonomists†. To add to the confusion, Comstock, 1930 (*l.c.* : 254) used LOCUSTINAE for the subfamily of "spine-throated locusts", though the genus *Locusta* is not included in that subfamily, actually belonging to the group usually called the OEDIPODINAE.

8. A family name based on *Acrydium* has also been used, but *Acrydium* has been almost universally§ applied to the grouse-locusts (TETRIGIDAE), and so ACRYDIIDAE would be confusing if applied to locusts and grasshoppers.

9. In order for *Acrida* to be available as a basis for the family name ACRIDIDAE, it appears necessary that it be dated from Linnaeus, 1758, as that generic name was not subsequently brought into general use by orthopterists until the time of Stål, 1873 (*Rec. Orthopt.* 1 : 88, 95—100). Between the time of Linnaeus and Stål, Kirby, 1825 (*Zool. J.* 1 : 432) and Curtis, 1825 (*Brit. Ent.* 2 : 82) applied the name *Acrida* to katydids rather than to short-horned grasshoppers (see Roberts, *l.c.* : 5) so that it becomes essential to establish the validity of *Acrida* as from Linnaeus, 1758. Krauss, 1902 (*Zool. Anz.* 25 : 541) first selected a type species for *Acrida* Linnaeus : *Gryllus turritus* Linnaeus, 1758.

* Regarding the other sub-divisions of *Gryllus* Linnaeus, 1758 : *Locusta* was added to the *Official List of Generic Names in Zoology* under *Opinion* 158 (1945) ; *Bulla* was suppressed as a homonym of *Bulla* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 725) (Mollusca) under the amendment to Article 34 of the International Code adopted at Padua, 1930 (referred to in *Opinion* 124, 1936) ; *Mantis*, as of 1767 (*Syst. Nat.* (ed. 12) 1 : 689), was added to the *Official List* under *Opinion* 149 (1943). Although, under the existing Rules, *Acheta* was not at any time validly proposed by Linnaeus, this generic name is available for use, dating from Fabricius, 1775 (*Syst. Ent.* : 279). Curtis, 1830 (*Brit. Ent.* 7 : 293) selected *Gryllus domesticus* Linnaeus, as the type species of the genus "*Acheta* Fab., Lea., Sam," this being the first valid selection, and it establishes *Acheta* in the same sense as formerly used, dating from Linnaeus, 1758. Karny, 1937 (*Gen. Insectorum* fasc. 206, Gryllacrididae : 213) listed *Acheta* Fabricius, 1775 (*nec.* Linnaeus) as a synonym of *Schizodactylus* Brullé, 1835, but that is a misapplication of the name, since *Acheta* has priority. Furthermore, no type selection of *Gryllus monstrosus* Drury, 1773, the type species of *Schizodactylus* and included in *Acheta* by Fabricius, 1775 (*Syst. Ent.* : 826), prior to 1830 has come to my attention. (Linnaeus, 1767, used *Mantis* in a generic sense, *Acrida* and *Acheta* in a subgeneric sense.)

† The general use of TETTIGONIIDAE and ACRIDIDAE is evidence by the utilisation of these family names in the volumes of the *Zoological Record* since 1922 (27 years). Both are the names currently used by the Bureau of Entomology and Plant Quarantine, in the United States, and the Commonwealth Institute of Entomology, for the British Commonwealth. The guidance in systematic entomology and large number of routine identifications furnished by these two organizations constitute a great influence on the nomenclatorial usage of entomologists as a whole. Specialists in three outstanding centres of systematic

work on Orthoptera, namely, London, Philadelphia and Paris, use the above family names. They also appear in the handbook, "Locusts and Grasshoppers", published by B. P. Uvarov in 1928 and are familiar to nearly all economic workers on grasshoppers.

ACRIDIDAE is the family name used in correspondence from the Anti-Locust Research Centre, in London, which organization is now co-ordinating most of the international work on large-scale grasshopper control and research.

Finally, a survey of published work by leading orthopterists throughout the world during the past fifteen years shows that the preponderance of usage favours the family names TETIGONIIDAE and ACRIDIDAE.

‡ Although the Rules are definite on certain aspects of family names, there is need for further clarification. (See Sabrosky, 1947, *Amer. Naturalist* **81** : 153—160). (Articles 4 and 5 of the International Rules of Zoological Nomenclature, and *Opinions* 133 (1936) and 141 (1943) of the International Commission on Zoological Nomenclature concern family names.)⁴

§ Roberts, 1941 (*Trans. amer. ent. Soc.* **67** : 24) has recently shown that, contrary to the traditional orthopterological practice, *Acrydium* Geoffroy, 1762, actually applies to a zoological unit included in the ACRIDIDAE rather than the TETRIGIDAE.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application*: On the receipt in September 1947 of Dr. Gurney's first communication, the question of the validation, under the Plenary Powers, of certain of the terms used by Linnaeus in 1758 for subdivisions of the genus *Gryllus* Linnaeus was allotted the Registered Number Z.N.(S.) 328.

3. *Preliminary consultations in 1949* : At the time of the receipt of Dr. Gurney's definitive application in September 1948, the whole of the available resources of the Commission were being devoted to the preparation of the Official Records of the Session held by the Commission at Paris in July of that year. In view, however, of the importance of the present case and of the fact that it affected nomenclature not only in the Order Orthoptera—from which point of view it had been submitted by Dr. Gurney—but also in the Order Hemiptera, Mr. Hemming judged it desirable to initiate discussions with specialists in both these groups as a preliminary to the publication of Dr. Gurney's application. Accordingly, in January 1949 Mr. Hemming invited the following specialists to furnish statements of their views :—(a) Dr. W. E. China (*British Museum (Natural History), London*) ; (b) Mr. R. G.

⁴ The provisions in the *Règles* relating to family-group names were completely revised by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (see 1953, *Copenhagen Decisions zool. Nomencl.* : 32—37, Decisions 43—58).

Fennah (*Imperial College of Tropical Agriculture, St. Augustine, Trinidad*); (c) Dr. B. P. Uvarov (*Anti-Locust Research Centre, London*). All these specialists gave their support for the action proposed. The communications so received are given in the immediately following paragraphs.

4. *Support received from Dr. W. E. China (British Museum (Natural History), London)*: On 11th January 1949, Dr. W. E. China (*British Museum (Natural History), London*) wrote the following letter in support of Dr. Gurney's application :—

No confusion would result in the nomenclature of the Hemiptera from the disappearance of *Tetigonia* Geoffroy, 1762 (either by invalidation or as a homonym of *Tettigonia* L., 1758)⁵. The only change in the nomenclature resulting from such a disappearance would be the restoration of the well-known generic name *Ledra* Fabricius, 1803, type species of the family LEDRIDAE. This would, of course, be all to the good. This fact is set out in China and Fennah, October 1945, *Ann. Mag. nat. Hist.* (11) 12 : 711—712 : “By the above dispositions the only nomenclatorial change in Hemiptera which would result from any future invalidation of *Tetigonia* Geoffroy or from any validation of *Tettigonia* L. (Orthoptera) would be the restoration of the generic name *Ledra*.”

5. *Support received from Mr. R. G. Fennah (Imperial College of Tropical Agriculture, Trinidad)* : On 12th January 1949, Mr. R. G. Fennah (*Imperial College of Tropical Agriculture, Trinidad*) wrote a letter in support of Dr. Gurney's application, and on 30th January 1949, he followed this up with a further letter, in which he drew attention to the name *Tetigonia* Fourcroy, 1785, and suggested that in the decision to be taken on this case the Commission should make it clear that the above name—and also *Tetigonia* Geoffroy, 1762—were to be treated as junior homonyms of the name *Tettigonia* now proposed to be validated as from Linnaeus, 1758, i.e. the fact that the names published by Geoffroy and Fourcroy on the one hand and by Linnaeus on the other hand differed from one another in spelling by the use, in the first case, of a single “t” in the middle of the name, and, in the second case, by the use of a double “t” was to be ignored for the

⁵ By a decision taken by the International Commission in 1948 and since embodied in *Opinion 228* (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 4 : 209—220), it has been ruled that Geoffroy's *Histoire abrégée* is not available for nomenclatorial purposes. The name *Tetigonia* Geoffroy, 1762, here referred to by Dr. China is in any case, an invalid name.

purposes of the Law of Homonymy⁶. The letters so received from Mr. Fennah were as follows :—

A. Extract from letter dated 12th January 1949.

I understand that Dr. China has supplied you with the technical details regarding the change which will occur in Hemiptera, if *Tettigonia* of Linnaeus is validated.

The consequential suppression of *Tetigonia* Geoffroy would undoubtedly be welcomed by hemipterists, as the generic name *Ledra*, which was displaced by China & Fennah in 1945, is well known and long established. Moreover, the combination *Tetigonia aurita* (Linnaeus) is still novel and has not entered into literature, apart from the original proposals, as far as I know.

B. Extract from letter dated 30th January 1949.

There is one trivial item worthy of mention when you are writing up the case, and that is the generic name *Tetigonia* Fourcroy, which was not mentioned in the China & Fennah paper.

Tetigonia Geoffroy, 1762, is, as you say in your letter of 14th January, invalid under the decision of the Paris Congress. But the generic name was cited and validated by Fourcroy, 1785, *Ent. paris.* 1 : 193, with the original spelling.

It would accordingly be advisable to make it quite plain that *Tettigonia* with two "t's" is, for the purposes of judging preoccupation of the name, the same as *Tetigonia* with one "t". This would squarely place Fourcroy's *Tetigonia* in homonymy.

6. Support received from Dr. B. P. Uvarov (Anti-Locust Research Centre, London): On 19th January 1949, Dr. B. P. Uvarov (Anti-Locust Research Centre, London) communicated the following statement in support of Dr. Gurney's proposal :—

The proposal that *Tettigonia* Linnaeus, 1758, be accepted as of sub-generic value under the Plenary Powers, and that it be added to the *Official List* with *Gryllus viridissimus* Linnaeus, 1758, as type species, is supported and it is considered that such action will eliminate confusion.

Tetigonia Geoffroy, 1762, should be definitely rejected as a homonym of *Tettigonia* Linnaeus, 1758, as this action would prevent further confusion.

⁶ See paragraph 18 of the present *Opinion*.

The proposal that *Acrida* Linnaeus, 1758, be accepted as of sub-generic value, under the Plenary Powers and that it be added to the *Official List* with *Gryllus turritus* Linnaeus, 1758, as type species, is supported. This action will stabilise the use of the family name ACRIDIDAE in the sense in which it is now used by all taxonomic workers in the group. The name ACRIDIDAE has formed the basis of the French designation of five successive international anti-locust conferences (1931; 1932, 1934, 1936 and 1938) as "Conferences internationales anti-acridiennes". It is also incorporated in the name of the "Office National Anti-Acridien", which is the French central institution for anti-locust research; and in the name of the "Comite Interamericano Permanente Antiacridiano" established in 1948 by a Convention of nine South and Central American States.

Finally, the term "acridology" is now being increasingly used to define that branch of entomology which deals with ACRIDIDAE.

7. *Review in 1950 by Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, of outstanding problems in connection with the terms used to denote subdivisions of the genus "Gryllus" by Linnaeus in 1758*: When, after the publication in the summer of 1950 of the volumes of the *Bulletin of Zoological Nomenclature* containing the Official Records of the Session held by the Commission at Paris in 1948, Mr. Hemming was able to resume preparations for the publication in the *Bulletin* of applications relating to individual nomenclatorial cases, he formed the view that it was desirable that the opportunity presented by the application submitted by Dr. Gurney should be taken to clear off all outstanding questions relating to the status of the terms used by Linnaeus in 1758 to denote subdivisions of the genus *Gryllus* Linnaeus. He accordingly prepared the following Report on this subject for consideration by the Commission:—

First Report on matters left unsettled in "Opinion" 124, in relation to the status of the terms used by Linnaeus in 1758 to denote subdivisions of genera established in the 10th edition of the "Systema Naturae"

**The subdivisions of the genus "Gryllus" Linnaeus,
1758 (Class Insecta, Order Orthoptera)**

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

1. At its meeting held in Paris in 1948 the International Commission on Zoological Nomenclature placed on record their disapproval of the

practice sometimes adopted in the past, under which the decision given in an *Opinion* dealt with part only of the issues involved, and agreed to invite the Secretary to the Commission (a) to examine all the *Opinions* so far rendered, with a view to ascertaining every instance where an application had been dealt with incompletely and (b) to submit proposals as soon as possible for the rendering, as a matter of urgency, of supplementary *Opinions* dealing with the questions left unanswered in the earlier *Opinions* concerned (1950, *Bull. zool. Nomencl.* 4 : 355). This decision was endorsed by the Thirteenth International Congress of Zoology (1950, *Bull. zool. Nomencl.* 5 : 104—105).

2. *Opinion* 124 provides a conspicuous example of the class of case covered by the foregoing decision, for that *Opinion* lays down a general principle applicable to all the terms used by Linnaeus to denote subdivisions of genera, but discusses the effect of that decision in relation to one only of the genera concerned (*Gryllus* Linnaeus, 1758) and, even in that case, in relation to one only of the six terms used by Linnaeus to denote subdivisions of that genus. The submission by Dr. Ashley B. Gurney of proposals relating to two other of the terms used by Linnaeus to denote subdivisions of the genus *Gryllus* provides a convenient opportunity for placing before the Commission proposals for such further action as is necessary in order to fill in all the gaps in *Opinion* 124, in so far as that *Opinion* is concerned with the status to be accorded to the terms used by Linnaeus in 1758 to denote subdivisions of the foregoing genus. I accordingly decided to devote to this subject the first of the Reports which, under the decision of the International Congress of Zoology quoted in paragraph 1 above, I have been asked to prepare in regard to matters left unsettled by *Opinion* 124. This Report I now submit for consideration by the International Commission on Zoological Nomenclature. Further Reports dealing with terms used by Linnaeus in 1758 to denote subdivisions of genera, other than *Gryllus* Linnaeus, will be submitted, as and when opportunity offers.

3. *Arrangement of Report*: In the present Report, I deal, in turn, with each of the six terms used by Linnaeus in 1758 to denote subdivisions of the genus *Gryllus*. In each case I indicate such action, if any, as has already been taken by the Commission in regard thereto and refer to the proposals in regard to certain of those terms which have been submitted to the Commission by Dr. Ashley B. Gurney. Where necessary, I indicate such further consequential action as is necessary, in order completely to dispose of the cases concerned.

4. *The term Mantis as used by Linnaeus*: At Lisbon in 1935 the International Commission decided to place on the *Official List of Generic Names in Zoology* the generic name *Mantis* Linnaeus as from

1767, that being the date on which this name was first validly used as a generic name, its use on that occasion being acceptable to specialists as it was in accordance with current nomenclatorial practice. By this decision therefore the Commission decided also that there were no grounds for the use of the Plenary Powers for the purpose of validating the name *Mantis* as from Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 425). All therefore that is now required in this connection is that the reputed but non-existent generic name *Mantis* Linnaeus, 1758, should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. It should be noted that some others have suggested that the name *Mantis* Linnaeus, 1767, is ante-dated by the name *Mantes* Geoffroy, 1762 (*Hist. abrég. Ins. Paris* 1 : 399), but this is not correct, for the Commission has decided that, in the work quoted, Geoffroy did not apply the principles of binominal nomenclature and therefore that no name published therein acquires availability in zoological nomenclature on that account (see 1950, *Bull. zool. Nomencl.* 4 : 366—369)⁷. It would be well, however, finally to dispose of this matter by placing the reputed but non-existent generic name *Mantes* Geoffroy on the *Official Index*. Finally, it is necessary at this point to refer to the decision taken by the International Congress of Zoology in 1948 that the trivial names of the type species of genera placed on the *Official List of Generic Names in Zoology* should, when they are the oldest available names for the species concerned, be placed on the *Official List of Specific Trivial Names in Zoology*; this decision is retrospective and will therefore in any case apply in the present instance when the foregoing *Official List* comes to be compiled. It will be convenient, however, to take the present opportunity to deal with this matter by placing on the *Official List* the trivial name *religiosus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 426, as published in the binominal combination *Gryllus religiosus*, that being the trivial name of the type species of *Mantis* Linnaeus, 1767.

5. *The term Acrida as used by Linnaeus*: Dr. Gurney's proposal (that *Acrida* should be placed on the *Official List of Generic Names in Zoology* with status as from Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 427), and with *Gryllus turritus* Linnaeus, 1758, as type species) covers all the principal matters which call for action in this case. It should be noted, however, that, since at present the term *Acrida* possesses no status as a subgeneric name as from Linnaeus, 1758, it follows automatically that there is at present no nominal genus (or subgenus) *Acrida* Linnaeus, 1758, and consequently that, if (as proposed by Dr. Gurney) the Plenary Powers are used to bring into existence the subgeneric name *Acrida* Linnaeus, 1758, the same Powers will need to be used to provide that newly created nominal subgenus with a type species. Further, for the reasons explained (in paragraph 4) in connection with the generic name *Mantis* Linnaeus, 1767, it will be necessary to place on the *Official List of Specific Trivial Names in Zoology* the trivial name *turritus* Linnaeus, 1758, as published in the binominal

⁷ See footnote 5.

combination *Gryllus turritus*, the trivial name of the species proposed by Dr. Gurney to be designated as the type species of this genus.

6. *The term Bulla as used by Linnaeus:* The International Commission, in *Opinion 124*, pointed out that, even if Linnaeus had in 1758 (*Syst. Nat.* (ed. 10) **1** : 427) published the name *Bulla* as the name of a subgenus of *Gryllus* Linnaeus, 1758 (Class Insecta), that name, being a subgeneric name, would have fallen (under a rule then recommended by the Commission to the Congress) as a homonym of the Gastropod name *Bulla* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) **1** : 725), the latter name having been published as a generic name and accordingly, being of the same date, possessing priority over its homonym published as a subgeneric name. The Gastropod name *Bulla* Linnaeus has now been placed on the *Official List of Generic Names in Zoology* (see 1950, *Bull. zool. Nomencl.* **4** : 305); all that is called for therefore to complete the action required in the present case is to place the reputed but non-existent name *Bulla* Linnaeus, 1758 (in the Class Insecta) on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

7. *The term Acheta as used by Linnaeus:* Dr. Gurney has explained in the first of the footnotes to his application that, while in the past some authors have treated *Acheta* as having acquired subgeneric status as from Linnaeus, 1758 (*Syst. Nat.* (ed. 10) **1** : 428), others have used this name as published by Fabricius in 1775 (*Syst. Ent.* : 279—282, 826), when it was employed in a strictly binominal sense. It was there used by Fabricius for ten species, of which the second was *Gryllus domesticus* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) **1** : 428). This species was selected as the type species by Curtis in 1830 (*Brit. Ent.* **7** : 293), and this generic name is currently used in this sense. As, under *Opinion 124*, the name *Acheta* has no standing as a subgeneric name as from Linnaeus, 1758, and as Fabricius (1775) was the first author to use the word *Acheta* as a generic or subgeneric name, the name *Acheta* Fabricius, 1775, is an available name. Further, as its type species under the *Règles* (*Gryllus domesticus* Linnaeus, 1758) is the species currently accepted as such, there is no reason why the International Commission should use its Plenary Powers to validate the name *Acheta* as from Linnaeus, 1758, the present position by which that name ranks from Fabricius, 1775, being perfectly satisfactory. All that is required to make the position clear is (1) to place the generic name *Acheta* Fabricius, 1775, on the *Official List of Generic Names in Zoology* and the trivial name *domesticus* Linnaeus, 1758, as published in the binominal combination *Gryllus domesticus*, on the *Official List of Specific Trivial Names in Zoology*, and (2) to place the reputed but non-existent subgeneric name *Acheta* Linnaeus, 1758, on the *Official Index of Rejected and Invalid Generic Names in Zoology*. Dr. Gurney and Dr. B. P. Uvarov, whom I have consulted, both support this proposal. Dr. Uvarov points out that his name *Gryllulus* (Uvarov,

1935, *Ann. Mag. nat. Hist.* (10) **16** : 320) is an objective synonym of *Acheta* Fabricius, 1775 ; it is accordingly proposed that that name should be added to the *Official Index of Rejected and Invalid Generic Names*.

8. *The term Tettigonia as used by Linnaeus*: Dr. Gurney and Dr. Uvarov (supported from the point of view of hemipterological literature by Dr. W. E. China and Mr. R. G. Fennah) recommend that the Commission should use its Plenary Powers to validate the name *Tettigonia* as of subgeneric status as from Linnaeus, 1758 (*Syst. Nat.* (ed. 10) **1** : 429) ; Dr. Gurney and Dr. Uvarov further propose that the nominal species to be accepted as the type species of this genus should be *Gryllus viridissimus* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) **1** : 430). For the reasons already explained in the parallel case of *Acrida* Linnaeus, 1758 (paragraph 5 above), it will be necessary for the Commission to use its Plenary Powers for the latter, just as much as for the former, of these purposes. The only other action called for in connection with this name is (for the reasons explained in paragraph 4 above in connection with the name *Mantis*) to place on the *Official List of Specific Trivial Names in Zoology* the trivial name *viridissimus* Linnaeus, 1758, as published in the binominal combination *Gryllus viridissimus*, that being the trivial name of the nominal species recommended by Dr. Gurney for recognition as the type species of *Tettigonia* Linnaeus, 1758.

9. *The reputed generic name Tetigonia Geoffroy, 1762* : The action proposed by Dr. Gurney and Dr. Uvarov will serve two valuable purposes, quite unconnected with one another : first, it will (as they desire) provide a legal foundation for the name *Tettigonia* as a generic name in the Order Orthoptera ; second, it will eliminate, as an invalid junior homonym (under the provision which is to replace (1950, *Bull. zool. Nomencl.* **4** : 161—162) subsection (d)⁸ in the third paragraph of Article 35, as applied to Article 34), the confusingly similar name *Tetigonia* in the Order Hemiptera. The disappearance of this name is welcomed by both Dr. China and Mr. Fennah. It is desirable that the present opportunity should be taken to make the position clear by placing on the *Official Index of Rejected and Invalid Generic Names in Zoology* both (1) the name *Tetigonia* Geoffroy, 1762, *Hist. abrég. Ins. Paris* **1** : 429 (which, quite apart from the application submitted by Dr. Gurney, is already an invalid name having been published in a work in which the author (Geoffroy) did not apply the principles of binominal nomenclature—see 1950, *Bull. zool. Nomencl.* **4** : 366—369), (2) the name *Tettigonia* Fabricius, 1775, *Syst. Ent.* : 678 (which, pending the approval of Dr. Gurney's proposal, is an available name), (3) *Tetigonia* Fourcroy, 1785, *Ent. paris.* **1** : 193 (an invalid homonym of *Tettigonia* Fabricius, 1775), and (4) *Tetigonia* Blanchard, 1852, in Gay, *Hist. Chile (Zool.)* **7** : 282.

⁸ See paragraph 18 of the present *Opinion*.

10. *Effect of eliminating the name Tetigonia from hemipterological literature:* Dr. China has pointed out that the final elimination of the name *Tetigonia* from the literature of the Order Hemiptera will be to restore to unquestioned availability the generic name *Ledra* Fabricius, 1803 (*Syst. Rhyngot.* : 24), and consequently also the family name LEDRIDAE. Dr. China, after examining and (rightly) rejecting the claim advanced by Kirkaldy that Fabricius had himself designated a type species for the genus *Ledra*, has reported (*in litt.*, 18th January 1949) that the first valid selection of a type species for this genus was that by Latreille in 1810 (*Consid. gén. Crust. Arach. Ins.* : 434) of *Cicada aurita* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 435. In view of the uncertainty that has existed regarding the status of the generic name *Ledra*, having regard to the competing (but now finally rejected) claims of *Tetigonia* Geoffroy, 1762, it is clearly desirable that the name *Ledra* Fabricius should be placed on the *Official List of Generic Names in Zoology*, with the above species as type species, the trivial name *aurita* Linnaeus, 1758, as published in the binominal combination *Cicada aurita*, the trivial name of that species, being at the same time placed on the *Official List of Specific Trivial Names in Zoology*.

11. *The term Locusta as used by Linnaeus:* At Lisbon in 1935 the International Commission used its Plenary Powers (a) to validate the name *Locusta*, as from Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 431), and (b) to designate *Gryllus migratorius* Linnaeus, 1758, to be the type species of that genus. The decision was later embodied in *Opinion* 158. The only supplementary action now required is (for the reasons explained in paragraph 4 above in connection with the name *Mantis*) to place the trivial name *migratorius* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 432), as published in the binominal combination *Gryllus migratorius*, on the *Official List of Specific Trivial Names in Zoology* that *List* not having been in existence at the time when the Commission dealt with this name in 1935.

