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

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

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


B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitetsets Zoologiske Museum, Copenhagen, Denmark).

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

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


Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).

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

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

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Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).

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

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Translator: Mrs. R. H. R. Hopkin

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Publications Officer: Mrs. C. Rosner

ADDRESSES OF THE COMMISSION AND THE TRUST

FOREWORD

The present volume—the fifth of the series entitled *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature*—contains the third instalment of *Opinions* embodying decisions taken by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948. The *Opinions* in question are *Opinions* 240 to 268. The present volume comprises 440 pages (T.P.—XIV, 1—426), 4 plates and three facsimiles reproduced as text figures.

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

3. Six of the applications dealt with in the present volume were concerned with the status of books and the remaining twenty-four with individual names. Of this latter group, nineteen (79 per cent.) involved the used by the Commission of its Plenary Powers. The use of these Powers was not involved in any of the applications relating to the status of individual books.

4. The twenty-four applications relating to individual names dealt with in the *Opinions* published in the present volume, when grouped by reference to the Classes of the Animal Kingdom to which the genera or species concerned belong, are distributed as shown in the following table. In the same table the applications are arranged so as to distinguish those which involved the use of the Commission’s Plenary Powers from those which did not.
TABLE 1
Distribution of applications (a) by Classes of the Animal Kingdom and (b) by whether they involved the use by the Commission of its Plenary Powers

<table>
<thead>
<tr>
<th>Name of Class</th>
<th>Number of applications</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Involving the use of the Plenary Powers</td>
<td>Others</td>
<td>Total</td>
</tr>
<tr>
<td>Sporozoa</td>
<td>—</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Crustacea</td>
<td>—</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Insecta</td>
<td>18</td>
<td>1</td>
<td>19</td>
</tr>
<tr>
<td>Bryozoa</td>
<td>—</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Actinopterygii</td>
<td>1</td>
<td>—</td>
<td>1</td>
</tr>
<tr>
<td>Reptilia</td>
<td>—</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Totals</td>
<td>19</td>
<td>5</td>
<td>24</td>
</tr>
</tbody>
</table>

5. When the forty-five 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

<table>
<thead>
<tr>
<th>Country of Residence</th>
<th>Number of Applicants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brazil</td>
<td>1</td>
</tr>
<tr>
<td>Israel</td>
<td>1</td>
</tr>
<tr>
<td>New Zealand</td>
<td>2</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>34</td>
</tr>
<tr>
<td>United States of America</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td>45</td>
</tr>
</tbody>
</table>
6. Under the Rulings given in the *Opinions* comprised in the present volume, 17 names were placed on the *Official List of Generic Names in Zoology* and 26 names on the *Official List of Specific Names in Zoology*. In the same *Opinions*, 5 names were placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* and 6 names on the *Official Index of Rejected and Invalid Specific Names in Zoology*. Finally, in the same *Opinions*, the titles of two works were placed on the *Official List of Works Approved as Available for Zoological Nomenclature* and the titles of seven works on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*.

7. The twenty-four *Opinions* dealing with individual names published in the present volume contain forty-five comments received from interested specialists. In addition, eight comments were received in regard to the applications relating to the status of books.

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

**TABLE 3**

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

<table>
<thead>
<tr>
<th>Name of Class</th>
<th>Number of Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sporozoa</td>
<td>4</td>
</tr>
<tr>
<td>Crustacea</td>
<td>2</td>
</tr>
<tr>
<td>Insecta</td>
<td>32</td>
</tr>
<tr>
<td>Bryozoa</td>
<td>2</td>
</tr>
<tr>
<td>Actinopterygii</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>45</strong></td>
</tr>
</tbody>
</table>
9. When the authors of the comments on individual names dealt with in the *Opinions* published in the present volume are grouped by reference to their country of residence, the distribution is found to be as follows:—

**TABLE 4**

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

<table>
<thead>
<tr>
<th>Country of Residence</th>
<th>Number of comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brazil</td>
<td>1</td>
</tr>
<tr>
<td>Denmark</td>
<td>3</td>
</tr>
<tr>
<td>Panama</td>
<td>2</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>15</td>
</tr>
<tr>
<td>United States of America</td>
<td>23</td>
</tr>
<tr>
<td>Union of Soviet Socialist Republics</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>45</td>
</tr>
</tbody>
</table>

10. As in the case of the two preceding volumes of this Series, the Commission is indebted to Miss Joan Kelley, B.Sc. for the preparation of the indexes to the present volume. In style these indexes follow exactly the model laid down for earlier volumes.

11. At the time of writing the present Foreword, the whole of the following volume (vol. 6) and a part of volume 8 are already in proof, while volume 7 is in the hands of the printers. Volumes 6 and 7 contain the last instalments of *Opinions* embodying decisions taken by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948. Volume 8 contains the first instalment of *Opinions* embodying decisions taken by the Commission in 1952 on applications published in 1951 in volume 2 of the *Bulletin of Zoological Nomenclature*. 
This latter volume will be of particular interest, since, unlike those containing *Opinions* embodying decisions taken by the Commission in Paris and subsequently published in the Official Record of the Proceedings of the Commission at its Paris Session, the Rulings contained in the *Opinions* included in volume 8 will be published for the first time in that volume.

12. The fact that the *Opinions* included in the present volume were all published within so short a period as two and a half months is evidence once again of the long hours of hard work devoted to the Commission by my assistants and of the efforts made by the printers to keep pace with the flow of work reaching them from this Office. To both of these the Commission and zoologists at large are alike greatly indebted.

FRANCIS HEMMING

*Secretary to the International Commission on Zoological Nomenclature*

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

10th August 1954.
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</tr>
</thead>
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<td>115</td>
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<td>139</td>
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<td>151</td>
</tr>
<tr>
<td>253</td>
<td><em>Pachylops</em> Fieber, 1858 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage</td>
<td>163</td>
</tr>
<tr>
<td>254</td>
<td><em>Pilophorus</em> Hahn, 1826 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage</td>
<td>175</td>
</tr>
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<td>255</td>
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<td>187</td>
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OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 240
Correction of an erroneous entry in the Official List of Generic Names in Zoology relating to the type species of the nominal genus Mabuya Fitzinger, 1826 (Class