12. Having now reviewed (a) the action already taken by the International Commission in regard to the terms used by Linnaeus in 1758 to denote subdivisions of the genus *Gryllus* Linnaeus, and (b) the proposals in regard to two of those terms submitted by Dr. Ashley B. Gurney, and having submitted also certain supplementary recommendations on various matters either connected with the status to be accorded to the foregoing terms or arising incidentally in connection therewith, we may summarise as follows the proposals now laid before the International Commission. These are that the Commission should :—

- (1) use its Plenary Powers to validate, as of subgeneric status, the names specified in Column (1) below, those names to be treated as having been published by Linnaeus in 1758 on the pages of the 10th edition of the *Systema Naturae* there specified, and

(b) to designate, as the type species of the nominal subgenera in question, the species severally specified in Column (2) below :

<i>Name of subgenus</i>	<i>Nominal species designated as the type species of subgenus specified in Col. (1)</i>
(1)	(2)
<i>Acrida</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 427	<i>Gryllus turritus</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 427
<i>Tettigonia</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 429	<i>Gryllus viridissimus</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 430

(2) place the under-mentioned generic names on the *Official List of Generic Names in Zoology*, with the type species severally specified below :—

- (a) *Acheta* Fabricius, 1775, *Syst. Ent.* : 279—282, 826 (type species, by subsequent selection by Curtis, 1830 (*Brit. Ent.* 7 : 293) : *Gryllus domesticus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 428)
- (b) *Acrida* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 427 (as proposed, under (1) above, to be validated under the Plenary Powers) (type species, by designation, as proposed in (1) above, under the Plenary Powers : *Gryllus turritus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 427)
- (c) *Ledra* Fabricius, 1803, *Syst. Rhyngot.* : 24 (type species, by subsequent selection by Latreille, 1810 (*Consid. gén. Crust. Arach. Ins.* : 434) : *Cicada aurita* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 435)
- (d) *Tettigonia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 429 (as proposed, under (1) above, to be validated under the Plenary Powers) (type species by designation, as proposed in (1) above, under the Plenary Powers : *Gryllus viridissimus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 430) ;

(3) place the under-mentioned generic names and alleged generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology*:—

- (a) *Acheta* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 428 (a reputed but non-existent name)
- (b) *Bulla* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 427 (a reputed but non-existent name)

- (c) *Gryllulus* Uvarov, 1935, *Ann. Mag. nat. Hist.* (10 **16** : 320 (an invalid junior synonym of *Acheta* Fabricius, 1775)
 - (d) *Mantes* Geoffroy, 1762, *Hist. abrég. Ins. Paris* **1** : 399 (a name possessing no status because published by an author who did not apply the principles of binominal nomenclature)
 - (e) *Mantis* Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 425 (a reputed but non-existent name)
 - (f) *Tetigonia* Geoffroy, 1762, *Hist. abrég. Ins. Paris* **1** : 429 (a name possessing no status because published by an author who did not apply the principles of binominal nomenclature)
 - (g) *Tetigonia* Fourcroy, 1785, *Ent. paris.* **1** : 193 (an invalid junior homonym of *Tettigonia* Linnaeus, 1758, as proposed, under (1) above, to be validated under the Plenary Powers)⁹
 - (h) *Tetigonia* Blanchard, 1852, in Gay, *Hist. Chile (Zool.)* **7** : 282 (an invalid junior homonym of *Tettigonia* Linnaeus, 1758, as proposed, under (1) above, to be validated under the Plenary Powers)⁹
 - (i) *Tettigonia* Fabricius, 1775, *Syst. Ent.* : 678 (an invalid junior homonym of *Tettigonia* Linnaeus, 1758, as proposed, under (1) above, to be validated under the Plenary Powers) ;
- (4) place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology*:—
- (a) *aurita* Linnaeus, 1758, as published in the binominal combination *Cicada aurita* (trivial name of type species of *Ledra* Fabricius, 1803)
 - (b) *domesticus* Linnaeus, 1758, as published in the binominal combination *Gryllus domesticus* (trivial name of type species of *Acheta* Fabricius, 1775)
 - (c) *migratorius* Linnaeus, 1758, as published in the binominal combination *Gryllus migratorius* (trivial name of type species of *Locusta* Linnaeus, 1758)
 - (d) *religiosus* Linnaeus, 1758, as published in the binominal combination *Gryllus religiosus* (trivial name of type species of *Mantis* Linnaeus, 1767)
 - (e) *turritus* Linnaeus, 1758, as published in the binominal combination *Gryllus turritus* (trivial name of species proposed, under (1) above, to be designated under the Plenary Powers as type species of *Acrida* Linnaeus, 1758)
 - (f) *viridissimus* Linnaeus, 1758, as published in the binominal combination *Gryllus viridissimus* (trivial name of species proposed, under (1) above, to be designated under the Plenary Powers as type species of *Tettigonia* Linnaeus, 1758)

⁹ See paragraph 18 of the present *Opinion*.

8. *Publication in 1951 of Dr. Gurney's application and associated documents:* Dr. Gurney's application and the associated documents reproduced in the immediately preceding paragraphs were sent to the printer on 1st January 1951 and were published in Part 4 of volume 2 of the *Bulletin of Zoological Nomenclature* on 20th April 1951 (Gurney, 1951, *Bull. zool. Nomencl.* 2 : 106—109 ; China, 1951, *ibid.* 2 : 109, Fennah, 1951, *ibid.* 2 : 110 ; Uvarov, 1951, *ibid.* 2 : 111 ; Hemming, 1951, *ibid.* 2 : 112—118).

9. *Issue of Public Notices:* Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued on 20th April 1951, both in Part 4 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Gurney's application and the associated documents were published, and also to the other prescribed serial publications. In addition, Notice was given to a number of entomological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

10. *Support received for Dr. Gurney's application after publication:* After the publication of Dr. Gurney's application and the associated documents in the *Bulletin*, support for the action proposed was received from the following specialists : (a) Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) ; (b) Dr. Klaus Günther (*Institut für Genetik der Freien Universität, Berlin*) ; (c) Mr. D. K. McE. Kevan (*University of Nottingham, School of Agriculture, Sutton Bonington, Loughborough, England*). The communications so received are given in the immediately following paragraphs.

11. *Support received from Dr. Joshua L. Baily, Jr. (San Diego, California, U.S.A.):* In a letter dated 22nd June 1951 (which was mainly concerned with other cases), Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) wrote of the present case : " It would seem logical to place the name *Bulla* as the name of a subgenus of *Gryllus* on the *Official Index of Rejected and Invalid Generic Names in Zoology* ".

12. *Support received from Dr. Klaus Günther (Institut für Genetik der Freien Universität, Berlin)*: On 5th July 1951, Dr. Klaus Günther (*Institute für Genetik der Freien Universität, Berlin*) wrote the following letter in support of the action proposed in the present case (Günther, 1952, *Bull. zool. Nomencl.* 6 : 84-85):—

I beg leave to state my decided support of the proposals submitted by Dr. Ashley B. Gurney (1951, *Bull. zool. Nomencl.* 2 : 106—109) that the names *Tettigonia* Linnaeus, 1758, and *Acrida* Linnaeus, 1758, in the Order Orthoptera (Class Insecta) should be validated by the International Commission on Zoological Nomenclature under its Plenary Powers with *Gryllus viridissimus* Linnaeus, 1758, and *Gryllus turritus* Linnaeus, 1758, as the respective type species of these genera. This action appears to be the best and almost the only way to avoid further unbearable confusion in the nomenclature of the Orthoptera.

13. *Support received from Mr. D. K. McE. Kevan (University of Nottingham, School of Agriculture, Sutton Bonington, Loughborough, England)*: On 25th July 1951, Mr. D. K. McE. Kevan (*University of Nottingham, School of Agriculture, Sutton Bonington Loughborough, England*) submitted the following statement supporting the action proposed in the present case and making certain suggestions:—

On the subdivisions of the genus "Gryllus" Linnaeus, 1758

By D. KEITH McE. KEVAN

(*School of Agriculture, University of Nottingham*)

In connexion with the communications of Gurney, China, Fennah, Uvarov and Hemming (1951, *Bull. zool. Nomencl.* 2 : 106—118), I should like to make the following comments:—

(1) I wish fully to endorse the measures already adopted or proposed in respect of the reputed but non-existent names *Mantis*, *Acrida*, *Bulla*, *Acheta*, *Tettigonia* and *Locusta*, all as of Linnaeus, 1758, for the reasons advanced by the various authors concerned.

(2) I would, however, seek the assurance of the Commission that they do not create (or, in the case of *Locusta*, have not created) any unfor-

tunate precedent by validating such reputed but *non-existent* names since I am not certain of the logic of this procedure, however desirable it may be. Presumably "suspension of the rules" does permit invalid terms to be brought into existence as valid names.

(3) If, as I presume, the above is permissible, I feel that it should be made clear that, in the case of *Acrida*, *Tettigonia* and *Locusta*, this course (virtually of name-creation) has been deliberately adopted in favour of the alternative one involving the suppression (by means of the Commission's Plenary Powers) of all senior homonyms in favour of the earliest generally acceptable *valid* junior homonym because of the great confusion which would occur as a result of permitting the offending senior homonyms to retain their priority.

(4) It should be noted that the latter of the two courses would be more consistent—since, under the *Règles* and *Opinion* 124, *Mantis* does not and *Acheta* would not date as from Linnaeus, 1758, but from (the first) valid usage in each case—but, although the difficulties in the way of pursuing this course would probably not be insurmountable, the means of achieving a satisfactory solution to the confused problem of nomenclature, particularly in respect of *Tettigonia*, would be unnecessarily involved. Therefore, since the term *Locusta* has already been validated as a subgeneric name as of Linnaeus, 1758 (*Opinion* 158)—albeit originally in an unusual manner (see Roberts, 1941, *Trans. amer. ent. Soc.* 67 : 27)—a precedent exists and it seems more expedient to follow it by validating, also as subgeneric names, the terms *Acrida* and *Tettigonia* as of Linnaeus, 1758, rather than from later authors and dated. Whether it would also be preferable, for the sake of consistency, to adopt the same course in respect of *Mantis* and *Acheta* also, as suggested by Roberts (*l.c.* : 5), is, I think, a matter for the Commission to decide when considering Dr. Gurney's application. Personally, I am not in favour of doing so since adherence to the *Règles* and *Opinion* 124, in the case of these two names, raises no complicated issues ; each case should be considered on its merits and not on the basis of consistency, and in any event the case of *Mantis* is virtually a closed book.

(5) It should perhaps also be mentioned that, irrespective of which of the two courses referred to is adopted, the family names ACRIDIDAE and TETTIGONIIDAE are not jeopardized since a family name does not need to be derived from the oldest valid generic name contained within the family (*Opinions* 133 and 141). I fully endorse that it is essential that these family names (especially the former) be retained in their current sense for the reasons already advanced by Gurney and Uvarov (*l.c.*).

(6) In respect of the type species of the genera and subgenera concerned, I am in full agreement with the measures already adopted or proposed for their designation. In connexion with the type species of *Tettigonia*, however, some comment is called for. This is that the designation by Kirby (1890, *Sci. Proc. R. Dubl. Soc.* (n.s.) 6 : 581) of *Gryllus verucivorus* Linnaeus, 1758, is the type species of *Tettigonia* Linnaeus, 1758 is not, according to the present rules, in order since under the *Règles* and *Opinion* 124, the latter name is not valid as of that author and date and cannot be considered so until such time as the Commission, by its Plenary Powers, makes it so. Thus the acceptance by Roberts (*l.c.* : 30—31) of Kirby's designation now seems unnecessary—a point which Gurney (*l.c.* : 107) does not make—and the complications in respect of the names *Decticus* Audinet-Serville, 1831, DECTICINAE and TETTIGONIINAE considered inevitable by Roberts (*l.c.*) and mentioned also by Gurney (*l.c.*) and the attendant resurrection of *Phasgonura* Stephens, 1835, may be avoided.

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

14. *Issue of Voting Paper V.P.(52)16* : On 15th April 1952, a Voting Paper (V.P.(52)16) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal “relating to the names *Tettigonia*, *Acrida*, etc., as originally published for subdivisions of the genus *Gryllus* Linnaeus, 1758 (application made under the invitation issued in *Opinion* 124), as specified in Points (1) to (4) on pages 116 to 118 in volume 2 of the *Bulletin of Zoological Nomenclature*” [i.e. the Points set out in paragraph 12 of the Secretary's Report reproduced in paragraph 7 of the present *Opinion*].

15. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

16. *Particulars of the Voting on Voting Paper V.P.(52)16* : The state of the voting on Voting Paper V.P.(52)16 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)* :

Hering ; Calman ; Riley ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Mertens ; Lemche ; Vokes ; Pearson¹⁰ ; Cabrera ; Bradley ; Boschma ; Stoll ; Hemming ;

(b) *Negative Votes*:

None ;

(c) *Voting Paper V.P.(52)16 was not returned by one (1) Commissioner*:

Jaczewski.

17. *Declaration of Result of Vote*: On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)16, signed a Certificate that the Votes cast were as set out in paragraph 16 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

18. On 1st March 1954, Mr. Hemming, as Secretary to the Commission, placed on File Z.N.(S.) 328 the following Minute

¹⁰ Commissioner Pearson exercised in this case the right conferred by the Thirteenth International Congress of Zoology in Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other members of the Commission (1950, *Bull. zool. Nomencl.* 4 : 50—51).

drawing attention to the decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, to protect rulings previously given by the International Commission on Zoological Nomenclature on the status of individual generic names under the Law of Homonymy (Article 34) from being subject to review in the light of the amendment of the foregoing Law then adopted and taking note that under this provision the decision taken in Voting Paper V.P.(52)16 that the name *Tetigonia* Fourcroy, 1785, was to be rejected as a junior homonym of *Tettigonia* Linnaeus, 1758 remained unaffected :—

Attention is drawn to the fact that the Fourteenth International Congress of Zoology, Copenhagen, 1953, modified the provision in the *Règles* relating to the criteria to be adopted in determining whether the components of any given pair of generic names are to be treated as homonyms by substituting for the provisions adopted by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 130—131, 161—162) a provision that “ a generic name is not to be rejected as a homonym of another such name if it differs from it in spelling by even one letter ”. Under this provision the name *Tetigonia* Fourcroy, 1785, proposed for rejection as a junior homonym of *Tettigonia* Linnaeus, 1758, in paragraph 12(3) (g) of the Report—reproduced in paragraph 7 of the present *Opinion*—, though correct under the provisions then in force, would not be liable to be so rejected without resort to the use of the Commission’s Plenary Powers. At the same time, however, the Copenhagen Congress inserted a saving clause protecting the position as regards any name which had already been rejected by the Commission under the previously existing provisions in the *Règles* on this subject (1953, *Copenhagen Decisions zool. Nomencl.* : 78). Accordingly, as the result of the Voting in the present case (on Voting Paper V.P.(52)16) was declared prior to the Copenhagen Congress, the decision taken in the Vote on the foregoing Voting Paper to reject the name *Tetigonia* Fourcroy, 1785, on the foregoing ground is not adversely affected by the amendment of Article 34 made by the Copenhagen Congress.

19. On 8th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)16.

20. The original references for the names which appear in the Ruling given in the present *Opinion* are set out in paragraph 12

of the Report by the Secretary reproduced in paragraph 7 of the said *Opinion*. In the same paragraph are given also the references to the places where the type species of the nominal genera *Acheta* Fabricius, 1775, and *Ledra* Fabricius, 1803, were first validly selected under Rule (g) in Article 30.

21. The genders of the generic names cited in the Ruling given in the present *Opinion* are as follows :

Acheta Fabricius, 1775—feminine.

Acrida Linnaeus, 1758—feminine.

Ledra Fabricius, 1803—feminine.

Tettigonia Linnaeus, 1758—feminine.

22. 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*.

23. 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.

24. The present *Opinion* shall be known as *Opinion Two Hundred and Ninety-Nine (299)* of the International Commission on Zoological Nomenclature.

DONE in London, this Eighth day of March, 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 8. Part 17. Pp. 237—248

OPINION 300

Validation, under the Plenary Powers, of the generic
name *Sphaeroceras* Bayle, 1878 (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 300

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angle CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 300

VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "SPHAEROCERAS" BAYLE, 1878 (CLASS CEPHALOPODA, ORDER AMMONOIDEA)

RULING :—(1) Under the Plenary Powers, the generic name *Sphaeroceras* Hope, 1840 (Class Insecta, Order Coleoptera) is hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 739 and 740 respectively:—(a) *Sphaeroceras* Bayle, 1878 (gender : neuter) (type species, by selection by Douvillé (1879) : *Ammonites brongniarti* Sowerby (J.), 1817); (b) *Globicornis* Latreille, 1829 (gender : feminine) (type species, by monotypy : *Dermestes rufitarsis* Panzer, 1796).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 158 and 159 respectively :—(a) *brongniarti* Sowerby (J.), 1817, as published in the combination *Ammonites brongniarti*; (b) *nigripes* Fabricius, 1792, as published in the combination *Dermestes nigripes*.

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 150 :—*Sphaeroceras* Hope, 1840, as suppressed, under the Plenary Powers, under (1) above.

I.—THE STATEMENT OF THE CASE

On 28th February 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application for the validation of the generic name *Sphaeroceras* Bayle, 1878 (Class Cephalopoda, Order Ammonoidea). In November of the same year, Dr. Arkell submitted a supplementary note by Mr. C. E. Tottenham (*Zoological Museum, Cambridge University, Cambridge*) on the entomological aspects of his proposal—that is, on the question whether any ill-effects in the nomenclature of the relevant genus of the Order Coleoptera (Class Insecta) would result from the suppression as proposed, under the Plenary Powers of the generic name *Sphaeroceras* Hope, 1840. In order to ensure the presentation of a comprehensive statement of the issues involved in the present case, it was arranged that Mr. Tottenham's paper should be annexed to Dr. Arkell's application as an Appendix. Correspondence ensued between the Secretary and Dr. Arkell on various matters arising on his application. Dr. Arkell's application, as finally settled on 10th September 1950, was as follows :—

**Proposed use of the Plenary Powers to validate the generic name
"Sphaeroceras" Bayle, 1878 (Class Cephalopoda, Order
Ammonoidea) (Jurassic)**

By W. J. ARKELL, M.A., D.Sc., F.R.S.

(*Sedgwick Museum, Cambridge University, Cambridge*)

1. The generic name *Sphaeroceras* Bayle, 1878 (*Explic. Carte géol. France* 4 (Atlas) : pls. 52, 53) has as its type species *Ammonites brongiarti* Sowerby (J), 1817 (*Min. Conch.* 2 : 190), that species having been so selected by Douvillé in 1879 (*Bull. Soc. géol. France* (3) 7 C.R. : 91).

2. The name *Sphaeroceras* is widely disseminated in the literature of the Jurassic, as will be seen from the list of references given by Roman (1938, *Ammonites jurass. cré.* : 197).

3. Further, the genus *Sphaeroceras* Bayle is the type species of the family SPHAEROCERATIDAE Buckman (1920, *Type Ammonites* 3 : 22).

4. I found however on consulting Neave's *Nomenclator zoologicus* (4 : 239) that the name *Sphaeroceras* Bayle, 1878, is an invalid junior homonym of the name *Sphaeroceras* Hope, 1840 (*Coleopterist's Manual* 3 : 143), the name of a genus in the Order Coleoptera (Class Insecta).

5. If the generic name *Sphaeroceras* Hope was a name currently used by coleopterists for a genus of beetles, I should not have considered that it would have been right to ask the International Commission on Zoological Nomenclature to use their Plenary Powers to suppress that name, in order to validate the generic name *Sphaeroceras* Bayle in ammonites. When however I consulted Mr. C. E. Tottenham of the Zoological Museum here, I learnt that the generic name *Sphaeroceras* Hope, 1840, was, as from the moment of its original publication, a junior synonym of the generic name *Globicornis* Latreille, 1829, each of these genera having the same taxonomic species as its type species. The Report kindly furnished by Mr. Tottenham is annexed to the present application as an Appendix. In the circumstances disclosed in this Report it was evident that not the slightest inconvenience of any kind would be experienced by coleopterists if the International Commission were to suppress the name *Sphaeroceras* Hope, 1840, while that action would be of great value to students of ammonites by validating the name *Sphaeroceras* Bayle, 1878, which (as I have explained) is the name for a well-known genus of the Jurassic and forms the basis of a family name.

6. I accordingly ask the International Commission on Zoological Nomenclature (1) to use their Plenary Powers to suppress the generic name *Sphaeroceras* Hope, 1840, and to validate the name *Sphaeroceras* Bayle, 1878, (2) to place the name *Sphaeroceras* Bayle, 1878 (gender of generic name : neuter) (type species, by selection by Douvillé, 1879 : *Ammonites brongniarti* Sowerby, 1817) on the *Official List of Generic Names in Zoology*, (3) to place the trivial name *brongniarti* Sowerby, 1817, as published in the binominal combination *Ammonites brongniarti*, on the *Official List of Specific Trivial Names in Zoology*, and (4) to place the name *Sphaeroceras* Hope, 1840, suppressed under (1) above, on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

Appendix to Dr. Arkell's application

On the question whether the suppression of the name " *Sphaeroceras* " Hope, 1840 (Class Insecta, Order Coleoptera), under the Plenary Powers, would cause any inconvenience to coleopterists

(Memorandum, dated 5th November 1949)

By C. E. TOTTENHAM

(*Zoological Museum, Cambridge University, Cambridge*)

From the point of view of the coleopterist there can be no objection to a request being made to the International Commission on Zoological

Nomenclature for the suppression, under the Plenary Powers, of the generic name *Sphaeroceras* Hope, 1840.

2. The position is this :—Hope, 1840 (*Coleopterist's Manual* 3 : 143) first employed the name *Sphaeroceras* for a genus of beetles belonging to the family DERMESTIDAE. In doing so, he gave no generic characters but merely cited the name in a list of genera and typical species. He gave the name as a synonym of *Globicornis* Latreille, thus :—

Genus	Typical species
7. <i>Globicornis</i> Latr.	} <i>D. rufitarsis</i> Pz.
<i>Sphaeroceras</i> Hope	

3. *Globicornis* Latreille, 1829 (*Règne anim.* (ed. 2) 4 : 511) is a valid name and is currently in use. The genus so named is monobasic, the only species cited by name by Latreille being *Dermestes rufitarsis* Panzer, 1796, which is therefore the type species of the genus *Globicornis* Latreille, 1829 (*in* Cuvier, *Règne anim.* (ed. 2) 4 : 511).

4. Since *Globicornis* Latreille, 1829, and *Sphaeroceras* Hope, 1840, have the same type species, namely *Dermestes rufitarsis* Panzer, 1796 (*Faun. Ins. germ.* 3 (Heft 35) : No. 6) which is a synonym of *Dermestes nigripes* Fabricius, 1792 (*Ent. syst.* 1(1) : 233), Hope's generic name *Sphaeroceras* was strangled at birth and can never be required.

5. I have been able to find no mention of *Sphaeroceras* Hope, 1840, in the literature and it is not even given as a synonym of *Globicornis* Latreille by Junk (1911, *Coleopt. Catalogus* 25, Pars 33).

6. Since it is an unused and useless name in the Order Coleoptera, there is very good reason why this name, as published by Bayle, should be retained in its well-known sense as the name of a genus of ammonites.

7. If the Commission decide to use their Plenary Powers to suppress the name *Sphaeroceras* Hope, 1840, it would be convenient if at the same time they would add the name *Globicornis* Latreille, 1829 (gender of generic name : feminine) (type species, by monotypy : *Dermestes rufitarsis* Panzer, 1796 (= *Dermestes nigripes* Fabricius, 1792)) on the *Official List of Generic Names in Zoology*, and the trivial name *nigripes* Fabricius, 1792, as published in the binominal combination *Dermestes nigripes*, on the *Official List of Specific Trivial Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On the receipt of Dr. Arkell's preliminary communication in February 1949, the problem arising in connection with the name *Sphaeroceras* Bayle, 1878, was allotted the Registered Number Z.N.(S.)405.

3. *Publication of the present application:* The present application was sent to the printer in December 1950 and publication took place in Triple Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* on 4th May 1951 (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 164—165 ; Tottenham, 1951, *ibid.* 2 : 165—166).

4. *Issue of Public Notices:* Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's and Mr. Tottenham's applications were published, and also to the other prescribed serial publications. In addition, Notices were issued to certain palaeontological and entomological serial publications in Europe and America likely to be interested in these applications. The publication of these Notices elicited no objection to the action proposed either from the palaeontological, or from the entomological, point of view.

5. *Support received from Dr. Helmut Hölder (Geologisch-Paläontologisches Institut der Universität Tübingen, Germany):* On 6th October 1951, Dr. Helmut Hölder (*Geologisch-Paläontologisches Institut der Universität Tübingen*) submitted a statement setting out his views on the applications relating to the names of ammonites submitted by Dr. W. J. Arkell published in Triple Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*. The following is an extract from Dr. Hölder's communication

indicating his support for the proposal relating to the generic name *Sphaeroceras* Bayle, 1878 :—

Stellungnahme zu Arkell's Anträgen zur Nomenklatur jurassischer Ammoniten in Bull. zool. Nomencl. 2, 1951

Den Anträgen Arkell's auf Suspension der Regeln sowie den vorgeschlagenen type species ist im Interesse einer Regelung der verworrenen Ammoniten-Nomenklatur und -Taxonomie im allgemeinen zuzustimmen. Besonders zu begrüßen ist der Schutz der Gattungsnamen *Arietites* und *Perisphinctes* gegenüber *Ammonites* und *Planites* sowie der Schutz von *Sphaeroceras* und *Phylloceras*.

6. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America:* On 9th April 1952 there was received a large number of letters commenting upon various applications previously published in the *Bulletin of Zoological Nomenclature*, including a letter of support for the present application, from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. The letter in question was dated 6th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by the members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Notice had expired and the Voting Paper (V.P.(52)17) relating to the present case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when a few days later the Voting Paper was despatched (15th April), a supplementary sheet containing the particulars included in Professor Sinclair's letter was issued to the Members of the Commission, who were thus placed in possession of the views of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted :—To support the petition (ten) : (1) J. Marvin

Weller ; (2) Bobb Schaeffer ; (3) Don L. Frizzell ; (4) Bryan Patterson ; (5) Siemon W. Muller ; (6) A. Myra Keen ; (7) Katherine V. W. Palmer ; (8) John B. Reeside, Jr. ; (9) G. Winston Sinclair ; (10) R. C. Moore. To oppose the petition (one) :—John W. Wells.

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

7. *Issue of Voting Paper V.P.(52)17*: On 15th April 1952, a Voting Paper (V.P.(52)17) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal “relating to the names *Sphaeroceras* Bayle, 1878, and *Sphaeroceras* Hope, 1840, as specified (a) in paragraph 6 of Dr. Arkell’s application and (b) in paragraph 7 of Mr. Tottenham’s supplementary application on pages 164—165 and 166 respectively in volume 2 of the *Bulletin of Zoological Nomenclature*” [i.e. in the paper by Dr. Arkell and its Appendix by Mr. Tottenham reproduced in the first paragraph of the present *Opinion*].

8. *The prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

9. *Particulars of the Voting on Voting Paper V.P.(52)17*: The state of the voting on Voting Paper V.P.(52)17 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)*:

Hering ; Calman ; Riley ; Dymond ; Esaki ; Pearson ;
do Amaral ; Hankó ; Bonnet ; Mertens ; Lemche ;
Vokes ; Cabrera ; Bradley ; Boschma ; Stoll ; Hemming ;

(b) *Negative Votes:*

None ;

(c) *Voting Paper V.P.(52)17 was not returned by one (1) Commissioner:*

Jaczewski.

10. Declaration of Result of Vote: On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)17, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. On 8th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)17.

12. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

brongniarti, *Ammonites*, Sowerby (J.), 1817, *Min. Conch.* **2** : 190
Globicornis Latreille, 1829, *Règne anim.* (ed. 2) **4** : 511
nigripes, *Dermestes*, Fabricius, 1792, *Syst. ent.* **1**(1) : 233
Sphaeroceras Hope, 1840, *Coleopterist's Manual* **3** : 143
Sphaeroceras Bayle, 1878, *Explic. Carte géol. France* **4** (Atlas : pls. 52, 53)

13. The following is the type selection for the genus *Sphaeroceras* Bayle, 1878, specified in the Ruling given in the present *Opinion* :—Douvillé, 1879, *Bull. Soc. géol. France* (3) **7** C.R. : 91.

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* Three Hundred (300) of the International Commission on Zoological Nomenclature.

DONE in London, this Ninth day of March, 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 8. Part 18. Pp. 249—260

OPINION 301

Designation, under the Plenary Powers, of a type species
for *Procerites* Siemiradzki, 1898 (Class Cephalopoda,
Order Ammonoidea) 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 301

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 301

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR " PROCERITES " SIEMIRADZKI, 1898 (CLASS CEPHALOPODA, ORDER AMMONOIDEA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING :—(1) Under the Plenary Powers, all selections of type species for the genus *Procerites* Siemiradzki, 1898 (Class Cephalopoda, Order Ammonoidea) made prior to the present Ruling are hereby set aside, and the nominal species *Procerites schloenbachi* de Grossouvre, 1907, is hereby designated as the type species of the foregoing genus.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 741 and 742 respectively :—(a) *Procerites* Siemiradzki, 1898 (gender : masculine) (type species, by designation, under the Plenary Powers, under (1) above : *Procerites schloenbachi* de Grossouvre, 1907) ; (b) *Siemiradzki* Hyatt, 1900 (gender : feminine) (type species, by original designation : *Ammonites aurigerus* Oppel, 1857).

(3) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 151 :—*Euprocerites* Wetzel, 1950 (a junior objective synonym of *Procerites* Siemiradzki, 1898, as defined, under the Plenary Powers, under (1) above).

(4) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 160 and 161 respectively :—(a) *schloenbachi* de Grossouvre, 1907, as published in the combination *Procerites schloenbachi* ; (b) *aurigerus* Oppel, 1857, as published in the combination *Ammonites aurigerus*.

I.—THE STATEMENT OF THE CASE

On 28th February 1949, Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application for the use of the Plenary Powers for the purpose of designating a type species for the genus *Procerites* Siemiradzki, 1898 (Class Cephalopoda, Order Ammonoidea) in harmony with accustomed nomenclatorial usage. Minor revisions were made in this application in the course of 1950, and its terms were finally settled on 23rd August 1950. The application so submitted was as follows :—

Proposed designation, under the Plenary Powers, of the type species of the genus "Procerites" Siemiradzki, 1898 (Class Cephalopoda, Order Ammonoidea) (Jurassic)

By W. J. ARKELL, M.A., D.Sc., F.R.S.
(*Sedgwick Museum, Cambridge University, Cambridge*)

1. The generic name *Procerites* was published by Siemiradzki (1898, *Palaeontographica* 54 : 78, 303). Numerous species were included in the genus, but no type species was designated or indicated.

2. One of the species originally included was cited as *Ammonites procerus* Seebach, 1865. This species as interpreted by Siemiradzki (i.e. Siemiradzki, 1898, *nec* Seebach, 1864) was selected as the type species of *Procerites* by Buckman in 1914 (2 : ix) and 1920 (3 : 30).

3. De Grossouvre (1892 ; 1907 ; 1919 ; 385, 387) showed that *Procerites procerus* Seebach, as interpreted by Siemiradzki, was based on *Ammonites procerus* Seebach, as interpreted by Schloenbach (1865 : pl. xxx, fig. 1), which (1907 : 8) he renamed *Procerites schloenbachi* de Grossouvre, pointing out that it was generically different from *A. procerus* Seebach.

4. According to the decision taken by the Thirteenth International Congress of Zoology in 1948, it is necessary to assume that the original author of a genus correctly identified the nominal species referred by him thereto but where there are grounds for considering that the original author of a genus misidentified the species selected as the type species of the genus by a later author, the International Commission on Zoological Nomenclature, if satisfied that the species in question was so misidentified, is, under its Plenary Powers, to designate

as the type species of the genus concerned, either (a) the species intended by the original author when citing the name of the erroneously determined species or (b), if the identity of that species is doubtful, a species in harmony with current nomenclatorial practice (1950, *Bull. zool. Nomencl.* 4 : 158—159). Further, an author selecting a type species of a previously established genus is to be assumed to have correctly identified the species so selected (1950, *ibid.* 4 : 157—158). It follows therefore (1) that, as matters now stand, Siemiradzki is to be assumed to have correctly identified *Ammonites procerus* Seebach, 1865, when he cited that species as one of the species then included by him in the genus *Procerites*, and (2) that Buckman (1914) is to be assumed to have correctly identified that species when he selected it as the type species of the above genus. In the present case it is perfectly clear that such assumptions are not justified, for (a) it is certain that Siemiradzki did misidentify the species to which he applied the name *Ammonites procerus* Seebach, and (b) Buckman, in selecting the type species for *Procerites*, expressly stated that the species so selected was not the true *Ammonites procerus* of Seebach but the species misidentified therewith by Siemiradzki. It is for this reason that the Commission is now asked to rectify the position under its Plenary Powers.

5. At my request Professor Hermann Schmidt has searched in Göttingen Museum for the type specimen of *A. procerus* Seebach and has found it and sent it to me on loan. It is a nucleus, difficult to interpret with certainty. In my opinion de Grossouvre (1919) was correct in referring it to the genus *Siemiradzki* Hyatt, 1900. Therefore if *A. procerus* Seebach were to be recognised as type species of *Procerites*, the usage of half a century would be overturned and that generic name would have to replace *Siemiradzki* Hyatt, 1900, a well-known and widely-distributed genus, which is now regarded as belonging to a different sub-family (PSEUDOPERISPHINCTINAE, whereas *Procerites* as hitherto understood belongs to ZIGZAGICERATINAE).

6. When the present application had been in the hands of the International Commission for over a year, the subgenus *Euprocerites* Wetzel (1950 : 76) was proposed with type species by original designation *Procerites schloenbachi* de Grossouvre, "because a subgenus *Procerites* (*sensu stricto*) as fixed by Buckman is not admissible according to the Rules of Nomenclature". Incidentally Wetzel gives no indication of how *Procerites* (*sensu stricto*) should be understood, for he mentions no type species, and he assigns *A. procerus* Seebach to the subgenus *Phanerosphinctes* Buckman, 1921. This genus is based on a nucleus which is too small to be interpreted with certainty, but which is not congeneric with either *A. procerus* Seebach or *Procerites schloenbachi* de Grossouvre, and comes from older beds: *Phanerosphinctes* is probably a synonym of *Vermisphinctes* Buckman, 1920.

7. Wetzel's new subgenus *Euprocerites* cannot, however, stand under the *Règles*. He assigns to *Euprocerites* Wetzel, 1950, the species

Parkinsonites fullonicus Buckman, 1922, which is type species by original designation of *Parkinsonites* Buckman, 1922. *Parkinsonites fullonicus* is certainly congeneric with *Procerites schloenbachi* de Grossouvre and is a closely allied species. If the name *Procerites* were to be rejected for the subgenus containing the species *P. fullonicus* Buckman, *Parkinsonites* would become the valid name and *Euprocerites* on Wetzel's own showing would fall as a synonym.

8. In order to provide a legal basis for the universal usage of the last half century and to avoid the revolutionary changes and consequent confusion in the nomenclature of the Bathonian PERISPINCTIDAE which the strict application of the *Règles* would involve, the International Commission on Zoological Nomenclature is asked to use its Plenary Powers to secure that the type species of the genus *Procerites* Siemiradzki, 1898, shall be the species hitherto accepted as such. The specific action requested is that the Commission should :—

(1) use its Plenary Powers (a) to set aside all selections of the type species of the genus *Procerites* Siemiradzki, 1898, hitherto made, and (b) to designate *Procerites schloenbachi* de Grossouvre, 1907, as the type species of this genus ;

(2) place the undermentioned generic names on the *Official List of Generic Names in Zoology*:—

Procerites Siemiradzki, 1898 (gender of generic name : masculine) (type species, designated under the Plenary Powers : *Procerites schloenbachi* de Grossouvre, 1907, VI^e Congrès Assoc. Franc-Comtoise, Vesoul: 8) ;

Siemiradzki Hyatt, 1900 (*in* Eastman-Zittel, *Text-Book Palaeont.* 1 : 582) (gender of generic name : feminine) (type species by original designation : *Ammonites aurigerus* Opperl, 1857, *Württemb. naturw. Jahreshfte* 13 : 178) ;

(3) place the name *Euprocerites* Wetzel, 1950 (an objective synonym of *Procerites* Siemiradzki, 1898, as proposed to be defined under (1) (b) above) on the *Official Index of Rejected and Invalid Generic Names in Zoology*:

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

schloenbachi de Grossouvre, 1907, as published in the binominal combination *Procerites schloenbachi*;

aurigerus Opperl, 1857, as published in the binominal combination *Ammonites aurigerus*.

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- GROSSOUVRE, A. DE., 1892. "Observations sur l'*Ammonites procerus* auct.". *Bull. Soc. géol. France* (3) **20** : xli.
- , 1907. "Sur la variabilité de l'espèce chez les ammonites". *VI^e Congrès de l'Assoc. Franc-Comtoise, Vesoul*, 1 Aug. 1906.
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- SIEMIRADZKI, J. VON, 1898. "Monographische Beschreibung der Ammonitengattung *Perisphinctes*", Part 1, *Palaeontographica* **54** : 69.
- WETZEL, W., 1950. "Fauna und Stratigraphie der Wuerttembergica-Schichten insbesondere Norddeutschlands". *Palaeontographica* **99A** : 63.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application: On the receipt of Dr. Arkell's application in February 1949, the problem involved in regard to the generic name *Procerites* Siemiradzki, 1898, was allotted the Registered Number Z.N.(S.)403.

3. Publication of the present application: The present application was sent to the printer in December 1950 and publication took place in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* on 4th May 1951 (Arkell, 1951, *Bull. zool. Nomencl.* **2** : 167—169).

4. Issue of Public Notices: Under the revised arrangements approved by the Thirteenth International Congress of Zoology,

Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr Arkell's application was published, and also to the other prescribed serial publications. In addition, Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America: On 9th April 1952 there was received a large number of letters commenting upon various applications previously published in the *Bulletin of Zoological Nomenclature*, including a letter of support for the present application, from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. The letter in question was dated 6th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by the members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)18) relating to the present case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when a few days later the Voting Paper was despatched (15th April), a supplementary sheet containing the particulars included in Professor Sinclair's letter was issued to the Members of the Commission, who were thus placed in possession of the views of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (six) :—(1) J. Marvin Weller ; (2) Bobb Schaeffer ; (3) Bryan Patterson ; (4) Katherine V. W. Palmer ; (5) John B. Reeside, Jr. ; (6) R. C. Moore. To oppose the petition (three) :—(1) A. Myra Keen ; (2) Siemon W. Muller ; (3) John W. Wells.

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

6. *Issue of Voting Paper V.P.(52)18*: On 15th April 1952, a Voting Paper (V.P.(52)18) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the name *Procerites* Siemiradzki, 1898, as specified in Points (1) to (4) at the foot of page 168 and continued on page 169 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. the Points set out in the concluding paragraph of the application reproduced in the first paragraph of the present *Opinion*].

7. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

8. *Particulars of the Voting on Voting Paper V.P.(52)18*: The state of the voting on Voting Paper V.P.(52)18 at the close of the prescribed Voting Period was as follows:—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)*:

Hering ; Calman ; Riley ; Dymond ; Esaki ; Pearson ;
do Amaral ; Hankó ; Bonnet ; Mertens ; Lemche ;
Vokes ; Cabrera ; Bradley ; Boschma ; Stoll ;
Hemming ;

(b) *Negative Votes*:

None ;

(c) *Voting Paper V.P.(52)18 was not returned by one (1) Commissioner*:

Jaczewski.

9. *Declaration of Result of Vote*: On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting

as Returning Officer for the Vote taken on Voting Paper V.P.(52)18, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. On 11th March 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)18.

11. The following are the original references for the names which appear in the Ruling given in the present *Opinion*:—

aurigerus, *Ammonites*, Opperl, 1857, *Württemb. naturw. Jahreshfte* 13 : 178 (p. 476 of the reprint under the title *Die Juraformation Englands, Frankreichs und der Südwestlichen Deutschlands*)

Euprocerites Wetzel, 1950, *Palaeontographica* 99A : 63

Procerites Siemiradzki, 1898, *Palaeontographica* 54 : 78, 303

schloenbachi, *Procerites*, de Grossouvre, 1907, *VI^e Congrès Assoc. Franc-Comtoise, Vesoul* : 8

Siemiradzki Hyatt, 1900, in Eastman—Zittel, *Text-Book Palaeont.* 1 : 582

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* Three Hundred and One (301) of the International Commission on Zoological Nomenclature

DONE in London, this Eleventh day of March, 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 8. Part 19. Pp. 261—272

OPINION 302

Designation, under the Plenary Powers, of a type species, for the genus *Aulacostephanus* Tornquist, 1896 (Class Cephalopoda, Order Ammonoidea) 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 302

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 302

DESIGNATION, UNDER THE PLENARY POWERS,
OF A TYPE SPECIES FOR THE GENUS
“ AULACOSTEPHANUS ” TORNQVIST,
1896 (CLASS CEPHALOPODA, ORDER
AMMONOIDEA) IN HARMONY
WITH ACCUSTOMED USAGE

RULING :—(1) Under the Plenary Powers all type selections for the genus *Aulacostephanus* Tornquist, 1896 (Class Cephalopoda, Order Ammonoidea) made prior to the present Ruling are hereby set aside, and the nominal species *Ammonites pseudomutabilis* de Loriol, 1874, is hereby designated to be the type species of the foregoing genus.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 743 : *Aulacostephanus* Tornquist, 1896 (gender : masculine) (type species, by designation, under the Plenary Powers, under (1) above : *Ammonites pseudomutabilis* de Loriol, 1874).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 162 and 163 respectively :—(a) *mutabilis* Sowerby (J. de C.), 1823, as published in the combination *Ammonites mutabilis* ; (b) *pseudomutabilis* de Loriol, 1874, as published in the combination *Ammonites pseudomutabilis* (specific name of type species, by designation, under the Plenary Powers under (1) above, of *Aulacostephanus* Tornquist, 1896).

I.—THE STATEMENT OF THE CASE

On 20th January 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application to the Commission for the designation, under the Plenary Powers, of a type species for the genus *Aulacostephanus* Tornquist, 1896 (Class Cephalopoda, Order Ammonoidea) in harmony with accustomed nomenclatorial usage. Minor revisions were made in this application in the course of 1950, and its terms were finally settled on 13th September 1950. The following application so submitted was as follows :—

Proposed use of the Plenary Powers to designate the type species of the genus "Aulacostephanus" Tornquist, 1896 (Class Cephalopoda, Order Ammonoidea) (Jurassic)

By W. J. ARKELL, M.A., D.Sc., F.R.S.
(*Sedgwick Museum, Cambridge University, Cambridge*)

The case of the generic name *Aulacostephanus* was fully reviewed by me in 1935 (*Geol. Mag.* 72 : 252—253, 256), when I recommended that the Commission should stabilize usage by ruling that the type be *Am. mutabilis* d'Orbigny *nec* Sowerby, which the authors presumably had in mind and intended (= *Am. pseudomutabilis* de Loriol). No published dissent from this recommendation has come to my notice, nor has any been received privately ; hence I now ask the International Commission on Zoological Nomenclature to use its Plenary Powers to stabilise current usage by giving effect to my recommendation of 1935.

The relevant facts are as follows :—

(1) The name *Aulacostephanus* first appears on page 5 of Tornquist's memoir (1896), where he remarked that *Olcostephanus berryeri*, *eumelus* and *pseudoeumelus* are of interest on account of their relationship to "*Aulacostephanus (Am. mutabilis)*". On page 7 he explained that Pompeckj in a letter had informed him of von Sutner's and Pompeckj's intention to propose the name *Aulacostephanus* for "*Reineckeia mutabilis* Sowerby and its allies. No other species is mentioned by name in either place. Hence on the strict interpretation of the *Règles*, the nominal species *Ammonites mutabilis* J. de C. Sowerby, 1823 (*Min. Conch.* 4 : 145 pl. cccv) is the type species of this genus.

(2) *Ammonites mutabilis* J. de C. Sowerby, from the Glacial Drift, was obscurely figured by Sowerby and inadequately described. The holotype has since been refigured by me (1933 : pl. xxxix, figs. 5, 5a)

and it does not belong to the group which, like *Reineckeia*, has a ventral smooth band. Had Sutner and Pompeckj consulted Sowerby's holotype, they would never have referred to this species as "*Reineckeia mutabilis*". It is, in fact, a species of the genus which Salfeld (1914) called *Rasenia*; Salfeld (1914 : 129) in his important stratigraphical work assigned it to *Rasenia*, and it has ever since been known as a zonal index fossil under the name *Rasenia mutabilis*.

(3) Sutner and Pompeckj and Tornquist, therefore, were interpreting *Am. mutabilis* by some other figure, and it is highly probable that this figure was that of d'Orbigny (1850 : 553, pl. ccxiv), which shows admirably one of the smooth-ventered forms with ribs interrupted over the siphuncle. The species so figured was later renamed *Ammonites pseudomutabilis* by de Loriol (1874 : 28, pl. v, figs. 1—3). The specimen figured by d'Orbigny was selected as the lectotype of this species by Durand (1932 : 306).

(4) Salfeld (1914, *loc. cit.*) when establishing his zonal classification of the Upper Jurassic placed *Am. pseudomutabilis* de Loriol, together with the allied *Am. yo* d'Orbigny and *Am. eudoxus* d'Orbigny, in the genus *Aulacostephanus*, without comment. These species and others have been called *Aulacostephanus* by authors ever since, and Salfeld's separate zones of *Rasenia mutabilis* and *Aulacostephanus pseudomutabilis* are in current use by all stratigraphers.

(5) To reverse current usage by transferring the name *Aulacostephanus* to what has always been known as *Rasenia*, and to rename *Aulacostephanus* auct. would cause serious confusion, in stratigraphy as well as in palaeontology.

(6) Two attempts have been made to fix the name *Aulacostephanus* on the *Reineckeia*-like genus for which it was certainly intended. Spath (1925 : 152) wrote, without stating that he was selecting a type species, "*Aulacostephanus* (type : *A. eudoxus* d'Orbigny)". Schindewolf (1925 : 339) selected *A. phorcus* Fontannes, but added in a footnote that he had been forestalled by Spath who had selected *A. eudoxus*.

(7) Since neither *A. eudoxus* nor *A. phorcus* was mentioned by the original author (Tornquist) in connexion with the generic name *Aulacostephanus*, neither is eligible for selection as the type species of the genus so named.

(8) In order to stabilise the nomenclature of this group and to prevent the serious confusion, both in stratigraphy and palaeontology,

which would result from the strict application of the *Règles* in this case, the International Commission is asked :—

- (1) to use its Plenary Powers :—
 - (a) to set aside the indication by monotypy of *Ammonites mutabilis* Sowerby (J. de C.), 1823, as the type species of *Aulacostephanus* Tornquist, 1896 ;
 - (b) to designate *Ammonites pseudomutabilis* de Loriol, 1874, to be the type species of the foregoing genus ;
- (2) to place the generic name *Aulacostephanus* Tornquist, 1896 (gender of generic name : masculine) (type species, by designation under the Plenary Powers under (1) (b) above : *Ammonites pseudomutabilis* de Loriol, 1874) on the *Official List of Generic Names in Zoology* ;
- (3) to place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :—
 - (a) *mutabilis* Sowerby (J. de C.), 1823, as published in the binominal combination *Ammonites mutabilis* ;
 - (b) *pseudomutabilis* de Loriol, 1874, as published in the binominal combination *Ammonites pseudomutabilis*.

References

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- , 1935, "On the Lower Kiméridgian ammonite genera *Pictonia*, *Rasenia*, *Aulacostephanus* and *Ataxioceras*", *Geol. Mag.* **72** : 246.
- DURAND, A., 1932, "L'étage Kiméridgien dans les départements de la Meuse et de la Haute-Marne", *Bull. Soc. géol. France* (5) **2** : 293.
- LORIOLO, P. de, 1874, "Monographie paléontologique et géologique des étages supérieurs de la formation jurassique des environs de Boulogne-sur-Mer", *Mém. Soc. Phys. d'Hist. nat. Genève*, **23** : 28.
- ORBIGNY, A. d', 1842—50, *Paléontologie française, Terrains jurassiques*, I. Céphalopodes. (Paris).
- SALFELD, H., 1914, "Die Gliederung des Oberen Jura in Nordwesteuropa", *Neues Jahrb. für Min., etc.*, Beil.-Bd. **37** : 125.
- SCHINDEWOLF, O. H., 1925, "Entwurf einer Systematik der Perisphincten", *ibid.* **52** : 309.

- SOWERBY, J. and J. de C., 1812—29, *The Mineral Conchology of Great Britain*, 7 vols. (London).
- SPATH, L. F., 1925, "Ammonites and Aptychi" in Wyllie and Smellie, "Collection of fossils and rocks from Somaliland", *Mon. Hunterian Mus. Glasgow*, **1** : 111, pt. 7.
- TORNQUIST, A., 1896, "Die degenerierten Perisphinctiden des Kimmeridge von le Havre", *Mém. Soc. pal. Suisse*, **23** : 1.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application:* On the receipt of Dr. Arkell's application in January 1949, the question of the species to be accepted as the type species of the genus *Aulacostephanus* Tornquist, 1896, was allotted the Registered Number Z.N.(S.)384.

3. *Publication of the present application:* Following upon its receipt in September 1950, Dr. Arkell's revised application was sent to the printer in December 1950, and publication took place in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* on 4th May 1951 (Arkell, 1951, *Bull. zool. Nomencl.* **2** : 188—190).

4. *Issue of Public Notices:* Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited the comment from the Joint Committee on Zoological Nomenclature for Paleontology in America reproduced in the immediately following paragraph.

5. *Communication received from the Joint Committee on Zoological Nomenclature for Paleontology in America:* On 9th April 1952 there was received a large number of letters commenting upon various applications previously published in the *Bulletin of Zoological Nomenclature*, including a letter stating that the members of the Joint Committee on Zoological Nomenclature were equally divided in regard to the present application, from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), the Chairman of the Joint Committee. The letter in question was dated 6th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by the members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)20) relating to the present case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when a few days later the Voting Paper was despatched (15th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (five) :— (1) Katherine V. W. Palmer ; (2) Bobb Schaeffer ; (3) Bryan Patterson ; (4) J. Marvin Weller ; (5) John B. Reeside, Jr. To oppose the petition (five) :— (1) Don L. Frizzell ; (2) A. Myra Keen ; (3) Siemon W. Muller ; (4) G. Winston Sinclair ; (5) John W. Wells.

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

6. *Issue of Voting Paper V.P.(52)20:* On 15th April 1952, a Voting Paper (V.P.(52)20) was issued in which the Members of

the Commission were invited to vote either for, or against, the proposal "relating to *Aulacostephanus* Tornquist, 1896, as specified in Points (1) to (3) at the foot of page 189 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. in the last paragraph of the application reproduced in paragraph 1 of the present *Opinion*].

7. *The Prescribed Voting Period:* As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 15th July 1952.

8. *Particulars of the Voting on Voting Paper V.P.(52)20:* The state of the voting on Voting Paper V.P.(52)20 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received):*

Hering ; Calman ; Dymond ; Esaki ; Pearson ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Mertens¹ ; Cabrera ; Bradley ; Boschma ; Hemming ; Riley ;

(b) *A Negative Vote had been given by one (1) Commissioner:*

Stoll ;

(c) *Voting Paper V.P.(52)20 was not returned by one (1) Commissioner:*

Jaczewski.

9. *Declaration of Result of Vote:* On 16th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.

¹ Commissioner Mertens exercised in this case the right conferred by the Thirteenth International Congress of Zoology in Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other members of the Commission (1950, *Bull. zool. Nomencl.* 4 : 50—51).

(52)20, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. On 17th March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)20.

11. The following are the original references for the names which appear in the Ruling given in the present *Opinion* :—

Aulacostephanus Tornquist, 1896, *Abh. schweiz. pal. Ges.* **23** : 5, 7
mutabilis, *Ammonites*, Sowerby (J. de C.), 1823, *Min. Conch.* **4** :
145, pl. ccccv
pseudomutabilis, *Ammonites*, de Loriol, 1874, *Mém. Soc. Phys.*
Hist. nat. Genève **23** : 28, pl. 5, figs. 1—3

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* Three Hundred and Two (302) of the International Commission on Zoological Nomenclature.

DONE in London, this Seventeenth day of March, 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 8. Part 20. Pp. 273—284

OPINION 303

Designation, under the Plenary Powers, of type species in harmony with current usage for the nominal genera *Kosmoceras*, *Perisphinctes* and *Harpoceras* (Class Cephalopoda, Order Ammonoidea) established by Waagen in 1869

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 303

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Tieso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

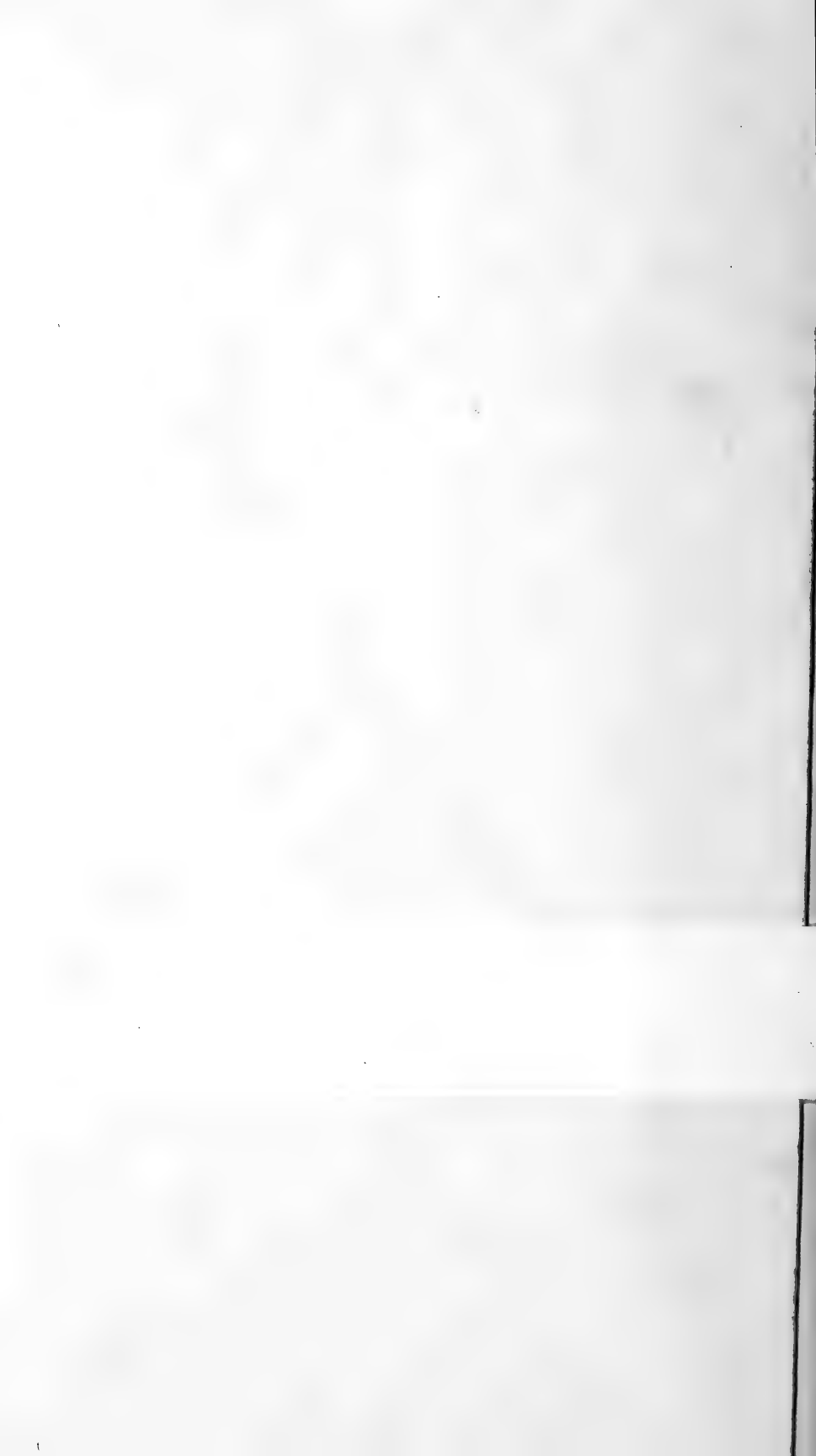
Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

Opinion 303. Volume 8. Part 20. Page 275.

Ruling (2) Line 9 :—

Substitute “Buckland, 1836” for “Waagen, 1869”.



OPINION 303

DESIGNATION, UNDER THE PLENARY POWERS, OF
TYPE SPECIES IN HARMONY WITH CURRENT
USAGE FOR THE NOMINAL GENERA "KOSMO-
CERAS", "PERISPINCTES" AND
"HARPOCERAS" (CLASS CEPHALO-
PODA, ORDER AMMONOIDEA)
ESTABLISHED BY WAAGEN IN
1869

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 nominal species are hereby designated to be their respective type species :—(a) *Ammonites spinosus* Sowerby (J. de C.), 1826, to be the type species of *Kosmoceras* Waagen, 1869 ; (b) *Ammonites variocostatus* Buckland, 1836, to be the type species of *Perisphinctes* Waagen, 1869 ; (c) *Ammonites falcifer* Sowerby (J.), 1820, to be the type species of *Harpoceras* Waagen, 1869.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 744 to 746 respectively :—(a) *Kosmoceras* Waagen, 1869 (gender : neuter) (type species, by designation, under the Plenary Powers, under (1)(a) above : *Ammonites spinosus* Sowerby (J. de C.), 1826) ; (b) *Perisphinctus* Waagen, 1869 (gender : masculine) (type species, by designation, under the Plenary Powers, under (1)(b) above : *Ammonites variocostatus* Buckland, 1836) ; (c) *Harpoceras* Waagen, 1869 (gender : neuter) type species, by designation, under the Plenary Powers, under (1) (c) above : *Ammonites falcifer* Sowerby (J.), 1820).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 164 to 166 respectively :—(a) *falcifer* Sowerby (J.), 1820, as published in the combination *Ammonites falcifier* (specific name of type species, by

designation, under the Plenary Powers, under (1) (c) above, of *Harpoceras* Waagen, 1869); (b) *spinus* Sowerby (J. de C.), 1826, as published in the combination *Ammonites spinus* (specific name of type species, by designation, under the Plenary Powers, under (a) (a) above, of *Kosmoceras* Waagen, 1869); (c) *variocostatus* Buckland, 1836, as published in the combination *Ammonites variocostatus* (specific name of type species, by designation, under the Plenary Powers, under (1) (b) above, of *Perisphinctes* Waagen, 1869).

I.—THE STATEMENT OF THE CASE

On 21st December 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application for the use by the Commission of its Plenary Powers for the purpose of designating type species in harmony with accustomed usage for the following nominal genera established by Waagen in 1869, (a) *Kosmoceras*, (b) *Perisphinctes*, and (c) *Harpoceras* (Class Cephalopoda, Order Ammonoidea). This application, as finally settled on 8th February 1950, was as follows:—

Proposed use of the Plenary Powers to designate the type species of Waagen's (1869) Ammonite genera "Kosmoceras", "Harpoceras" and "Perisphinctes" (Class Cephalopoda, Order Ammonoidea) (Jurassic)

By W. J. ARKELL, M.A., D.Sc., F.R.S.

(*Sedgwick Museum, Cambridge University, Cambridge*)

1. In a long footnote Waagen (1869 : 247—248) founded six new genera of Jurassic ammonites, the names given to which have since become "household words", but the three here dealt with are without satisfactory type species.

2. *Kosmoceras* Waagen, 1869 (: 248). This name rests on the following original diagnosis alone: "The third group comprises the Ornati, which can appropriately be named *Kosmoceras* and distinguished

by its short body-chamber, which occupies hardly more than half a whorl". No species was cited by Waagen. Haug (1887) made a family KOSMOCERATIDAE, and Buckman (1926) a superfamily KOSMOCERATACEAE. Buckman (1921 : 54) considered all the Ornati named before 1869 as included species and therefore available for selection as the type species. He accordingly selected *Am. ornatus rotundus* Quenstedt, 1846, as the type species. This species is subjectively identified with *Am. spinosus* J. de C. Sowerby, 1826 (*Min. Conch.* 6 : 78) (refigured Arkell, 1939 : 184, 187, pl. xi, fig. 1), from the Oxford Clay, Lamberti Zone, Weymouth.

3. *Perisphinctes* Waagen, 1869 (: 248). This rests on a somewhat longer diagnosis to which Waagen added : "To this subgenus (of *Stephanoceras*) belong all the true Planulati of the Middle and Upper Jurassic, and besides them *Per. anceps*, *astierianus*, etc." It so happens, therefore, that the only two nominal species cited by Waagen are species which he mentioned for the reason that they do *not* fall within the well-known group for which primarily he introduced the name *Perisphinctes*. He was stretching the concept to include them. Steinmann (1890) made a family PERISPINCTIDAE, and Wedekind (1917) a superfamily PERISPINCTACEAE, while as yet no type species had been selected. Buckman (1920 : 26—27) considered all Planulates of the Middle and Upper Jurassic named before 1869 should be regarded as originally included species and therefore available for selection as the type species. He accordingly so selected *Am. biplex* J. Sowerby, 1821. The holotype of this species (refigured Arkell, 1947 : 362) is a distorted fragment of inner whorls, not identifiable specifically, from the Drift, ex Amphill Clay, Upper Oxfordian. It might belong to one of at least three species, of which the best-known and earliest named and most probable is *P. variocostatus* Buckland, 1836, and this has been taken as the standard for defining the genus and subgenus *Perisphinctes* (see Arkell, 1947 : 363, pl. lxxxvi, figs. 1—4).

4. *Harpoceras* Waagen, 1869 (: 245, 250). This genus is in the same position as *Perisphinctes*. Waagen (1869 : 245) proposed it for the Falciferi of the Lias but named no species of the true Falciferi, only (: 250) ten species for which he was stretching the definition to bring them in. None of these ten species has had a well-known generic name for less than 50 years. To consider them the sole species eligible for selection as the type species would be disastrous. Neumayr (1875) made a subfamily HARPOCERATINAE, Zittel (1884) and a family HARPOCERATIDAE, and Wedekind (1917) a superfamily HARPOCERACEA. The first selection of a type species seems to have been by Fischer (1882 : 392) who selected *A. serpentinus* Schlotheim, 1813, an unfigured and problematic species. Buckman (1919 : pls. cxxxviii, A, B, and 1926 : pl. cxxxviii, C) considered that the species should be interpreted by Reinecke's figure of 1818, which he reproduced ; at the same time he named the genus *Hildoceratoides* ; this species does not belong to

the subfamily HARPOCERATINAE Neumayr (1875) but to the family and subfamily HILDOCERATIDAE Hyatt, 1867, so that if it were accepted as the type species, HARPOCERATINAE would disappear as a synonym of HILDOCERATINAE. Buckman (1928 : pl. dcclxiv), apparently unaware of Fischer's type selection, selected *Am. falcifer* J. Sowerby 1820, (*Min. Conch.* 3 : 99), as the type species of Waagen's *Harpoceras* and refigured Sowerby's holotype, from the Upper Lias of Barrington, Somerset, a readily identifiable specimen of a species on which von Buch's "family Falciferi" was founded and of which it was always regarded as the type species by virtual tautonomy. The genus *Harpoceras* having been founded expressly for the Falciferi ought to have *A. falcifer* as its type species, notwithstanding Fischer's designation. Buckman did in fact regard this species in this light as from 1887, although he did not so select it in the strict meaning of the term.

5. In order to avoid the serious disturbance in the literature of Jurassic ammonites and the confusion both in nomenclature and systematics which would follow the strict application of the *Règles* in the case of the generic names discussed above, I ask the International Commission on Zoological Nomenclature :—

- (1) to use its Plenary Powers (a) to set aside all selections of type species for the under-mentioned genera made prior to the proposed decision and (b) to designate as their respective type species the species severally specified below :—

Name of Genus (1)	Gender of generic name (2)	Name of Species proposed to be designated as the type species of the genus specified in Col. 1 (3)
<i>Kosmoceras</i> Waagen, 1869	N	<i>Ammonites spinosus</i> Sowerby (J. de C.), 1826
<i>Perisphinctes</i> Waagen, 1869	M	<i>Ammonites variocostatus</i> Buckland, 1836
<i>Harpoceras</i> Waagen, 1869	N	<i>Ammonites falcifer</i> Sowerby (J.) 1820

- (2) to place on the *Official List of Generic Names in Zoology* the three generic names specified in Col. (1) in point (1) above with the type species specified in Col. (3) in point (1) above, proposed to be so designated under the Plenary Powers :—

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

- (a) *falcifer* Sowerby, 1820, as published in the binominal combination *Ammonites falcifer*;

- (b) *spinosus* Sowerby, 1826, as published in the binominal combination *Ammonites spinosus*;
- (c) *variocostatus* Buckland, 1836, as published in the binominal combination *Ammonites variocostatus*.

References

- ARKELL, W. J., 1939, *Quart. J. geol. Soc. Lond.* **95** : 184, 187
- , 1947, Monograph on the Ammonites of the English Corallian Beds, part 13 : 362, 363. (*Palaeont. Soc. Lond.*)
- BUCKMAN, S. S., 1887, "On *Ammonites serpentinus*, *Am. falcifer*, *Am. elegans*, etc." *Geol. Mag.* (3) **4** : 396
- FISCHER, P., 1882, *Manuel de Conchyliologie* : 392
- SCHLOTHEIM, E. F. VON, 1813, In Leonhard's *Taschenbuch für die gesamte Mineralogie* (Frankfurt)
- WAAGEN, W., 1869, "Die Formenreihe des *Ammonites subradiatus*." *Geognost. Paläont. Beiträge*, **2** (Heft 2) : 181

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application: On receipt of Dr. Arkell's application, the question of the species to be accepted as the type species of the genera *Kosmoceras* Waagen, 1869, *Perisphinctes* Waagen, 1869, and *Harpoceras* Waagen, 1869, was allotted the Registered Number Z.N.(S.) 445.

3. Publication of the present application: The present application was sent to the printer in December 1950 and was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* **2** : 191—193).

4. *Issue of Public Notices:* Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. *Support received from Dr. Helmut Hölder (Geologisch-Paläontologisches Institut der Universität Tübingen, Germany):* On 6th October 1951, Dr. Helmut Hölder (*Geologisch-Paläontologisches Institut der Universität Tübingen*) submitted a statement setting out his views on the applications relating to the names of ammonites submitted by Dr. Arkell published in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*. The following is an extract from Dr. Hölder's communication indicating his support for the proposal relating to the generic name *Perisphinctes* Waagen, 1869 :—

Stellungnahme zu Arkell's Anträgen zur Nomenklatur jurassischer Ammoniten in "Bull. zool. Nomencl." 2, 1951

Den Anträgen Arkell's auf Suspension der Regeln sowie den vorgeschlagenen type species ist in Interesse einer Regelung der verworrenen Ammoniten-Nomenklatur und -Taxonomie im allgemeinen zuzustimmen. Besonders zu begrüßen ist der Schutz der Gattungsnamen *Arietites* und *Perisphinctes* gegenüber *Ammonites* und *Planites* sowie der Schutz von *Sphaeroceras* und *Phylloceras*.

.

6. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America:* On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature*, from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*),

Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that the members of the Joint Committee supported the application relating to the name *Kosmoceras* Waagen, 1869, by eight votes to three and the applications relating to the names *Perisphinctes* Waagen, 1869, and *Harpoceras* Waagen, 1869, by six votes to five. The foregoing letter was dated 18th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)21) had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (24th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Palaeontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petitions (six) :—(1) Katherine V. W. Palmer ; (2) J. Marvin Weller ; (3) Bobb Schaeffer ; (4) Bryan Patterson ; (5) John B. Reeside, Jr. ; (6) R. C. Moore. To support the petition concerning *Kosmoceras*, but to oppose the other petitions (two) :—(1) A. Myra Keen ; (2) Siemon W. Muller. To oppose all the petitions (three) :—(1) Don L. Frizzell ; (2) John W. Wells ; (3) G. Winston Sinclair.

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

7. *Issue of Voting Paper V.P.(52)21* : On 24th April 1952, a Voting Paper (V.P.(52)21) was issued in which the Members of the Commission were invited to vote either for, or against,

the proposal "relating to the names *Kosmoceras*, *Perisphinctes* and *Harpoceras*, all of Waagen, 1869, as specified in Points (1) to (3) at the foot of page 192 and concluded on page 193 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. in the last paragraph of the application reproduced in the first paragraph of the present *Opinion*].

8. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 24th July 1952.

9. *Particulars of the Voting on Voting Paper V.P.(52)21*: The state of the voting on Voting Paper V.P.(52)21 at the close of the prescribed Voting Period was as follows:—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)*:

Calman ; Hering ; Dymond ; Esaki ; do Amaral ;
Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ;
Bradley ; Boschma ; Stoll (except as respects *Perisphinctes* and *Harpoceras*) ; Hemming ; Riley ;
Mertens ;

(b) *A Negative Vote had been given by one (1) Commissioner in respect of two of the names dealt with in the foregoing Voting Paper* :

Stoll (as respects *Perisphinctes* and *Harpoceras*) ;

(c) *Voting Paper V.P.(52)21 was not returned by one (1) Commissioner*:

Jaczewski.

10. *Declaration of Result of Vote*: On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)21, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted

in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. On 19th March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)21.

12. The following are the original references for the names which appear in the Ruling given in the present *Opinion*:—

- falcifer*, *Ammonites*, Sowerby (J.), 1820, *Min. Conch.* 3 : 99
Harpoceras Waagen, 1869, *Geogn.-pal. Beitr.* 2 (Heft 2) : 245, 250
Kosmoceras Waagen, 1869, *Geogn.-pal. Beitr.* 2 (Heft 2) : 248
Perisphinctes Waagen, 1869, *Geogn.-pal. Beitr.* 2 (Heft 2) : 248
spinus, *Ammonites*, Sowerby (J. de C.), 1826, *Min. Conch.* 6 : 78
variocostatus, *Ammonites*, Buckland, 1836, *Bridgewater Treatise*
 No. 6 : pl. 42, fig. 7 (no text)

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 Three Hundred and Three (303)* of the International Commission on Zoological Nomenclature.

DONE in London, this Nineteenth day of March, 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 8. Part 21. Pp. 285—296

OPINION 304

Suppression, under the Plenary Powers, of five early generic names for Ammonites (Class Cephalopoda, Order Ammonoidea) now fallen into desuetude

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 304

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947)

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 304

SUPPRESSION, UNDER THE PLENARY POWERS, OF FIVE EARLY GENERIC NAMES FOR AMMONITES (CLASS CEPHALOPODA, ORDER AMMONOIDEA) NOW FALLEN INTO DESUETUDE

RULING :—(1) 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) *Planulites* Lamarck, 1801 ; (b) *Orbulites* Lamarck, 1801 ; (c) *Pelagus* Montfort, 1808 ; (d) *Ellipsolithes* Montfort, 1808 ; (e) *Globites* de Haan, 1825.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 747 and 748 respectively :—(a) *Hildoceras* Hyatt, 1867 (gender : neuter) (type species, by selection by Buckman (S.) (1889) : *Ammonites bifrons* Bruguière, 1789) ; (b) *Phylloceras* Suess, 1865 (gender : neuter) (type species, by original designation : *Ammonites heterophyllus* Sowerby (J.), 1820)

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 167 and 168 respectively : (a) *heterophyllus* Sowerby (J.), 1820, as published in the combination *Ammonites heterophyllus* (specific name of type species of *Phylloceras* Suess, 1865) ; (b) *bifrons* Bruguière, 1789, as published in the combination *Ammonites bifrons* (specific name of type species of *Hildoceras* Hyatt, 1867).

(4) The five generic names specified in (1) above and as there suppressed under the Plenary Powers are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 152 to 156 respectively.

I.—THE STATEMENT OF THE CASE

On 28th February 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted applications (a) for the suppression of certain early generic names for ammonites which had fallen into desuetude, and (b) for the validation of the generic name *Phylloceras* Suess, 1865. These applications were closely connected with one another, for it was the existence of three of the disused generic names referred to in proposal (a) which made it necessary to invite the Commission to use its Plenary Powers, if the generic name *Phylloceras* Suess was to be preserved. Accordingly, it was decided at a later stage to combine these two applications. The terms of this revised application were settled on 2nd October 1950. The application so submitted was as follows :—

Application for the suppression under the Plenary Powers of five early generic names now fallen into desuetude published for Ammonites (Class Cephalopoda, Order Ammonoidea)

By W. J. ARKELL, M.A., D.Sc., F.R.S.

(*Sedgwick Museum, Cambridge University, Cambridge*)

1. The following generic names have ceased to be used for genera of Ammonites for at least a century, but recent attempts to revive some of them by the selection of type species has shown that they constitute a menace to ammonite nomenclature and classification :—

Planulites Lamarck, 1801, *Syst. Anim. sans Vertèbr.* : 101.

Orbulites Lamarck, 1801, *ibid.* : 100.

Pelagus Montfort, 1808, *Conch. syst.* 1 : 62.

Ellipsolithes Montfort, 1808, *ibid.* 1 : 86.

Globites de Haan, 1825, *Specimen philosophicum exhibens Monographiam Ammoniteorum et Goniatiteorum*: 37. (The same work was published later in 1825 under the title: *Monographiae Ammoniteorum et Goniatiteorum Specimen*).

2. *Planulites* Lamarck, 1801. In 1923 Buckman (pl. cccxciii) revived this name and reproduced Bourget's figure cited by Lamarck. It is unrecognizable, but might be a *Hildoceras*. If so, it invalidates the long-established genus *Hildoceras* Hyatt, 1867, and the family HILDOCERATIDAE Hyatt, 1867, in universal use.

3. *Orbulites*, *Pelagus*, *Globites*. It is uncertain whether some of these names correctly apply to ammonites or foraminifera, but

Breistroffer (1947 : 81—82) has recently stated that at least the first two, and the third *pro parte*, invalidate *Phylloceras* Suess, 1865, one of the most important ammonite genera and the type genus of the family PHYLLOCERATIDAE Zittel, 1884.

4. *Ellipsolithes* Montfort, 1808. According to Fischer (1882 : 395) this is a synonym of *Perisphinctes* Waagen, 1869, another of the most important ammonite genera, and the type genus of the family PERISPINCTIDAE Steinmann, 1890.

6. I accordingly request the International Commission to use its Plenary Powers to suppress the five generic names specified in the first paragraph of the present application on the ground that their re-introduction at the present time would lead to serious confusion and would serve no useful purpose whatever. I further ask that, when these names are suppressed, they be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

7. Further, since the object of the present application is to protect, from attack by the long forgotten names now proposed to be suppressed, the important generic names *Hildoceras* Hyatt, 1867, *Phylloceras* Suess, 1865, and *Perisphinctes* Waagen, 1869, I recommend that the two first of these names should at once be placed on the *Official List of Generic Names in Zoology* and that the trivial names of their respective type species should at the same time be placed on the *Official List of Specific Trivial Names in Zoology*. I do not make an immediate similar recommendation in the case of the name *Perisphinctes* Waagen, for in this case there is a further difficulty in regard to its type species, on which I have submitted a separate proposal to the International Commission (file Z.N.(S.)445).¹ My immediate proposals for additions to the *Official Lists* are therefore as follows :—

(1) *Names proposed to be added to the "Official List of Generic Names in Zoology"*.

Hildoceras Hyatt, 1867, *Bull. Mus. comp. Zool.* 1(5) : 99 (type species, by subsequent selection, by Buckman (S.), 1889 (*Monogr. Inferior Oolite Ammonites* (Pal. Soc.) : 111) : *Ammonites bifrons* Bruguière, 1789, *Ency. méth.* (Vers) (1) : 40 (gender of generic name : neuter).

Phylloceras Suess, 1865, *SitzBer. Akad. Wiss. Wien* 52(1) : 76 (type species, by original designation : *Ammonites heterophyllus* Sowerby (J.), 1820, *Min. Conch.* 3 : 119) (gender of generic name : neuter).

¹ See *Opinion* 303, 1954, *Ops. Decls. int. Comm. zool. Nomencl.* 8 : 273—284.

- (2) *Names proposed to be added to the " Official List of Specific Trivial Names in Zoology "*.

heterophyllus Sowerby (J.), 1820, as published in the binominal combination *Ammonites heterophyllus* :

bifrons Bruguière, 1789, as published in the binominal combination *Ammonites bifrons*.

References

- BREISTROFFER, M., 1947, *Trav. Lab. Géol. Univ. Grenoble*, **26** : 1.
- BUCKMAN, S. S., 1923, *Type Ammonites*, **4**.
- FISCHER, P., 1882, *Manuel de Conchyliologie*.
- HYATT, A., 1867, The fossil Cephalopods of the Museum of Comparative Zoology, *Bull. Mus. comp. Zool.*, Harvard, **3**, No. 5.
- , 1900, *Eastman's Zittel*, Text-book of Palaeontology, 1st ed.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application: On the receipt of Dr. Arkell's preliminary communication of 28th February 1949, the problem presented by the generic name *Phylloceras* Suess, was allotted the Registered Number Z.N.(S.)404. The problem presented by the five early generic names for *Ammonites* which had fallen into desuetude then brought to notice was allotted the Registered Number Z.N.(S.)423. Later (as has been explained in paragraph 1 above), it was decided that, owing to the inter-connection between these two cases, it would be more convenient to treat them as constituting a single application. The File Z.N.(S.)404 was thereupon closed and the combined application was dealt with under the Number Z.N.(S.)423.

3. Publication of the present application: As soon as practicable after the present application had been finally settled in October 1950, it was sent to the printer and it was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* **2** : 198—199).

4. *Issue of Public Notices*: Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. *Support received for the present application*: Support for the present application was received from the following specialists :—
(a) Mr. C. W. Wright (*London*) ; (b) Mr. R. Casey (*Geological Survey and Museum, London*) ; (c) Dr. Helmut Hölder (*Geologisch-Paläontologisches Institut der Universität Tübingen, Germany*) ; (d) The Joint Committee on Zoological Nomenclature for Paleontology in America. The communications so received are given in the immediately following paragraphs.

6. *Support received from Mr. C. W. Wright (London)*: On 17th July 1951 Mr. C. W. Wright (*London*) submitted the following letter in support of the present application (Wright, 1951, *Bull. zool. Nomencl.* 2 : 337) :—

As a worker in Cretaceous ammonites, I am writing to support strongly Dr. W. J. Arkell's application (1951, *Bull. zool. Nomencl.* 2 : 198—199) for the suppression of the five early names of ammonite genera, *Planulites* and *Orbulites* Lamarck, 1801, *Pelagus* and *Ellipsolithes* Montfort, 1808, and *Globites* de Haan, 1825. As he says, these names constitute a menace to ammonite nomenclature and that menace should be removed.

7. *Support received from Mr. R. Casey (Geological Survey and Museum, London)*: On 5th October 1951 Mr. R. Casey (*Geological Survey and Museum, London*) included the following note of support for the present application in a letter which was, in part, concerned with other cases (Casey, 1952, *Bull. zool. Nomencl.* 6 : 212) :—

The disturbance in current ammonite nomenclature which would result from the resuscitation of the early generic names *Planulites* and *Orbulites* Lamarck, 1801, *Pelagus* and *Ellipsolithes* Montfort, 1808,

and *Globites* de Haan, 1825, is considerable and I consider there is a clear case for suppression of these names under the Plenary Powers, as advocated by Dr. Arkell.

8. *Support received from Dr. Helmut Hölder (Geologisch-Paläontologisches Institut der Universität Tübingen, Germany):* On 6th October 1951, Dr. Helmut Hölder (*Geologisch-Paläontologisches Institut der Universität Tübingen*) submitted a statement setting out his views on the applications relating to the names of Ammonites submitted by Dr. Arkell published in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*. The following is an extract from Dr. Hölder's communication indicating his support for the grant of protection for the name *Phylloceras* Süss, 1865 :—

Stellungnahme zu Arkell's Anträgen zur Nomenklatur jurassischer Ammoniten in "Bull. zool. Nomencl. 2, 1951"

Den Anträgen Arkell's auf Suspension der Regeln sowie den vorgeschlagenen type species ist im Interesse einer Regelung der verworrenen Ammoniten-Nomenklatur und -Taxonomie im allgemeinen zuzustimmen. Besonders zu begrüßen ist der Schutz der Gattungsnamen *Arietites* und *Perisphinctes* gegenüber *Ammonites* und *Planites* sowie der Schutz von *Sphaeroceras* und *Phylloceras*.

9. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America:* On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter, reporting that the members of the Joint Committee supported the present application by seven votes to two. The foregoing letter was dated 18th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)22) had been prepared. It was therefore impossible to include in that Voting

Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched, a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject and I wish to inform you that, being polled, they voted: To support the petition (seven):—(1) Katherine V. W. Palmer; (2) J. Marvin Weller; (3) Bryan Patterson; (4) A. Myra Keen; (5) John B. Reeside, Jr.; (6) Siemon W. Muller; (7) Bobb Schaeffer. To oppose the petition (two):—(1) Don L. Frizzell; (2) John W. Wells.

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

10. Issue of Voting Paper V.P.(52)22: On 24th April 1952, a Voting Paper (V.P.(52)22) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the suppression and relegation to the *Official Index of Rejected and Invalid Generic Names* of the five names specified in paragraph 1 (as recommended in paragraph 6) and the addition to the *Official Lists* of the names specified in Points (1) and (2) in paragraph 7 on pages 198 and 199 respectively in volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e. in the application reproduced in the first paragraph of the present *Opinion*].

11. The Prescribed Voting Period: As the foregoing Voting Paper was issued under the Three-Month Rule, the prescribed Voting Period closed on 24th July 1952.

12. *Particulars of the Voting on Voting Paper V.P.(52)22*: The state of the voting on Voting Paper V.P.(52)22 at the close of the prescribed Voting Period was as follows :—

- (a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)*:

Calman ; Hering ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ; Bradley (J. C.) ; Boschma ; Stoll ; Mertens ; Riley ; Hemming ;

- (b) *Negative Votes*:

None ;

- (c) *Voting Paper V.P.(52)22 was not returned by one (1) Commissioner*:

Jaczewski.

13. *Declaration of Result of Vote*: On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)22, signed a Certificate that the Votes cast were as set out in paragraph 12 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

14. On 20th March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)22.

15. The following are the original references for the names which appear in the Ruling given in the present *Opinion*:—

bifrons, *Ammonites*, Bruguière, 1789, *Ency. méth.* (Vers) (1) : 40
Ellipsolithes Montfort, 1808, *Conch. syst.* 1 : 86

- Globites* de Haan, 1825, *Specimen philosoph. exhib. Monogr. Ammonit. Goniatit.* : 37
heterophyllus, *Ammonites*, Sowerby (J), 1820, *Min. Conch.* 3 : 119
Hildoceras Hyatt, 1867, *Bull. Mus. comp. Zool.* 1(5) : 99
Orbulites Lamarck, 1801, *Syst. Anim. sans Vertèbr.* : 100
Pelagus Montfort, 1808, *Conch. syst.* 1 : 62
Phylloceras Suess, 1865, *SitzBer. Akad. Wiss. Wien* 52(1) : 76
Planulites Lamarck, 1801, *Syst. Anim. sans Vertèbr.* : 101

16. The following is the type selection for the genus *Hildoceras* Hyatt, 1867, referred to in the Ruling given in the present *Opinion*: Buckman (S.), 1889, *Monogr. Inferior Oolite Ammonites* (Pal. Soc.) : 111

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* Three Hundred and Four (304) of the International Commission on Zoological Nomenclature.

DONE in London, this Twentieth day of March, 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 8. Part 22. Pp. 297—312

OPINION 305

Suppression, under the Plenary Powers, of the generic name *Ammonites* Bruguière, 1789, and addition to the *Official List of Generic Names in Zoology* of the generic name *Arietites* Waagen, 1869 (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 305

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 305

**SUPPRESSION, UNDER THE PLENARY POWERS OF
THE GENERIC NAME "AMMONITES" BRUGUIÈRE,
1789, AND ADDITION TO THE "OFFICIAL LIST
OF GENERIC NAMES IN ZOOLOGY" OF
THE GENERIC NAME "ARIETITES"
WAAGEN, 1869 (CLASS CEPHALO-
PODA, ORDER AMMONOIDEA)**

RULING :—(1) Under the Plenary Powers, the generic name *Ammonites* Bruguière, 1789 (Class Cephalopoda, Order Ammonoidea) is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 749 : *Arietites* Waagen, 1869 (gender : masculine) (type species, by monotypy : *Ammonites bucklandi* Sowerby (J.), 1816).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 169 : *bucklandi* Sowerby (J.), 1816, as published in the combination *Ammonites bucklandi* (specific name of type species of *Arietites* Waagen, 1869).

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 157 : *Ammonites* Bruguière, 1789, as suppressed, under the Plenary Powers, under (1) above.

I.—THE STATEMENT OF THE CASE

In June, 1949, Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) approached the Secretary to the Commission on the subject of the future status of the generic name *Ammonites* Bruguière, 1789 (Class Cephalopoda, Order Ammonoidea). The position in regard to this generic name was at that time somewhat confused from the point of view of the Commission in view of the fact that in 1946 Dr. L. F. Spath had published a note that he had submitted an application to the Commission that it should designate a type species for the genus *Ammonites* Bruguière (Spath, 1946, *Ann. Mag. nat. Hist.* (11) 12 : 490), thus fixing the taxonomic position of this genus. No such application had ever been received in the Office of the Commission, and Mr. Hemming took the view that the correct course in the first instance was to inform Dr. Spath, with reference to his paper of 1946 that, if he still wished to submit an application in regard to the generic name *Ammonites*, immediate arrangements would be made for its publication in the *Bulletin of Zoological Nomenclature*. When later Mr. Hemming informed Dr. Arkell that it appeared to him unlikely that Dr. Spath would pursue his original intention of submitting an application to the Commission in regard to the foregoing generic name, Dr. Arkell decided himself to approach the Commission on this subject. In pursuance of this decision, Dr. Arkell accordingly on 3rd January, 1950, submitted an application in which he asked the Commission to suppress the generic name *Ammonites* Bruguière, 1789, under its Plenary Powers. This application was slightly revised in the course of the year 1950, its terms being finally settled on 23rd August, 1950. The application so submitted was as follows :—

Proposal to suppress the generic name “*Ammonites*” Bruguière, 1789, under the Plenary Powers and to place the generic name “*Arietites*” Waagen, 1869 (Class Cephalopoda, Order Ammonoidea) on the “Official List of Generic Names in Zoology”

By W. J. ARKELL, M.A., D.Sc., F.R.S.
(*Sedgwick Museum, Cambridge University, Cambridge*)

1. The question of the type species of the genus *Ammonites* Bruguière, 1789, has been discussed at length by Buckman (1923, 1924) and

Spath (1924, 1946) and others. From these discussions the following essential points have emerged (paras. 2, 3, 4).

2. The type species of *Ammonites* Bruguière, 1789, is *A. bisulcatus* Bruguière, 1789, so selected by Meek, 1876.

3. *A. bisulcatus* Bruguière was based on a number of cited figures in 17th and 18th century authors.

4. The lectotype of *A. bisulcatus* Bruguière is the perspective figure in Lister, 1678 (vi, fig. 3), so selected by Buckman, 1923.

5. Buckman identified Lister's figure as a *Paltopleuroceras* (recte *Pleuroceras*) from the Upper Domerian and thought it came from Northamptonshire (Buckman, 1923 : 56—57, pl. cccxcii, Lister's figure reproduced).

6. Lister's text contains nothing to connect particular figures with particular localities, but of the localities mentioned by Lister the two rightly chosen by Buckman as most likely, the banks of Bugthorpe Beck and the hill above Byland Abbey, are both in Yorkshire as stated by Lister. The most likely locality is the banks of Bugthorpe Beck, which Fox-Strangways (1892 : 68) mentions as exposing sections principally in the zones of *A. bucklandi* and *A. angulatus*.

7. The detail of the carina, which is clear in Lister's engraving, is lost in Buckman's half-tone reproduction. What Buckman apparently took for a serrated carina is seen in Lister's engraving to be the rib-endings on the far side, shown (quite correctly) in perspective ; the carina is clearly shown in Lister's engraving as smooth.

8. These morphological data, combined with the probable locality, make it highly probable that the type specimen of Lister's pl. vi, fig. 3, is an Arietid (*sensu lato*) from the Sinemurian of Yorkshire, and it is possible that topotypes may one day be found sufficiently like Lister's figures to enable the genus to be interpreted.

9. Meanwhile a search of the Leckenby collection of Yorkshire ammonites and other rich Lias material in the Sedgwick Museum has failed to reveal to me anything identifiable beyond doubt as the genus figured by Lister. Spath (1946) has declared Lister's figure to be generically indeterminable, and Mr. D. T. Donovan, who has been specialising on Lias ammonites, agrees (*in litt.*).

10. The present position in accordance with the Rules, therefore, is that the genus *Ammonites* Bruguière, 1789, the family AMMONITIDAE

Owen, 1836, and the superfamily AMMONITACEA Buckman, 1905, and ultimately the order Ammonoidea de Haan, 1825, rest upon a species of which the type specimen ("ultimate standard of reference") is unidentifiable generically, although probably one of the Sinemurian family ARIETITIDAE Hyatt, 1874.

11. If the position were left thus, a large part of the classification of Ammonoidea would be liable to be overturned at any time by authors who might claim to be able to identify the genus *Ammonites* from Lister's figure, and their nomenclature would be different from those who were unable to recognise that figure, and from those again who might interpret it differently.

12. Accordingly it is desirable that the International Commission should take action under their Plenary Powers at the earliest opportunity to stabilise the matter.

13. Two proposals have already been published: (A) Spath (1924 and 1946) has argued that a much later figure by some more modern author should be designated as the neotype of *A. bisulcatus* Bruguière, and the figure which he has proposed should be so selected is that by d'Orbigny (1843), which he considers represents what Meek (1876) had in mind when he designated *A. bisulcatus* lectotype of *Ammonites*. (B) Roman (1938) and Arkell (1940) have expressed the opinion that the genus *Ammonites* ought never to have been revived and should be abolished like many other ancient names long fallen into desuetude (e.g., *Ostracites*, *Pectinites*, etc.).

14. The disadvantages of the course in Para. 13(A) are (1) that as pointed out by Buckman (1924) such action is arbitrary in the extreme: if the genus *Ammonites* Bruguière, 1789, is to be revived, it should stand or fall by its legitimate type species, not have made for it a type species which was not known to exist until more than 50 years later; (2) that d'Orbigny's drawings are notoriously inaccurate and often synthetographs, and pl. 43 is apparently not based on a type specimen; (3) that the group to which d'Orbigny's pl. 43 belongs has for 80 years had a familiar and widely-used generic name, *Arietites* Waagen, 1869 (type species by monotypy *Ammonites bucklandi* J. Sowerby, 1816, Sinemurian zonal index fossil), which is in turn type genus of the widely-used family ARIETITIDAE Hyatt, 1874. Apart from the little-known paper by Meek, 1876 (unknown even to Buckman), the genus *Arietites* and the family ARIETITIDAE (OR ARIETIDAE) had been used for half a century in all world literature on Liassic ammonites and in text-books. One of the classics of ammonites is Hyatt's book "Genesis of the ARIETIDAE" (1889), and the leading palaeontological text-book to this day, Eastman's translation of Zittel (1913: 655) has a figure "*Arietites bisulcatus* Bruguière" to illustrate the family ARIETINAE,

and the figure is d'Orbigny's pl. 43 ; and the same figure and the same name are repeated in the latest (German) edition of the same book (1924 : 571).

15. The facts adduced in paragraph 14 above, emphasise that *Ammonites* as used by Buckman and Spath since 1923 was a revival not a survival, and paragraphs 5 to 13 indicate that it was a revival on the flimsiest foundations. Roman (1938) in his comprehensive work on the Jurassic and Cretaceous ammonites rightly refused to displace *Arietites* and ARIETITIDAE by *Ammonites* and AMMONITIDAE.

16. If the generic name *Ammonites* were to be revived, it would become automatically the type genus of the family AMMONITIDAE, which for reasons of priority is attributed (as by Meek) to Owen, with the date 1836. This is misleading, for AMMONITIDAE Owen 1836 was a vastly wider and altogether different concept. Most families as now used have been emended (which usually means restricted) to some extent, but none to such a degree as this. AMMONITIDAE Owen, 1836, was in fact almost the same as the order AMMONOIDEA, and as de Hann's "family AMMONITEA", 1825. Consequently, the revival of *Ammonites* as a generic name would involve either its attribution to the family "AMMONITIDAE Owen" which is really something totally different, or the establishment of a new family AMMONITIDAE dating from some later author such as Meek or Spath, arbitrarily chosen (Meek, however, still included Cretaceous genera in AMMONITIDAE); but this would be a homonym of AMMONITIDAE Owen and invalid.

17. Dr. Spath in his paper of 1946 stated that he proposed to submit an application concerning the type of *Ammonites* to the International Commission, but I learn from the Secretary that no such application has yet been received by the Commission (January, 1950). Since a decision on this important matter is urgently needed, I hereby make the following applications (paragraphs 18, 19).

18. That the International Commission on Zoological Nomenclature should use their Plenary Powers to suppress the generic name *Ammonites* Bruguière, 1789, for the purposes of Article 25 but not for those of Article 34 (thereby continuing to render invalid as a homonym any later use of the word *Ammonites* as a generic name) and should place this name on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

19. That the Commission should place on the *Official List of Generic Names in Zoology* the generic name *Arietites* Waagen, 1869 (gender of generic name : masculine) (type species, by monotypy : *Ammonites bucklandi* Sowerby (J.), 1816) and on the *Official List of Specific Trivial Names in Zoology* the trivial name *bucklandi* Sowerby (J.), 1816, as published in the binominal combination *Ammonites bucklandi*.

20. In making this application I assume that when (if ever) the Commission draws up Rules governing the names of taxonomic categories higher than families, it will, if necessary, make provision for retention of the order name AMMONOIDEA, so that it shall not require to be replaced because of the abolition of the generic name *Ammonites* and family name AMMONITIDAE.

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II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : On the receipt of Dr. Arkell's preliminary communication of 25th June 1949, the question of the future status of the generic name *Ammonites* Bruguière, 1789, was allotted the Registered Number Z.N.(S.) 425.

3. Publication of the present application : As soon as practicable after the present application had been finally settled in August 1950, it was sent to the printer and it was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* **2** : 200—203).

4. Issue of Public Notices : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. *Support received for the present application* : Support for the present application was received from the following specialists :— (a) Dr. D. T. Donovan (*University of Bristol, Department of Geology, Bristol*) ; (b) Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*) ; (c) Mr. C. W. Wright (*London*) ; (d) Mr. R. Casey (*Geological Survey and Museum, London*) ; (e) Dr. Helmüt Hölder (*Geologisch-Paläontologisches Institut der Universität Tübingen, Germany*) ; (f) The Joint Committee on Zoological Nomenclature for Paleontology in America. The communications so received are given in the immediately following paragraphs.

6. *Support received from Dr. D. T. Donovan (University of Bristol, Department of Geology, Bristol)* : On 28th May 1951, Dr. D. T. Donovan (*University of Bristol, Department of Geology, Bristol*) addressed a letter to the Commission commenting upon a number of applications, including the present one. The following is an extract from the foregoing letter of the passage in which Dr. Donovan indicated his support for the present application (Donovan, 1951, *Bull. zool. Nomencl.* 2 : 335—336) :—

I agree with Dr. Arkell that it is undesirable for this name to remain, as at present, based on an eighteenth-century figure of uncertain identity, owing to the possibility of different interpretations, as pointed out in paragraph 11 of the proposal. The alternative procedure, namely the definition of the type species by reference to a later figure is liable to displace other current names ; as regards the particular proposal mentioned by Dr. Arkell (paragraph 13(A)) that d'Orbigny's 1843 plate 43 should be selected as " neotype " of *Ammonites bisulcatus*, Bruguière, I have personally examined d'Orbigny's collection in Paris and have satisfied myself that his plate 43 does not represent any now existing specimen ; it may be a figure of a lost specimen but is more likely to be an idealised drawing. It is therefore undesirable that the interpretation of any genus should depend on this figure. In my own work I have not used the genus, since it cannot be defined to the agreement of all, and I feel that Dr. Arkell's proposal for suppression would be an acceptable solution.

7. *Support received from Dr. R. Ph. Dollfus (Muséum National d'Histoire Naturelle, Paris)* : On 25th June 1951 Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*) furnished a statement dealing with a number of cases previously published in the *Bulletin of Zoological Nomenclature*. The following is an

extract from the foregoing statement of the passage in which Dr. Dollfus indicated his support for the proposals submitted in the present case (Dollfus, 1952, *Bull. zool. Nomencl.* **6** : 212) :—

Je suis pour la suppression d'*Ammonites* Bruguière, 1789, et pour l'adoption d'*Arietites* Waagen, 1869.

8. Support received from Mr. C. W. Wright (London) : On 17th July 1951 Mr. C. W. Wright (*London*) addressed to the Commission the following letter of support for the present application (Wright, 1951, *Bull. zool. Nomencl.* **2** : 336) :—

I should like to support Dr. W. J. Arkell's application (1951, *Bull. zool. Nomencl.* **2** : 200—203) for the suppression of the generic name *Ammonites* Bruguière, 1789. Although it might be argued that this name is comparable in its double connotation, as the name of a genus and, almost in the vernacular, as the name of an Order or Sub-Order, to such names as *Nautilus*, the scale of the vernacular use of *Ammonites* is so vast that its use as the name of a nominal genus would be bound to be confusing and misleading, quite apart from the arguments adduced by Dr. Arkell.

9. Support received from Mr. R. Casey (Geological Survey and Museum, London) : On 5th October 1951 Mr. R. Casey (*Geological Survey and Museum, London*) addressed a letter to the Commission, commenting upon a number of applications previously published in the *Bulletin of Zoological Nomenclature*, including that relating to the name *Ammonites* Bruguière. The following is an extract from the foregoing letter of the passage in which Mr. Casey indicated his support for the present application (Casey, 1952, *Bull. zool. Nomencl.* **6** : 213) :—

In view of the additional evidence advanced by Dr. Donovan in the case of the nominal genus *Ammonites* Bruguière, 1789 (Donovan, D.T., 1951, *Bull. zool. Nomencl.* **2**(11) : 335) I wish to be associated with those workers who have given their support to Dr. Arkell's application for the suppression of the generic name *Ammonites* Bruguière, 1789.

10. Support received from Dr. Helmut Hölder (Geologisch-Paläontologisches Institut der Universität Tübingen, Germany) : On 6th October 1951 Dr. Helmut Hölder (*Geologisch-Paläontologisches Institut der Universität Tübingen*) submitted a statement

setting out his views on the applications relating to the names of ammonites submitted by Dr. Arkell which had been published in Triple Part 6/8 of Volume 2 of the *Bulletin of Zoological Nomenclature*. The following is an extract from Dr. Hölder's communication of the passage in which he indicated his support for the proposal for the grant of protection to the name *Arietites* Waagen, 1869, as against the name *Ammonites* Bruguière:—

Stellungnahme zu Arkell's Anträgen zur Nomenklatur jurassischer Ammoniten in "Bull. zool. Nomencl.", 2, 1951

Den Anträgen Arkell's auf Suspension der Regeln sowie den vorgeschlagenen type species ist im Interesse einer Regelung der verworrenen Ammoniten-Nomenklatur und -Taxonomie im allgemeinen zuzustimmen. Besonders zu begrüßen ist der Schutz der Gattungsnamen *Arietites* und *Perisphinctes* gegenüber *Ammonites* und *Planites* sowie der Schutz von *Sphaeroceras* und *Phylloceras*.

11. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America:* On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*) Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter, reporting that the members of the Joint Committee supported the present application by eight votes to three. The foregoing letter was dated 18th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)23) relating to this case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (on 24th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee

at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (eight) : (1) J. M. Weller ; (2) Don L. Frizzell ; (3) Bryan Patterson ; (4) Katherine V. W. Palmer ; (5) Bobb Schaeffer ; (6) John B. Reeside, Jr. ; (7) R. C. Moore ; (8) G. Winston Sinclair. To oppose the petition (three) : (1) A. Myra Keen ; (2) S. W. Muller ; (3) J. W. Wells.

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

12. Issue of Voting Paper V.P.(52)23 : On 24th April 1952 a Voting Paper (V.P.(52)23) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the names *Ammonites* Bruguière and *Arietites* Waagen specified in paragraphs 18 and 19 on page 202 of volume 2 of the *Bulletin of Zoological Nomenclature*" [*i.e.*, in the application reproduced in the first paragraph of the present *Opinion*].

13. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th July 1952.

14. Particulars of the Voting on Voting Paper V.P.(52)23 : The state of the voting on Voting Paper V.P.(52)23 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received) :*

Calman ; Hering ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ; Bradley ; Boschma ; Stoll ; Mertens ; Hemming ; Riley ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper not returned, one (1)* :

Jaczewski.

15. *Declaration of Result of Vote* : On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)23, signed a Certificate that the Votes cast were as set out in paragraph 14 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

16. On 20th March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)23.

17. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Ammonites Bruguière, 1789, *Ency. méth.*, Vers 1 (1) : xvi, 28
Arietites Waagen, 1869, *Geogn.-pal. Beitr.* 2 (Heft 2) : 247
bucklandi, *Ammonites*, Sowerby (J.), 1816, *Min. Conch.* 2 : 69

18. 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*.

19. 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.

20. The present *Opinion* shall be known as *Opinion* Three Hundred and Five (305) of the International Commission on Zoological Nomenclature.

DONE in London, this Twentieth day of March, 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 8. Part 23. Pp. 313—322

OPINION 306

Validation, under the Plenary Powers, of the generic
name *Arisphinctes* Buckman, 1924 (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 306

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 306

VALIDATION UNDER THE PLENARY POWERS, OF THE GENERIC NAME "ARISPINCTES" BUCKMAN, 1924 (CLASS CEPHALOPODA, ORDER AMMONOIDEA)

RULING :—(1) Under the Plenary Powers, the generic name *Toxosphinctes* Buckman, 1923, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 750 : *Arisphinctes* Buckman, 1924 (gender : masculine) (type species, by original designation : *Arisphinctes ariprepes* Buckman, 1924) (Class Cephalopoda, Order Ammonoidea).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 170 : *cotovui* Simionescu, 1907, as published in the combination *Perisphinctes cotovui*.

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 158 : *Toxosphinctes* Buckman, 1923, as suppressed, under the Plenary Powers, under (1) above.

I.—THE STATEMENT OF THE CASE

On 21st January 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application for the protection under the Plenary Powers, of the generic name *Arisphinctes* Buckman, 1924, as against the name *Toxosphinctes* Buckman, 1923 (Class Cephalopoda, Order Ammonoidea). The problem involved in this case was the subject of correspondence between the Secretary and Dr. Arkell in 1949 and 1950, but

by 10th December 1950 all outstanding questions had been settled and the following definitive application was submitted to the Commission :—

Proposed validation of the name “*Arisphinctes*” Buckman, 1924, by the suppression, under the Plenary Powers, of the name “*Toxosphinctes*” Buckman, 1923 (Class Cephalopoda, Order Ammonoidea) (Jurassic)

By W. J. ARKELL, M.A., D.Sc., F.R.S.
(Sedgwick Museum, Cambridge University, Cambridge)

1. The present application is concerned with the relative precedence to be accorded to the generic names *Arisphinctes* Buckman, 1924, and *Toxosphinctes* Buckman, 1923 (Class Cephalopoda, Order Ammonoidea) (Jurassic). This case was fully discussed by me in 1939 in “A Monograph on the Ammonites of the English Corallian Beds” (Palaeont. Society) (Part 5 : lv-lvii). The relevant facts are as follows.

2. S. Buckman published the name *Arisphinctes* (1924, *Type Ammonites* 5 : 33, pls. dxi, dxii) for a genus of large Perisphinctids of Upper Oxfordian date, characterised by ribbing that gradually modifies on the outer whorl and fades on the venter and by sutures with a long suspensive lobe. Buckman designated *Arisphinctes ariprepes* Buckman 1924 (*loc. cit.* : pl. dxi) as the type species of this genus. He also figured the holotype of this species which was a complete and well preserved specimen.

3. *Arisphinctes* Buckman, 1924, is now regarded (Arkell, 1939 : lvi-lvii) as a subgenus of the genus *Perisphinctes* Waagen, 1869. Further, the nominal species *Arisphinctes ariprepes* Buckman, 1924, is now identified with the nominal species *Perisphinctes cotovui* Simionescu, 1907 (: 151, pl. vii, fig. 1). Accordingly the trivial name *ariprepes* Buckman is now treated as a subjective junior synonym of the trivial name *cotovui* Simionescu.

4. In 1923 (the year before that in which the name *Arisphinctes* was published), Buckman had published another generic name *Toxosphinctes* (*Type Ammonites* 5 : pl. cdxlvii) ; the genus so named was based upon a single specimen, the re-discovered holotype of *Ammonites pickeringius* Young and Bird, 1822 (: 251, pl. xii, fig. 9), which is therefore the type species of *Toxosphinctes*. The holotype of this species, which was refigured by Buckman, shows characters quite different from those of *Arisphinctes* ; it has fine sharp ribbing all over, not modified, not faded on the venter, and suture with short suspensive lobe. Buckman evidently did not suspect any close affinity with *Arisphinctes*. The

species which are the respective type species of these two genera came from different parts of England but from the same zone.

5. When the Corallian ammonites came to be monographed and all available material was compared, it was discovered that the holotype of the type species of *Toxosphinctes* was an incomplete specimen, probably representing only the inner and middle whorls of a large species which later acquires the characters of *Arisphinctes*. *Perisphinctes pickeringius* (Young and Bird, 1822) as interpreted in the monograph cited above, is closely allied to *Perisphinctes* (*Arisphinctes*) *cotovui* Simionescu, 1907, the type species of *Arisphinctes*.

6. Since the specimen upon which Buckman founded the genus *Toxosphinctes* is incomplete and there are several subgenera with similar inner and middle whorls which cannot be distinguished from one another, except by the outer whorls, it can never be proved that this specimen belongs to a species having the same characteristics as *Arisphinctes*. It will always remain an uncertain factor, liable to re-interpretation by subsequent authors.

7. On the other hand, although the name *Arisphinctes* was published a few months later than *Toxosphinctes*, the genus *Arisphinctes* was founded upon a complete specimen and in consequence the characters of the type species of this genus can never be in doubt. In my monograph, therefore, I discarded (: lvi *et seq.*) the name *Toxosphinctes* and used the name *Arisphinctes*. In the twelve years which have since elapsed, no published dissent from this procedure has come to my notice nor has any dissent been received by me in correspondence.

8. Accordingly, in order to secure that the currently used generic name *Arisphinctes* shall be secure from possible supersession merely on grounds of priority by the *nomen dubium* *Toxosphinctes* (which never to my knowledge has been used in print since it was first published in 1923) and to prevent the confusion and inconvenience which an unnecessary change of this kind would involve, I ask the International Commission on Zoological Nomenclature to use its Plenary Powers to stabilise the generic nomenclature of this group and, having done so, to place the name *Arisphinctes* on the *Official List*. The specific proposals which I therefore submit are that the Commission should :—

- (1) use its Plenary Powers to suppress the generic name *Toxosphinctes* Buckman, 1923, for the purposes of the Law of Priority, but not for those of the Law of Homonymy ;
- (2) place the generic name *Arisphinctes* Buckman, 1924 (type species, by original designation : *Arisphinctes ariprepes* Buckman, 1924) (gender of generic name : masculine) on the *Official List of Generic Names in Zoology* ;

- (3) place the trivial name *cotovui* Simionescu, 1907, as published in the binominal combination *Perisphinctes cotovui*, on the *Official List of Specific Trivial Names in Zoology* ;
- (4) place the generic name *Toxosphinctes* Buckman, 1923 (as proposed, under (1) above, to be suppressed under the Plenary Powers) on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

References :

- Arkell, W. J., 1935—1948. *A Monograph on the Ammonites of the English Corallian Beds* (Palaeontograph. Soc.).
- Buckman, S. S., 1919—1930. *Type Ammonites*, vols. 3—7 (Thame).
- Simionescu, I., 1907. Studii geologice si pal. din Dobrogea, **1**, Fauna cefalopodelor jurasice dela Harsova (Dobrogea). *Public. Fond. Adamachi Acad. Romana* **4** (21) : 151, pl. vii, fig. 1 (lectotype selected by Arkell, 1939, *loc. cit.* : 126).
- Young, G. and Bird, J., 1822. *A Geological Survey of the Yorkshire Coast*, 1st Edition. (Whitby).

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Arkell's preliminary communication of 21st January 1949, the problem involved in connection with the name *Arisphinctes* Buckman, 1924, was allotted the Registered Number Z.N.(S.) 389.

3. Publication of the present application : The present application was sent to the printer immediately after its terms had been finally settled in December 1950 and it was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* **2** : 214—216).

4. Issue of Public Notices : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological

Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed during the prescribed period but after the close of that period the objection reproduced in the immediately following paragraph was received in the Office of the Commission.

5. *Objection received from the Joint Committee on Zoological Nomenclature for Paleontology in America* : On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that six members of the Joint Committee were opposed to the present proposal as against four who were in favour of it. The foregoing letter was dated 6th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)25) relating to this case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (24th April) a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you

that, being polled, they voted : To support the petition (four) :— (1) Bryan Patterson ; (2) John B. Reeside, Jr. ; (3) Bobb Schaeffer ; (4) R. C. Moore. To oppose the petition (six) :—(1) Katherine V. W. Palmer ; (2) A. Myra Keen ; (3) Don L. Frizzell ; (4) Siemon W. Muller ; (5) John W. Wells ; (6) G. Winston Sinclair.

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

6. *Issue of Voting Paper V.P.(52)25* : On 24th April 1952, a Voting Paper (V.P.(52)25) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the names *Arisphinctes* and *Toxosphinctes*, as specified in Points (1) to (4) in paragraph 8 on page 215 of volume 2 of the *Bulletin of Zoological Nomenclature* [*i.e.*, paragraph 8 in the application reproduced in the first paragraph of the present *Opinion*].

7. *The Prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th July 1952.

8. *Particulars of the Voting on Voting Paper V.P.(52)25* : The state of the voting on Voting Paper V.P.(52)25 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following fifteen (15) Commissioners (arranged in the order in which Votes were received)* :

Calman ; Hering ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Pearson ; Bradley ; Boschma ; Mertens ; Hemming ; Riley ;

(b) *Negative Votes had been given by two (2) Commissioners* :

Cabrera ; Stoll ;

(c) *Voting Paper not returned, one (1) :*

Jaczewski.

9. Declaration of Result of Vote : On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)25, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. On 21st March 1954 Mr. Hemming prepared the Ruling given in the present Opinion and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)25.

11. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Arisphinctes Buckman, 1924, *Type Ammonites* 5 : 33, pl. dxi
cotovui, *Perisphinctes*, Simionescu, 1907, *Public. Fond. Adamach. Acad. Romana* 4 (21) : 151, pl. vii, fig. 1 (lectotype selected by Arkell (1939, *Monogr. Ammonites Engl. Corall. Beds* (Pal. Soc.) : 126)

Toxosphinctes Buckman, 1923, *Type Ammonites* 5 : pl. cdxlvii

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 Three Hundred and Six (306) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-First day of March, 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 8. Part 24. Pp. 323—334

OPINION 307

Designation, under the Plenary Powers, of a type species in harmony with accustomed usage for *Arnioceras* Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea), a genus based upon a misidentified type species



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 307

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

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Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

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Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

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Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 307

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES IN HARMONY WITH ACCUSTOMED USAGE FOR "ARNIOCERAS" HYATT, 1867 (CLASS CEPHALOPODA, ORDER AMMONOIDEA), A GENUS BASED UPON A MISIDENTIFIED TYPE SPECIES

RULING :—(1) Under the Plenary Powers, (a) all type selections for the genus *Arnioceras* Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea) made prior to the present Ruling are hereby set aside, and (b) *Arnioceras cuneiforme* Hyatt, 1867, is hereby designated to be the type species of the foregoing genus.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 751 : *Arnioceras* Hyatt, 1867 (gender : neuter) (type species, by designation, under the Plenary Powers, under (1)(b) above : *Arnioceras cuneiforme* Hyatt, 1867).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 171 : *cuneiforme* Hyatt, 1867, as published in the combination *Arnioceras cuneiforme* (specific name of type species, by designation, under the Plenary Powers, under (1)(b) above, of *Arnioceras* Hyatt, 1867).

I.—THE STATEMENT OF THE CASE

On 23rd February 1951, Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted the following application for the use by the International Commission, under the special procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 158—159), of its Plenary Powers for the purpose of

designating a type species in harmony with accustomed usage for *Arnioceras* Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea), a genus based upon a misidentified type species :—

Proposed use of the Plenary Powers to designate the type species of the genus “*Arnioceras*” Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea)

By W. J. ARKELL, M.A., D.Sc., F.R.S.

(*Sedgwick Museum, Cambridge University, Cambridge*)

1. The present application for the use by the International Commission on Zoological Nomenclature of its Plenary Powers to designate, as the type species of the genus *Arnioceras* Hyatt, 1867 (*Bull. Mus. comp. Zool.* 1 : 73) (Class Cephalopoda, Order Ammonoidea), a species, other than that which would be the type species under the *Règles*, is submitted under the procedure prescribed by the Thirteenth International Congress of Zoology, Paris, July 1948 (see 1950, *Bull. zool. Nomencl.* 4 : 158—159) as that to be followed in the case of genera based upon misidentified type species.

2. The facts in this case are as follows: The generic name *Arnioceras* was first published by Hyatt in 1867, and has been in constant use ever since. No type species was designated or indicated at the time of publication; seven nominal species were cited as belonging to the genus so named. These species were: (1) *Arnioceras cuneiforme* Hyatt (a species then named—on page 73—for the first time); (2) *Arnioceras incipiens* Hyatt (also then a new nominal species but which later Hyatt (1889 : 170) identified with the earlier nominal species *Ammonites falcaries* Quenstedt, 1858 : 70); (3) *Arnioceras semicostatum* (Young & Bird, 1828 : 257, 259); (4) *Arnioceras kridiforme* Hyatt (a new nominal species based upon the species identified by d’Orbigny in 1844 as *Ammonites kridion* Hehl in Zieten [1830]); (5) *Arnioceras tardecrescens* (Hauer, 1856 : 20); (6) *Arnioceras ceratitoides* (Quenstedt, 1847 : 239); (7) *Arnioceras falcaries* (Quenstedt, 1858 : 70). In accordance with his normal practice, Hyatt attributed all but one of these names to himself, because he placed the species concerned in a genus different from that in which they had originally been described. The one exception made by Hyatt was in regard to the sixth of the nominal species referred by him to this genus; this species he cited as “*A. ceratitoides* L. Agassiz”. The probable explanation is provided by Hyatt’s statement (1867 : 71) that Agassiz had selected five genera which Hyatt “referred to his authority”, and that Agassiz was responsible for suggesting the work to Hyatt and for proposing to classify the ammonites dealt with into families and genera. Presumably *ceratitoides* was a specific trivial name also suggested by Agassiz. It had not, however, been published by Agassiz at the time that Hyatt’s paper appeared.

3. The first author to select a type species for the genus *Arnioceras* was Buckman (S.), who in 1911 (1 : vi) wrote : " The type [species] is definitely indicated by the generic name and by the species credited to Agassiz *Arnioceras* (ἀρνειός, a ram) indicates a type with trivial name *ceras* or similar ". Buckman drew attention also to the fact that in 1889 (: 169) Hyatt identified *Ammonites ceras* Giebel & Hauer, with *Ammonites ceras* Agassiz. " On this evidence ", Buckman thought it desirable to select *Am. ceras* as figured by Hyatt in 1889 (*Gen. Ariet.* : pl. ii, fig. 20) as the type species of *Arnioceras* Hyatt ; Buckman wrote : " Result : Genus *Arnioceras* Agassiz-Hyatt, 1867. Type *A. ceratitoides* Agassiz, of which *A. ceras* Agassiz (Hyatt, *Gen. Arietidae*, ii, 20) is genolectotype ". It should be noted that in 1867 (: 74) Hyatt had placed *A. ceras* Giebel, 1852 (: 757) in the synonymy of "*Arnioceras ceratitoides* Agassiz".

4. The first name placed by Hyatt (1867 : 74) in the synonymy of "*A. ceratitoides* Agassiz", was *Ammonites ceratitoides* Quenstedt, 1847 (: 239, pl. xix, fig. 13—not fig. 3, as erroneously stated by Hyatt). Quenstedt's publication of this name in 1847 was the first occasion on which it was used for this ammonite species. Thus, under the decision of the Paris (1948) Congress defining the species which are to be regarded as having been originally included in any given genus (1950, *Bull. zool. Nomencl.* 4 : 179—180), Buckman's action in 1911 constitutes a valid selection of *Ammonites ceratitoides* Quenstedt, 1847, as the type species of *Arnioceras* Hyatt, 1867.

5. *Ammonites ceratitoides* Quenstedt, the type specimen of which is lost (Jaworski, 1931 : 117), is a Triassic ammonite, entirely different morphologically and in age from the Liassic group for which the generic name *Arnioceras* Hyatt has always been used. To transfer the name *Arnioceras* to Quenstedt's species would produce chaotic confusion.

6. *Ammonites ceras* Agassiz, as identified by Hyatt in 1889 (: 169, pl. ii, fig. 20), which is the species which Buckman intended to make the " genolectotype " of *Arnioceras* Hyatt, was merely Hyatt's attempted interpretation of *Ammonites ceras* Giebel, 1852 (: 757), a species, the identity of which is uncertain. It is possible that, if his type specimens were to be found and re-studied, the species identified by Hyatt with *Ammonites ceras* Giebel might be found to be different and might need to be given a new name. In any case, under the decision of the Paris Congress to which reference has already been made, it would not have been possible to accept, as the type species of *Arnioceras*, Hyatt's interpretation of *A. ceras* Giebel, for, even if it had been permissible under the *Règles* to treat "*A. ceras*" as the type species of this genus, the species concerned would have to be the true *Ammonites ceras* of Giebel, which (as already explained) is an unknown quantity.

7. The genus *Arnioceras* Hyatt is thus a genus based upon a misidentified type species and in consequence the International Commission on Zoological Nomenclature is bound by the instructions given to it by the Congress to use its Plenary Powers to designate as the type species of this genus either (a) the species intended by the original author when citing the name of the erroneously determined species, or (b), if the identity of that species is doubtful, a species in harmony with current nomenclatorial usage, except where (as is not the case in the present instance) such action would itself lead to confusion. We have seen that the identity of the species which Buckman intended to refer to, when selecting the type species of *Arnioceras* Hyatt, is doubtful; accordingly, under the foregoing decision, it is necessary under the Plenary Powers to select, as the type species of this genus, a species in harmony with current practice. It is not necessary for this purpose that the species to be so selected should be one of the species originally included in the genus, though it is clearly preferable that, if practicable, such a species should be selected.

8. I have accordingly examined from the foregoing point of view each of the seven nominal species originally included by Hyatt in the genus *Arnioceras*. This examination indicates that *Arnioceras cuneiforme* Hyatt, 1867, is nearest to the figure that has hitherto been regarded as representing the type species of this genus, and is the most free from objections of various kinds. I accordingly recommend that it should now be designated as the type species of *Arnioceras* Hyatt.

9. The proposal which I now submit is therefore that the International Commission on Zoological Nomenclature should :—

- (1) under the procedure prescribed by the Thirteenth International Congress of Zoology for determining the type species of a genus based upon a misidentified type species, use its Plenary Powers (a) to set aside all selections of type species for the genus *Arnioceras* Hyatt, 1867, made prior to the proposed decision, and (b), having done so, to designate *Arnioceras cuneiforme* Hyatt, 1867, to be the type species of the foregoing genus ;
- (2) place the generic name *Arnioceras* Hyatt, 1867 (type species, as proposed in (1) above to be designated under the Plenary Powers : *Arnioceras cuneiforme* Hyatt, 1867) (gender of generic name : neuter) on the *Official List of Generic Names in Zoology* ;
- (3) place the trivial name *cuneiforme* Hyatt, 1867, as published in the binominal combination *Arnioceras cuneiforme*, on the *Official List of Specific Trivial Names in Zoology*.

References :

- Buckman, S. S., 1911. *Yorkshire Type Ammonites*, 1
- Giebel, C. G., 1852. *Fauna der Vorwelt*. (Leipzig)
- Hyatt, A., 1867. "Fossil Cephalopods in the Museum of Comparative Zoology". *Bull. Mus. comp. Zool.* 1 (No. 5) : 71—74
- Hyatt, A., 1889. "Genesis of the Arietidae". *Smithson. Publ.* No. 673 (Washington)
- Jaworski, E., 1931. "Ueber *Arnioceras geometricum* Oppel, 1856 und verwandte Spezies; nebst einen Anhang über *Ammonites natrix* v. Schlotheim. 1820". *Neues Jahrb. Min. Geol. Pal.* 65B (Beil.-Bd.) : 84
- Oppel, A., 1856—1858. "Die Juraformation" (Stuttgart) (repaged reprint from *Württemb. naturw. Jahreshefte*)
- d'Orbigny, A., 1842—1851. *Paléontologie française, Terr. jurass., Mollusques* (Paris)
- Spath, L. F., 1924. "The ammonites of the Blue Lias". *Proc. geol. Assoc.* 35 : 186

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On the receipt of Dr. Arkell's application, the question of the species to be accepted as the type species of the genus *Arnioceras* Hyatt, 1867, was allotted the Registered Number Z.N.(S.) 509.

3. *Publication of the present application* : The present application was sent to the printer in April 1951 and was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 217—219).

4. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology,

Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. *Support received from Dr. D. T. Donovan (University of Bristol, Department of Geology, Bristol)*: On 28th May 1951, Dr. D. T. Donovan (*University of Bristol, Department of Geology, Bristol*) addressed a letter to the Commission commenting upon a number of applications, including the present one. The following is an extract from the foregoing letter of the passage in which Dr. Donovan indicated his support for the present application (Donovan, 1951, *Bull. zool. Nomencl.* 2 : 335—336) :—

I write to comment on certain of the applications submitted to the International Commission on Zoological Nomenclature by Dr. W. J. Arkell and published in the *Bulletin of Zoological Nomenclature*, vol. 2, Parts 6/8.

I have been specialising in Liassic Ammonites for several years and have just completed an account of certain of them, while I am preparing revisions of two old monographs, namely Thomas Wright's "Monograph on the Lias Ammonites of the British Isles" and Pierre Reynes' "Monographie des Ammonites". Consequently, I am directly concerned with the effects of some of Dr. Arkell's proposals.

Page 217. *Type Species of Arnioceras Hyatt, 1867 (Z.N.(S.) 509)*

I agree with Dr. Arkell's proposals for the type species of this genus.

6. *Support received from the Joint Committee on Zoological Nomenclature for Paleontology in America*: On 9th April 1952 there was received a large number of letters commenting on

various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that the Committee supported the present application by six votes to five. The foregoing letter was dated 18th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)26) relating to this case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (24th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this question, and I wish to inform you that, being polled, they voted : To support the petition (six) : (1) Katherine V. W. Palmer ; (2) J. Marvin Weller ; (3) Bobb Schaeffer ; (4) Bryan Patterson ; (5) John B. Reeside, Jr. ; (6) R. C. Moore. To oppose the petition (five) : (1) Don L. Frizzell ; (2) A. Myra Keen ; (3) Siemon W. Muller ; (4) John W. Wells ; (5) G. Winston Sinclair.

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

7. *Issue of Voting Paper V.P.(52)26* : On 24th April 1952, a Voting Paper (V.P.(52)26) was issued in which the Members of

the Commission were invited to vote either for, or against, the proposal "relating to the name *Arnioceras* Hyatt, 1867, as specified in Points (1) to (3) in paragraph 9 on page 219 of volume 2 of the *Bulletin of Zoological Nomenclature*" [i.e., in paragraph 9 of the application reproduced in the first paragraph of the present *Opinion*].

8. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th July 1952.

9. *Particulars of the Voting on Voting Paper V.P.(52)26*: The state of the voting on Voting Paper V.P.(52)26 at the close of the Prescribed Voting Period was as follows:—

(a) *Affirmative Votes had been given by the following fifteen (15) Commissioners (arranged in the order in which Votes were received)*:

Calman ; Hering ; Dymond ; Esaki ; do Amaral ;
Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ;
Bradley ; Boschma ; Mertens ; Hemming ;

(b) *Negative Votes had been given by two (2) Commissioners*:

Stoll ; Riley ;

(c) *Voting Paper not returned, one (1)*:

Jaczewski.

10. *Declaration of Result of Vote*: On 25th July 1942, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)26, signed a Certificate that the Votes cast were as set out in paragraph

9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. On 22nd March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)26.

12. The following are the original references for the names placed on *Official Lists* by the Ruling given in the present *Opinion* :—

Arnioceras Hyatt, 1867, *Bull. Mus. comp. Zool.* **1** (No. 5) : 73
cuneiforme, *Arnioceras*, Hyatt, 1867, *Bull. Mus. comp. Zool.*
1 (No. 5) : 73

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 Three Hundred and Seven (307)* of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Second day of March, 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 8. Part 25. Pp. 335—344

OPINION 308

Designation, under the Plenary Powers, of a type species in harmony with accustomed usage for *Liparoceras* Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea), a genus based upon a misidentified type species



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 308

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Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

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(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

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Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

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Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 308

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES IN HARMONY WITH ACCUSTOMED USAGE FOR "LIPAROCERAS" HYATT, 1867 (CLASS CEPHALOPODA, ORDER AMMONOIDEA), A GENUS BASED UPON A MISIDENTIFIED TYPE SPECIES

RULING :—(1) Under the Plenary Powers, (a) all type selections for the genus *Liparoceras* Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea) made prior to the present Ruling are hereby set aside, and (b) *Liparoceras bronni* Spath, 1938, is hereby designated to be the type species of the foregoing genus.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 752 : *Liparoceras* Hyatt, 1867 (gender : neuter) (type species, by designation, under the Plenary Powers, under (1)(b) above : *Liparoceras bronni* Spath, 1938).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 172 : *bronni* Spath, 1938, as published in the combination *Liparoceras bronni* (specific name of type species, by designation, under the Plenary Powers, under (1)(b) above, of *Liparoceras* Hyatt, 1867).

I.—THE STATEMENT OF THE CASE

On 15th February 1951 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted the following application for the use by the International Commission, under the special procedure prescribed by the Thirteenth International Congress of Zoology, 1948 (1950, *Bull. zool. Nomencl.* 4 : 158—159), of its Plenary Powers for the purpose of designating a type

species in harmony with accustomed usage for *Liparoceras* Hyatt, 1867 (Class Cephalopoda, Order Ammonoidea), a genus based upon a misidentified type species :—

Proposed use of the Plenary Powers to designate the type species of “*Liparoceras*” Hyatt, 1867, a genus based upon a misidentified type species (Class Cephalopoda, Order Ammonoidea) (Jurassic)

By W. J. ARKELL, M.A., D.Sc., F.R.S.

(*Sedgwick Museum, Cambridge University, Cambridge*)

1. The present application for the use by the International Commission on Zoological Nomenclature of its Plenary Powers to designate, as the type species of *Liparoceras* Hyatt, 1867 (*Bull. Mus. comp. Zool.* 1 (No. 5) : 83), a species other than that which would be type species under the *Règles*, is submitted under the procedure prescribed by the Thirteenth International Congress of Zoology, Paris, July, 1948 (see 1950, *Bull. zool. Nomencl.* 4 : 158—159) as that to be followed in the case of genera based upon misidentified type species. The facts of the case are as set forth below.

2. Hyatt (1867 : 83, 84) established the genus *Liparoceras*, in which he placed three nominal species, but for which he did not designate or indicate a type species.

3. One of the originally included species was cited as “*Liparoceras henleyi* Hyatt” in the synonymy of which Hyatt cited the following synonyms :—

Ammonites henleyi Sowerby
Nautilus striatus Reinecke
Ammonites striatus Zieten
Ammonites henleyi Bronn

4. Buckman (1911 : iii) selected as the type species of *Liparoceras* Hyatt what he referred to as “*Ammonites henleyi* Hyatt, *pars* = *A. striatus* Bronn, 1838, pl. xxiii, fig. 7”. Buckman explained that what Bronn, copying Zieten (1830 : pl. v, fig. 6), called “*A. striatus*” was the same species as that cited by Hyatt as “*Ammonites henleyi* Bronn”. In his later editions, Bronn (1851, ed. 3 : 373) referred figure 7 on his plate xxiii to *Ammonites henleyi* Sowerby.

5. Spath (1938 : 43) accepted Buckman’s type selection for *Liparoceras*. He pointed out, however, that the species so selected was still without a valid name. There is no such specific name as *Ammonites striatus* Bronn, 1838, or *Ammonites striatus* Zieten, 1830,

both those authors having misidentified *Nautilus striatus* Reinecke, 1818 (which, in any case, is an invalid junior homonym of *Nautilus striatus* Sowerby (J.), 1817). Similarly, there is no such specific name as *Ammonites henleyi* Hyatt, 1867, Hyatt's use of the trivial name *henleyi* being based upon a misidentification of *Ammonites henleyi* Sowerby (J.), 1817. Spath accordingly published the name *Liparoceras bronni*, basing this nominal species upon a holotype which he selected from the British Museum collection. As Spath did not base *Liparoceras bronni* upon Bronn's figure of his "*Ammonites striatus*"—a course which would have made *Liparoceras bronni* Spath objectively identical with the species figures by Bronn—the trivial name *bronni* Spath is only subjectively applicable to Hyatt's species. There is, however, no doubt as to the identity of the species to which Spath's trivial name *bronni* is applicable; that name is therefore the oldest available name for the species which Hyatt included in the genus *Liparoceras* under the misidentified name *henleyi* and which Buckman later selected as the type species of *Liparoceras*.

6. This is a clear case of a nominal genus based upon a misidentified type species, where the misidentification has been recognised by specialists and where the acceptance as the type species (of *Liparoceras*) of the species to which the name (*Nautilus striatus* Reinecke) cited by the author of the genus (Hyatt) correctly applies would lead to an undesirable change in current nomenclatorial practice. Accordingly, I ask the International Commission on Zoological Nomenclature:—

- (1) under the procedure prescribed by the Thirteenth International Congress of Zoology for determining the type species of a genus based upon a misidentified type species, to use its Plenary Powers (a) to set aside all selections of type species for the genus *Liparoceras* Hyatt, 1867, made prior to the proposed decision, and (b), having done so, to designate *Liparoceras bronni* Spath, 1938, to be the type species of the foregoing genus;
- (2) to place the generic name *Liparoceras* Hyatt, 1867 (type species, as proposed in (1) above to be designated under the Plenary Powers: *Liparoceras bronni* Spath, 1938) on the *Official List of Generic Names in Zoology* (gender of generic name: neuter);
- (3) to place the trivial name *bronni* Spath, 1938, as published in the binominal combination *Liparoceras bronni*, on the *Official List of Specific Trivial Names in Zoology*.

References :

- Bronn, H. G., 1838. *Lethea geognostica* (ed. 2), Stuttgart.
- Bronn, H. G., 1851, *ibid.* (ed. 3)

- Buckman, S. S., 1911. *Yorkshire Type Ammonites*, 1
- Hyatt, A., 1867. "Fossil Cephalopods in the Museum of Comparative Zoology". *Bull. Mus. comp. Zool.* 1 (No. 5) : 83
- Reinecke, J. C. M., 1818. *Maris protogaei Nautilus et Argonautas . . . descripsit . . . J. C. M. Reinecke*
- Sowerby, J., 1817. *Mineral Conchology*, 2 : 161 (*Ammonites henleyi*), 183 (*Nautilus striatus*)
- Spath, L. F., 1938. "Catalogue of the Ammonites of the Liassic family *Liparoceratidae*". Brit. Mus. (Nat. Hist.), London
- Zieten, C. H. von, 1830, *Die Versteinerungen Württembergs* : pl. v, fig. 6

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On the receipt of Dr. Arkell's application, the question of the species to be accepted as the type species of the genus *Liparoceras* Hyatt, 1867, was allotted the Registered Number Z.N.(S.) 507.

3. *Publication of the present application* : The present application was sent to the printer in March 1951 and was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 220—222).

4. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial

publications. In addition, Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed.

5. *Support received from Dr. D. T. Donovan (University of Bristol, Department of Geology, Bristol)*: On 28th May 1951, Dr. D. T. Donovan (*University of Bristol, Department of Geology, Bristol*) addressed a letter to the Commission commenting upon a number of applications, including the present one. The following is an extract from the foregoing letter of the passage in which Dr. Donovan indicated his support for the present application (Donovan, 1951, *Bull. zool. Nomencl.* 2 : 335—336) :—

I write to comment on certain of the applications submitted to the International Commission on Zoological Nomenclature by Dr. W. J. Arkell and published in the *Bulletin of Zoological Nomenclature*, vol. 2, Parts 6/8.

I have been specialising in Liassic Ammonites for several years and have just completed an account of certain of them, while I am preparing revisions of two old monographs, namely Thomas Wright's "Monograph on the Lias Ammonites of the British Islands" and Pierre Reynes' "Monographie des Ammonites". Consequently, I am directly concerned with the effects of some of Dr. Arkell's proposals.

Page 220. *Type species of Liparoceras Hyatt, 1867 (Z.N.(S.) 507)*

I agree with Dr. Arkell's proposals for the type species of this genus.

6. *Communication received from the Joint Committee on Zoological Nomenclature for Paleontology in America*: On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that the members of the Committee were equally divided for and against the present application. The foregoing letter was dated 18th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the

Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)27) relating to the present case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (24th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (five) : (1) Katherine V. W. Palmer ; (2) J. Marvin Weller ; (3) Bryan Patterson ; (4) Bobb Schaeffer ; (5) John B. Reeside, Jr. To oppose the petition (five) : (1) Don L. Frizzell ; (2) Siemon W. Muller ; (3) A. Myra Keen ; (4) G. Winston Sinclair ; (5) John W. Wells.

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

7. *Issue of Voting Paper V.P.(52)27* : On 24th April 1952, a Voting Paper (V.P.(52)27) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the the name *Liparoceras* Hyatt, 1867, as specified in Points (1) to (3) in paragraph 6 on page 221 of volume 2 of the *Bulletin of Zoological Nomenclature*" [*i.e.*, in paragraph 6 of the application reproduced in the first paragraph of the present *Opinion*].

8. *The Prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th July 1952.

9. *Particulars of the Voting on Voting Paper V.P.(52)27* : The state of the voting on Voting Paper V.P.(52)27 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received)* :

Calman ; Hering ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ; Bradley ; Boschma ; Mertens ; Hemming ; Riley ;

(b) *A Negative Vote had been given by one (1) Commissioner* :

Stoll ;

(c) *Voting Paper not returned, one (1) :*

Jaczewski.

10. *Declaration of Result of Vote* : On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)27, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. On 22nd March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52) 27.

12. The following are the original references for the names placed on *Official Lists* in the Ruling given in the present *Opinion* :—

bronni, *Liparoceras*, Spath, 1938, *Cat. Ammon. Liass. Fam. Liparocerat.* : 43
Liparoceras Hyatt, 1867, *Bull. Mus. comp. Zool.* 1 (No. 5) : 83

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* Three Hundred and Eight (308) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Second day of March, 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 8. Part 26. Pp. 345—354

OPINION 309

Designation, under the Plenary Powers, of a type species in harmony with accustomed usage for *Normannites* Munier-Chalmas, 1892 (Class Cephalopoda, Order Ammonoidea), a genus based upon a misidentified type species



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 309

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 309

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES IN HARMONY WITH ACCUSTOMED USAGE FOR "NORMANNITES" MUNIER-CHALMAS, 1892 (CLASS CEPHALOPODA, ORDER AMMONOIDEA), A GENUS BASED UPON A MISIDENTIFIED TYPE SPECIES

RULING :—(1) Under the Plenary Powers, (a) all type selections for the genus *Normannites* Munier-Chalmas, 1892 (Class Cephalopoda, Order Ammonoidea) made prior to the present Ruling are hereby set aside, and (b) *Normannites orbigny* Buckman, 1908, is hereby designated to the type species of the foregoing genus.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 753 : *Normannites* Munier-Chalmas, 1892 (gender : masculine) (type species, by designation, under the Plenary Powers, under (1)(b) above : *Normannites orbigny* Buckman, 1908).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 173 : *orbigny* Buckman, 1908, as published in the combination *Normannites orbigny* (specific name of type species, by designation, under the Plenary Powers, under (1)(b) above).

I.—THE STATEMENT OF THE CASE

On 15th February 1951 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted the following application for the use by the International Commission, under the special procedure prescribed by the Thirteenth International Congress of Zoology, 1948 (1950, *Bull. zool. Nomencl.* **4** : 158—159), of its Plenary Powers for the purpose of designating a type species in harmony with accustomed usage for *Normannites*

Munier-Chalmas, 1892 (Class Cephalopoda, Order Ammonoidea), a genus based upon a misidentified type species :—

Proposed use of the Plenary Powers to designate a type species for "Normannites" Munier-Chalmas, 1892, a genus based upon a misidentified type species (Class Cephalopoda, Order Ammonoidea) (Jurassic)

By W. J. ARKELL, M.A., D.Sc., F.R.S.

(Sedgwick Museum, Cambridge University, Cambridge)....

1. The present application for the use by the International Commission on Zoological Nomenclature of its Plenary Powers to designate, as the type species of *Normannites* Munier-Chalmas, 1892 (*Bull. Soc. géol. France* (3) 20 : C.R. : clxxii) (Class Cephalopoda, Order Ammonoidea), a species other than that which would be the type species under the *Règles*, is submitted under the procedure prescribed by the Thirteenth International Congress of Zoology, Paris, July 1948 (see 1950, *Bull. zool. Nomencl.* 4 : 158—159) as that to be followed in the case of genera based upon misidentified type species.

2. The facts of this case are simple. Munier-Chalmas, when first publishing the generic name *Normannites*, stated that the type species of this genus was *Ammonites braikenridgei*¹ d'Orbigny. The species so referred to is that figured by d'Orbigny in 1846 (: 400, pl. 135, figs. 3, 4).

3. The difficulty in this case arises from the fact that d'Orbigny never published the name *Ammonites braikenridgei* as a new name, his use of that binominal combination being due to his having misidentified the species which he figured on his plate 135 (figs. 3, 4) with the previously described species *Ammonites braikenridgei* Sowerby, 1817 (*Min. Conch.* 2 : 187). The genus *Normannites* Munier-Chalmas is thus a genus based upon a misidentified type species, that type species having been designated by the original author at the time of the first publication of the generic name.

4. Subsequent authors have followed Munier-Chalmas in treating the species figured by d'Orbigny (*i.e.*, the species misidentified by d'Orbigny as *Ammonites braikenridgei* Sowerby) as the type species of *Normannites* and not the true *Ammonites braikenridgei*. The species figured by d'Orbigny remained without a name until Buckman, in 1927,² gave it the name *Normannites orbignyi*.

5. It is important from the point of view of securing stability in nomenclature that current nomenclatorial practice in this matter should

¹ For a note on the orthography of this name see paragraph 10 of the present *Opinion*.

² For Dr. Arkell's correction of this date to 1908 see paragraph 11 of the present *Opinion*.

be given a firm legal foundation. I accordingly submit the present application under the procedure prescribed by the International Congress of Zoology for adoption in cases such as the present. The application now submitted is that the International Commission on Zoological Nomenclature should :

- (1) under the procedure prescribed by the Thirteenth International Congress of Zoology for determining the type species of a genus based upon a misidentified type species, use its Plenary Powers (a) to set aside all selections of type species for the genus *Normannites* Munier-Chalmas, 1892, made prior to the proposed decision, and (b), having done so, to designate *Normannites orbigny* Buckman, 1927, to be the type species of the foregoing genus ;
- (2) place the generic name *Normannites* Munier-Chalmas, 1892, (type species, as proposed in (1) above to be designated under the Plenary Powers : *Normannites orbigny* Buckman, 1927) (gender of generic name : masculine) on the *Official List of Generic Names in Zoology* ;
- (3) place the trivial name *orbigny* Buckman, 1927, as published in the binominal combination *Normannites orbigny*, on the *Official List of Specific Trivial Names in Zoology*.

References :

- Buckman, S. S., 1927. *Type Ammonites* 7 : pl. dcccxxxiv.
- Orbigny, A. C.d', 1846. *Pal. franç.*, Terr. jurass. : 400, pl. 135, figs. 3, 4.
- Munier-Chalmas, E. C. P. A., 1892. " Sur la possibilité d'admettre un dimorphisme sexuel chez les Ammonitidés ". *Bull. Soc. géol. France* (3) 20 C.R. : clxxii
- Sowerby, J., 1817. *Mineral Conchology* 2 : 187

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On the receipt of Dr. Arkell's application, the question of the species to be accepted as the type species of the genus *Normannites* Munier-Chalmas, 1892, was allotted the Registered Number Z.N.(S.) 508.

3. *Publication of the present application* : The present application was sent to the printer in March 1951 and was published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin*

of *Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 222—223).

4. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited no objection to the action proposed during the Prescribed Period of Public Notice, but after the close of that period the objection reproduced in the immediately following paragraph was received in the Office of the Commission.

5. *Objection received from the Joint Committee on Zoological Nomenclature for Paleontology in America* : On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that the members of the Committee were opposed to the present application by six votes to five. The foregoing letter was dated 18th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)28) relating to this case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (24th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the Joint Committee

at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (five) : (1) Katherine V. W. Palmer ; (2) J. Marvin Weller ; (3) Bobb Schaeffer ; (4) John B. Reeside, Jr. ; (5) Bryan Patterson. To oppose the petition (six) : (1) R. C. Moore ; (2) A. Myra Keen ; (3) Don L. Frizzell ; (4) John W. Wells ; (5) Siemon W. Muller ; (6) G. Winston Sinclair.

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

6. *Issue of Voting Paper V.P.(52)28* : On 24th April 1952, a Voting Paper (V.P.(52)28) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal “ relating to the name *Normannites* Chalmas-Munier, 1892, as specified in Points (1) to (3) in paragraph 5 on page 223 of volume 2 of the *Bulletin of Zoological Nomenclature* ” [i.e., in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

7. *The Prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th July 1952.

8. *Particulars of the Voting on Voting Paper V.P.(52)28* : The state of the voting on Voting Paper V.P.(52)28 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received)* :

Calman ; Hering ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ; Bradley ; Boschma ; Mertens ; Hemming ; Riley ;

(b) *Negative Vote, one (1)* :

Stoll ;

(c) *Voting Paper not returned, one (1) :*

Jaczewski.

9. *Declaration of Result of Vote :* On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)28, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. *Note on the correct form for a specific name formed in the genitive singular when based upon the modern patronymic of a man, where that patronymic ends with the letter “-e” as in the patronymic “Braikenridge” :* On 1st March 1954, Mr. Hemming, as Secretary to the Commission placed the following Minute on the Commission's File Z.N.(S.) 508 relating to the present case :—
“Although under the decision taken by the Commission in the case of the generic name *Normannites* Munier-Chalmas, 1892, there is no longer a question of the type species of this genus being a species, the name of which is based upon the modern patronymic “Braikenridge”, it may be convenient for purposes of record to note the position in regard to such a name under the decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, when amending and clarifying the provisions of Article 14 of the *Règles*, for there might otherwise be a risk of misunderstanding on this subject. The Copenhagen Congress confirmed (1953, *Copenhagen Decisions zool. Nomencl.* : 51—52, Decision 86(1)(b)) as a mandatory provision the provision adopted by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 205—206) that a name based upon the modern patronymic of a man and formed in the genitive singular is to be formed by the addition of the termination “-i” to the exact form of that patronymic. Under this decision such a name, if incorrectly formed, is, as a mandatory provision, subject to automatic correction by later authors (1953, *ibid.* : 53, Decision 87). Thus, a specific name based on the modern patronymic “Braikenridge”, if published (as in the present case by d'Orbigny) in the incorrect form “*braikenridgii*” (i.e. with an “i” instead of an “e” as the penultimate vowel)

is subject to automatic correction to "*braikenridgei*". This case, it will be noted, is entirely distinct from the case where a specific name formed in the genitive singular and based upon the modern patronymic of a man ending in a consonant is formed with a termination consisting of a double "i" (as "-ii"); under a decision taken by the Copenhagen Congress (modifying a decision taken by the Paris (1948) Congress), the terminations "-i" and "-ii" in such a case are permissible variants without nomenclatorial significance (1953, *Copenhagen Decisions zool. Nomencl.* : 54, Decision 91)."

11. *Substitution of an earlier reference for the specific name "Normannites orbigny" Buckman*: On 20th March 1954 Dr. Arkell notified the Secretary that although, as stated in the present application, the name *Normannites orbigny* had been published by Buckman in 1927 as a new name for the nominal species since designated by the Commission under its Plenary Powers to be the type species of the genus *Normannites* Munier-Chalmas, 1892, it had since been ascertained that Buckman had previously bestowed the same name on the same species. This was in a paper published in 1908 (*Ann. Mag. nat. Hist.* (8) **1** : 146). The name so published was put forward as a substitute name (*nom. nov.*) for *Ammonites braikenridgii* d'Orbigny, 1846 : plate 135, figs. 3, 4 (*nec Ammonites braikenridgii* Sowerby (J.), 1817 (*Min. Conch.* **2** : 187)). Immediately upon the receipt of the foregoing communication, Mr. Hemming, as Secretary, placed a Minute on the Commission File Z.N.(S.) 508, directing that the reference for the name *Ammonites orbigny* Buckman to be given in the Ruling on the present case be corrected accordingly. In doing so, Mr. Hemming noted that in the circumstances disclosed by Dr. Arkell the holotype of the foregoing nominal species was the specimen figured by d'Orbigny on his plate 135 (figs. 3, 4) and not the specimen figured by Buckman in 1927.

12. On 22nd March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposals approved by the International Commission in its Vote on Voting Paper V.P.(52)28, subject to the correction specified in the Minute executed by the Secretary on 20th March 1954 (paragraph 11 above).

13. The following are the original references for the names placed on *Official Lists* by the Ruling given in the present *Opinion* :—

Normannites Munier-Chalmas, 1892, *Bull. Soc. géol. France* (3) 20 C.R. : clxxii

orbigny, *Normannites*, Buckman, 1908, *Ann. Mag. nat. Hist.* (8) 1 : 146.

14. The nominal genus *Normannites* Munier-Chalmas, 1892, is not the type genus of a family-group taxon and accordingly no question arises in the present case of placing any name on the *Official List of Family-Group Names in Zoology*.

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 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* Three Hundred and Nine (309) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Second day of March, 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 8. Part 27. Pp. 355—364

OPINION 310

Validation, under the Plenary Powers, of the specific name *virgula* Deshayes, 1831, as published in the combination *Gryphaea virgula* (Class Pelecypodar (Jurassic))



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 310

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N. Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N. Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 310

VALIDATION, UNDER THE PLENARY POWERS, OF THE SPECIFIC NAME "VIRGULA" DESHAYES, 1831, AS PUBLISHED IN THE COMBINATION, "GRYPHAEA VIRGULA" (CLASS PELECYPODA) (JURASSIC)

RULING :—(1) Under the Plenary Powers, the under-mentioned specific names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy : (a) *striata* Smith, 1817, as published in the combination *Chama striata* ; (b) *angusta* Lamarck, 1819, as published in the combination *Gryphaea angusta*.

(2) The specific names specified in (1) above, as there suppressed under the Plenary Powers, are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Names Nos. 75 and 76 respectively.

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 174 : *virgula* Deshayes, 1831, as published in the combination *Gryphaea virgula*.

1—THE STATEMENT OF THE CASE

On 28th February 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application for the use of the Plenary Powers to suppress certain little-used names for the purpose of providing a valid basis for the use of the specific name *virgula* Deshayes, 1831, as published in the combination *Gryphaea virgula* (Class Pelecypoda). Correspondence ensued between the Secretary and Dr. Arkell on certain points arising in connection with this application, but these were cleared

up on 2nd October 1950, when the following application was submitted to the Commission :—

Proposed use of the Plenary Powers for the Purpose of making the trivial name “*virgula*” Deshayes, 1831, as published in the binominal combination “*Gryphaea virgula*” (Class Pelecypoda) (Jurassic) the oldest available name for the species in question

By W. J. ARKELL, M.A., D.Sc., F.R.S.
(Sedgwick Museum, Cambridge University, Cambridge)

1. The small sickle-shaped oyster characteristic of the lower part of the Kimeridge Clay all over England and Europe has been known for about 130 years, in the literature of all languages, as *Exogyra virgula* Deshayes (= *Gryphaea virgula* Deshayes, 1831 (: 90, pl. v, figs. 12, 13)). (The name *Ostrea virgula*, as published by DeFrance, 1820, was intended to denote the same species, but the name, as then published, was a *nomen nudum*.)

2. The “Marnes à *Ostrea virgula*” have figured in French literature at least since 1833 (Thirria : 145), and the Virgulaschichten in German literature at least since 1864 (von Seebach : 56); and Thurmann’s Virgolian Stage (1852) has been adopted by many geologists. *Exogyra virgula* is the only name used for this species in all geological text-books of all languages.

3. In 1930, Dr. L. R. Cox discovered (Cox, 1930 : 298) that the species named *Exogyra virgula* by Deshayes in 1831 had been named and briefly diagnosed, but not figured, by William Smith fourteen years earlier (1817 : 45) under the name *Chama striata*. The description was “Oblong, elongated, curved, longitudinally striated; striae irregular”, and two Kimeridge Clay localities were given. Two syntypes survive in the William Smith collection and Cox selected one of those as the lectotype and published a figure of it. There is also another long rejected trivial name which unfortunately has priority over the name *virgula* Deshayes, 1831; this is the name *angusta* Lamarck, 1819 (: 200), as published in the binominal combination •*Gryphaea angusta*.

4. On the advice of Dr. F. L. Kitchin, then Chief Palaeontologist of the Geological Survey, I continued to use the name *Exogyra virgula* in my *Jurassic System* (1933), and on the advice of his successor, Mr. C. P. Chatwin, I did the same in the official memoir on the type-area of the Kimeridge Clay (Arkell, 1947).

5. In view of the geological importance of this fossil and the length of time during which it has been known by the name *Exogyra virgula* and

the needless confusion and inconvenience which would arise if that name were to be discarded in favour of the totally neglected name bestowed upon it by William Smith, or by the equally neglected name *angusta* Lamarck, 1819, I recommend the International Commission on Zoological Nomenclature (1) to suppress the trivial name *striata* Smith, 1817, as published in the binominal combination *Chama striata*, and *angusta* Lamarck, 1819, as published in the binominal combination *Gryphaea angusta*, (2) to place the foregoing trivial names on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*, and (3) to place the trivial name *virgula* Deshayes, 1831, as published in the binominal combination *Gryphaea virgula*, on the *Official List of Specific Trivial Names in Zoology*.

References :

- Arkell, W. J., 1933. *The Jurassic System in Great Britain*
- Arkell, W. J., 1947. "Geology of the country around Weymouth, Swanage, Corfe and Lulworth", *Mem. geol. Survey*
- Cox, L. R., 1930. "On British Fossils named by William Smith", *Ann. Mag. nat. Hist.* (10) 6 : 287
- Defrance, M. J. L., 1821. *Dict. Sci. nat.*, 22 : 26
- Deshayes, G. P., 1831. *Coquilles caract. des Terrains*
- Lamarck, J. B. P. A. de M. de, 1819. *Hist. nat. Anim. s. Vertèbr.*, 6 (1) : 200
- Seebach, K. von, 1864. *Der Hannoversche Jura*
- Smith, W., 1817. *Stratigraphical System of Organised Fossils*
- Thirria, 1833. *Statistique de la Haute Saône*

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On the receipt of Dr. Arkell's application, the question whether the Plenary Powers should be used for the purpose of providing a valid basis for the use of the specific name *virgula* Deshayes, 1831, as published in the combination *Gryphaea virgula* (Class Pelecypoda) was allotted the Registered Number Z.N.(S.) 407.

3. *Support received from Dr. L. R. Cox (British Museum (Natural History), London)* : On 11th September 1950 Dr. L. R. Cox (*British Museum (Natural History), London*) wrote the following letter in support of the present application :—

Thank you for your letter of 23rd August referring to the application for the protection of the names *Gryphaea virgula* and *Pecten asper*. Certainly the two names to which the present applications relate are so well known that they should be among the first to be protected.

4. *Publication of the present application* : The present application together with Dr. Cox's comment, was sent to the printer in December 1950. These were published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 234—235 ; Cox, 1951, *ibid.* 2 : 238).

5. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited the three comments which are reproduced in the immediately following paragraphs.

6. *Support received from Dr. R. Ph. Dollfus (Muséum National d'Histoire Naturelle, Paris)* : On 25th June 1951, Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*) submitted to the Commission a letter commenting upon a number of current applications. The following is an extract from the foregoing letter of the passage in which Dr. Dollfus indicated his support for the present application (Dollfus, 1952, *Bull. zool. Nomencl.* 6 : 212) :—

Je suis pour la conservation de *Gryphaea virgula* Deshayes, 1831, et *Pecten asper* Lamarck, 1819.

7. *Objection received from Professor Dr. C. R. Boettger (Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt A. M., Germany)*: On 27th August 1951, Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M.*) submitted to the Commission, through Professor Dr. Robert Mertens of the same Institution, a statement in which he commented upon a number of applications then before it. The following is an extract from the foregoing statement of the passage in which Dr. Boettger expressed himself as being opposed to the present application :—

Ich bin in diesem Fall für strikte Durchführung der Priorität und halte eine Abweichung von den Nomenklaturregeln nicht für unbedingt notwendig, da doch schon in vielen Fällen Namen von Arten durch ältere ersetzt werden mussten.

8. *Communication received from the Joint Committee on Zoological Nomenclature for Paleontology in America*: On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that the members of the Committee were equally divided on the present application, five being in favour of it and five being against it. The foregoing letter was dated 6th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)30) relating to this case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but, when the Voting Paper was despatched (on 24th April), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee at the same time that they received the Voting

Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (five) : (1) Katherine V. W. Palmer ; (2) Bobb Schaeffer ; (3) Bryan Patterson ; (4) J. Marvin Weller ; (5) John B. Reeside, Jr. To oppose the petition (1) : Don L. Frizzell ; (2) A. Myra Keen ; (3) Simon W. Muller ; (4) John W. Wells ; (5) G. Winston Sinclair.

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

9. *Issue of Voting Paper V.P.(52)30* : On 24th April 1952, a Voting Paper (V.P.(52)30) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the name *virgula* Deshayes, 1831, as published in the combination *Gryphaea virgula*, as specified in Points (1) to (3) at the top of page 235 of volume 2 of the *Bulletin of Zoological Nomenclature*" [*i.e.*, in the last paragraph of the application reproduced in the first paragraph of the present *Opinion*].

10. *The Prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th July 1952.

11. *Particulars of the Voting on Voting Paper V.P.(52)30* : The state of the voting on Voting Paper V.P.(52)30 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)* :

Calman ; Hering ; Dymond ; Esaki ; do Amaral ; Hankó ; Bonnet ; Lemche ; Vokes ; Cabrera ; Pearson ; Bradley ; Boschma ; Stoll ; Mertens ; Hemming ; Riley ;

(b) *Negative Votes :*

None ;

(c) *Voting Paper not returned, one (1) :*

Jaczewski.

12. *Declaration of Result of Vote :* On 25th July 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)30, signed a Certificate that the Votes cast were as set out in paragraph 11 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

13. On 23rd March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)30.

14. The following are the original references for the names placed on the *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

angusta, *Gryphaea*, Lamarck, 1819, *Hist. nat. Anim. sans Vertèbr.* 6 (1) : 200

striata, *Chama*, Smith (W.), 1817, *Strat. Syst. organ Foss.* : 45

virgula, *Gryphaea*, Deshayes, 1831, *Descr. Coquilles caract. Terrains* : 90 pl. v, figs. 12, 13

15. As the present case is concerned only with certain specific names and no question of the status of generic names is involved, the question of placing names on the *Official List of Family-Group Names in Zoology* does not arise.

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 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 Three Hundred and Ten* (310) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Third day of March, 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 8. Part 28. Pp. 365—374

OPINION 311

Validation, under the Plenary Powers, of the specific name
asper Lamarck, 1819, as published in the combination
Pecten asper (Class Pelecypoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 311

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England.*)

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil.*)

Secretary : Mr. Francis Hemming (*London, England.*)

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology.*)

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 311

VALIDATION, UNDER THE PLENARY POWERS, OF THE SPECIFIC NAME "ASPER" LAMARCK, 1819, AS PUBLISHED IN THE COMBINATION "PECTEN ASPER" (CLASS PELECYPODA)

RULING :—(1) Under the Plenary Powers, the under-mentioned specific names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy: (a) *scaber* Pulteney, 1813, as published in the combination *Pecten scaber*; (b) *triplicatus* Pulteney, 1813, as published in the combination *Pecten triplicatus*.

(2) The specific names specified in (1) above, as there suppressed under the Plenary Powers, are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name Nos. 78 and 79 respectively.

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 175: *asper* Lamarck, 1819, as published in the combination *Pecten asper*.

I.—THE STATEMENT OF THE CASE

On 28th February 1949 Dr. W. J. Arkell (*Sedgwick Museum, Cambridge University, Cambridge*) submitted an application for the use of the Plenary Powers to suppress certain little-used names for the purpose of providing a valid basis for the use of the specific name *asper* Lamarck, 1819, as published in the combination *Pecten asper* (Class Pelecypoda). Correspondence ensued between the Secretary and Dr. Arkell on certain points arising

in connection with this application, but these were cleared up on 23rd August 1950, when the following application was submitted to the Commission :—

Proposed use of the Plenary Powers for the purpose of making the trivial name "asper" Lamarck, 1819, as published in the binominal combination "Pecten asper", (Class Pelecypoda) the oldest available name for the species in question

By W. J. ARKELL, M.A., D.Sc., F.R.S.
(Sedgwick Museum, Cambridge University, Cambridge)

1. *Pecten asper* Lamarck (1819 : 167, 180) is a common and characteristic fossil of the Upper Greensand all over England and Europe. For 130 years it has been known by no other name.

2. This name was used as a zonal index by Barrois (1876 : 14), since when the Zone of *Pecten asper* has appeared in numerous text-books and in the official memoirs of the Geological Survey, especially the great stratigraphical memoir on the Cretaceous rocks (Jukes-Browne, 1900 : 62, etc.) and in Woods' monograph on the British Cretaceous Lamellibranchia (: 186, pls. xxxv—vi).

3. In 1940, Dr. L. R. Cox discovered (Cox, 1940 : 125) that the species named *Pecten asper* by Lamarck in 1819 had been described and figured six years earlier in an obscure publication by Pulteney (1813 : 107, 108, figs. 4, 5) as *Pecten scaber* and *Pecten triplicatus*. He adopted the former name on account of page priority, and it appears to be the valid name.

4. Although the fossil *Pecten asper* has been superseded by an ammonite as a better zonal index, it is still an important stratigraphical fossil, and it occupies a place in the history of stratigraphy which makes a change of name at this late date extremely undesirable as being calculated to cause confusion in nomenclature without serving any useful purpose.

5. I accordingly ask the International Commission on Zoological Nomenclature (1) to use its Plenary Powers to suppress the trivial names *scaber* Pulteney, 1813, as published in the binominal combination *Pecten scaber*, and *triplicatus* Pulteney, 1813, as published in the binominal combination *Pecten triplicatus*, (2) to place the foregoing trivial names on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*, and (3) to place the trivial name *asper*

Lamarck, 1819, as published in the binominal combination *Pecten asper*, on the *Official List of Specific Trivial Names in Zoology*.

References :

- Barrois, C., 1876. *Recherches sur le terrain crétacé supérieur de l'Angleterre et de l'Irlande*, Lille
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- Pulteney, R., 1813. "Catalogue of the birds, shells, and some of the more rare plants of Dorsetshire", in Hutchins' *History of Dorset* (ed. 2)
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II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On the receipt of Dr. Arkell's application, the question whether the Plenary Powers should be used for the purpose of providing a valid basis for the use of the specific name *asper* Lamarck, 1819, as published in the combination *Pecten asper* (Class Pelecypoda) was allotted the Registered Number Z.N.(S.) 408.

3. *Support received from Dr. L. R. Cox (British Museum (Natural History), London)* : On 11th September 1950 Dr. L. R. Cox (*British Museum (Natural History), London*) wrote the following letter in support of the present application :—

Thank you for your letter of 23rd August referring to the application for the protection of the names *Gryphaea virgula* and *Pecten asper*.

Certainly the two names to which the present applications relate are so well known that they should be among the first to be protected.

4. *Publication of the present application* : The present application, together with Dr. Cox's comment, was sent to the printer in December 1950. These were published on 4th May 1951 in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature* (Arkell, 1951, *Bull. zool. Nomencl.* 2 : 236—237 ; Cox, 1951, *ibid.* 2 : 238).

5. *Issue of Public Notices* : Under the revised arrangements approved by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951, both in Triple-Part 6/8 of volume 2 of the *Bulletin of Zoological Nomenclature*, the Part in which Dr. Arkell's application was published, and also to the other prescribed serial publications. In addition, Public Notice was given to certain palaeontological serial publications in Europe and America. The publication of these Notices elicited the three comments which are reproduced in the immediately following paragraphs.

6. *Support received from Dr. R. Ph. Dollfus (Muséum National d'Histoire Naturelle, Paris)* : On 25th June 1951, Dr. R. Ph. Dollfus (*Muséum National d'Histoire Naturelle, Paris*) submitted to the Commission a letter commenting upon a number of current applications. The following is an extract from the foregoing letter of the passage in which Dr. Dollfus indicated his support for the present application (Dollfus, 1952, *Bull. zool. Nomencl.* 6 : 212) :—

Je suis pour la conservation de *Gryphaea virgula* Deshayes, 1831, et *Pecten asper* Lamarck, 1819.

7. *Objection received from Professor Dr. C. R. Boettger (Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M., Germany)* : On 27th August 1951, Professor Dr. C. R. Boettger (*Natur-Museum u. Forschungs-Institut Senckenberg, Senckenberg-Anlage, Frankfurt a. M.*) submitted to the Commission, through Professor Dr. Robert Mertens of the same Institution, a statement in which he

commented upon a number of applications then before it. The following is an extract from the foregoing statement of the passage in which Dr. Boettger expressed himself as being opposed to the present application :—

Auch in diesem Fall halte ich eine Abweichung von den Nomenklaturregeln nicht für unbedingt notwendig und bin für strikte Durchführung der Priorität.

8. *Communication received from the Joint Committee on Zoological Nomenclature for Paleontology in America* : On 9th April 1952 there was received a large number of letters commenting on various applications previously published in the *Bulletin of Zoological Nomenclature* from Professor G. Winston Sinclair (then of the *University of Michigan, Ann Arbor, Michigan, U.S.A.*), Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America. Included among these was a letter reporting that the members of the Committee were equally divided on the present application, five being in favour of it and five being against it. The foregoing letter was dated 6th February 1952, and its late receipt was apparently due to a decision to defer the despatch to the Commission of the letters containing comments by members of the Joint Committee until all the letters in question had been prepared. By the date on which this letter was received, the Prescribed Period of Public Notice had expired and the Voting Paper (V.P.(52)31) relating to the present case had been prepared. It was therefore impossible to include in that Voting Paper a reference to Professor Sinclair's letter, but when the Voting Paper was despatched (on 9th May), a supplementary sheet containing the particulars furnished by Professor Sinclair was issued to the Members of the Commission, who were thus placed in possession of the views of the members of the Joint Committee at the same time that they received the Voting Paper relating to the present case. The following is the text of Professor Sinclair's letter :—

The Joint Committee on Zoological Nomenclature for Paleontology in America has considered this subject, and I wish to inform you that, being polled, they voted : To support the petition (five) : (1) Katherine V. W. Palmer ; (2) Bobb Schaeffer ; (3) Bryan Patterson ; (4) J. Marvin Weller ; (5) John B. Reeside, Jr. To oppose the petition (five) : (1) Don L. Frizzell ; (2) Siemon W. Muller ; (3) A. Myra Keen ; (4) John W. Wells ; (5) G. Winston Sinclair.

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

9. *Issue of Voting Paper V.P.(52)31* : On 9th May 1952, a Voting Paper (V.P.(52)31) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal " relating to the name *asper* Lamarck, 1819, as published in the combination *Pecten asper*, as specified in Points (1) to (3) in paragraph 5 at the foot of page 236 in volume 2 of the *Bulletin of Zoological Nomenclature* " [i.e., paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

10. *The Prescribed Voting Period* : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 9th August 1952.

11. *Particulars of the Voting on Voting Paper V.P.(52)31* : The state of the voting on Voting Paper V.P.(52)31 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received)* :

Hering ; Dymond ; Calman ; Hankó ; Bonnet ;
Lemche ; Vokes ; do Amaral ; Pearson ; Bradley ;
Boschma ; Hemming ; Esaki ; Riley ; Mertens ; Stoll ;

(b) *Negative Vote, one (1)* :

Cabrera ;

(c) *Voting Paper not returned, one (1)* :

Jaczewski.

12. *Declaration of Result of Vote* : On 10th August 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)31, signed a Certificate that the Votes cast were as set out in paragraph

11 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

13. On 23rd March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)31.

14. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

asper, *Pecten*, Lamarck, 1819, *Hist. nat. Anim. sans Vertèbr.*

6 (1) : 167, 180

scaber, *Pecten*, Pulteney, 1813, in Hutchins' *History of Dorset* (ed. 2) : 107, fig. 4

triplicatus, *Pecten*, Pulteney, 1813, in Hutchins' *History of Dorset* (ed. 2) : 108, fig. 5

15. As the present case is concerned only with certain specific names and no question of the status of generic names is involved, the question of placing names on the *Official List of Family-Group Names in Zoology* does not arise.

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* Three Hundred and Eleven (311) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Third day of March, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

NOTE TO SUBSCRIBERS

The present volume [Volume 8] will be complete on the publication of Part 29 containing the indexes, title page, etc. This concluding Part is now in course of preparation, and will, it is hoped, be published at an early date.

The volume preceding this volume, namely Volume 7, will be published on 28th December, 1954.

**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 8. Part 29.

(Concluding Part)

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE OPINIONS PUBLISHED IN THE PRESENT VOLUME

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(*arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948).

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

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Edited by

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

Secretary to the Commission

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Also published with this Part : Title Page, Foreword ;
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Corrigenda

- pages 15—26 : substitute “ Jordan and Rothschild ” for “ Rothschild and Jordan ” wherever these names occur in this order.
- page 91. Ruling (1) line 4 : substitute “ *Homonymy* ” for “ *Priority* ”.
- page 118. Ruling (3) line 15 : substitute “ *Storhodon* ” for “ *Storhodon* ”.
- page 212. Ruling (4) line 15 : substitute “ *turritus* ” for “ *turritis* ”.
- page 275. Ruling (2) line 7 : substitute “ *Perisphinctes* ” for “ *Perisphinctus* ”.
- page 275. Ruling (2) line 9 : cancel corrigendum slip.

(Note : The correction in question was incorporated in the text on the final proof.)



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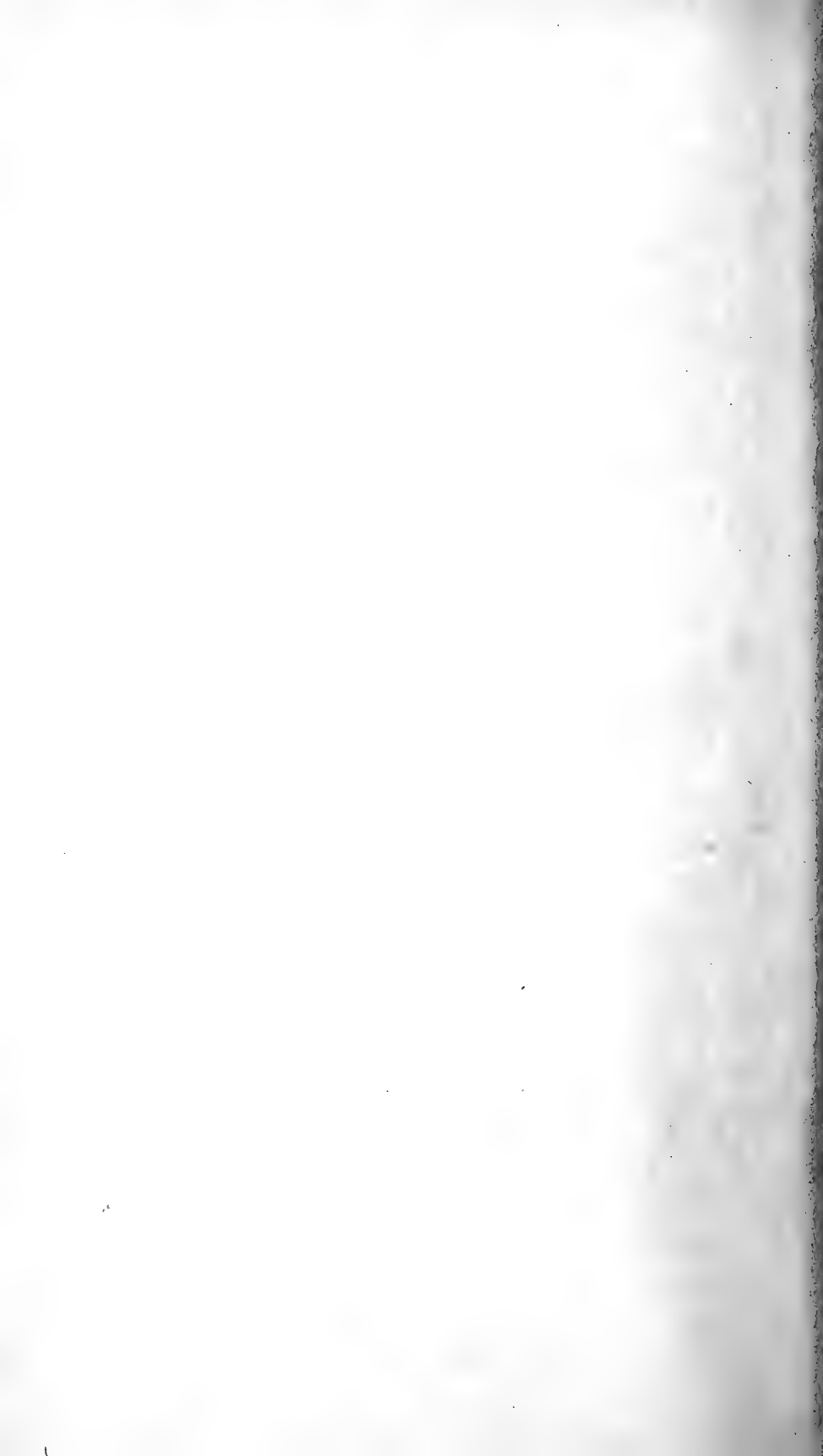
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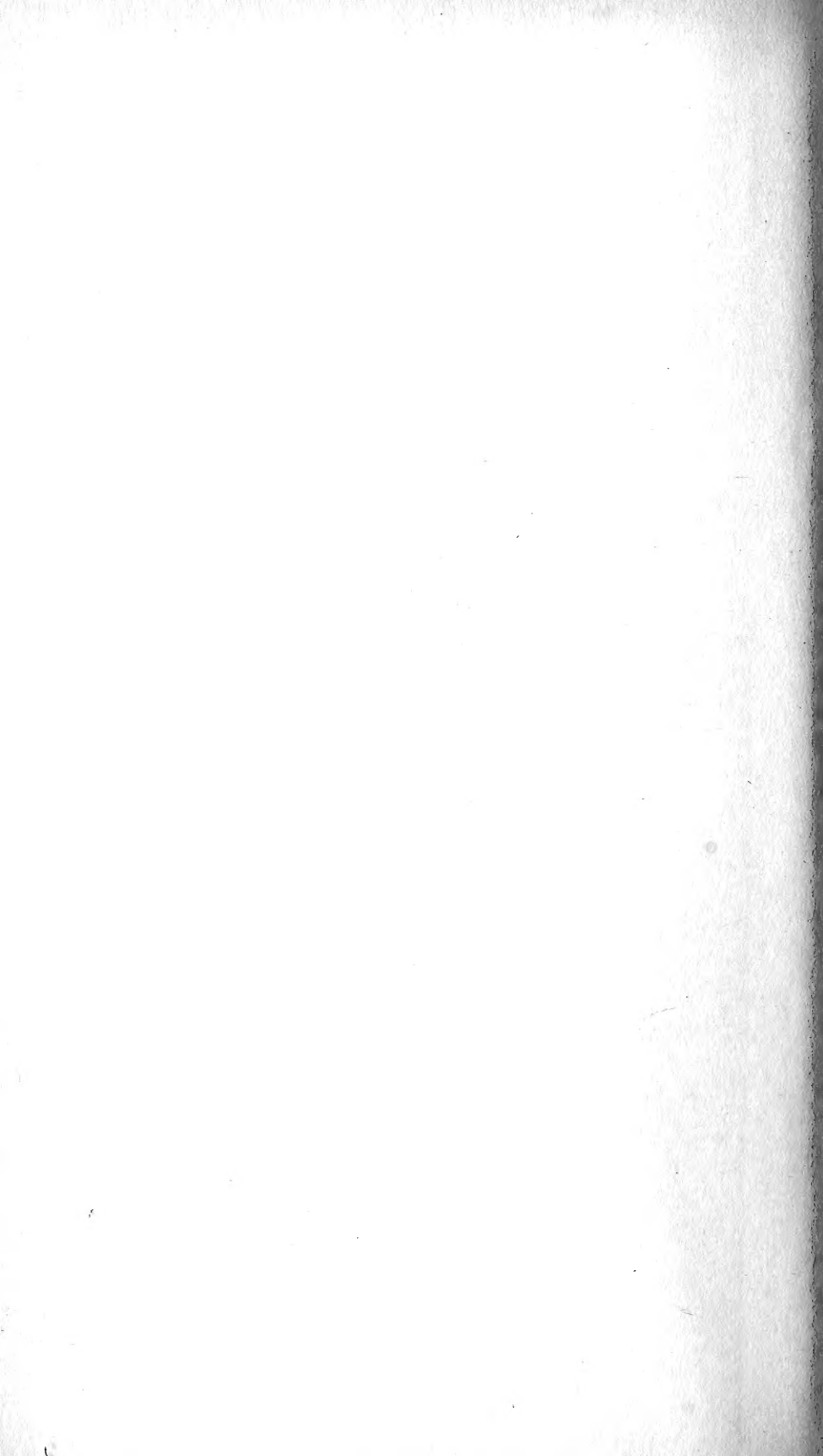
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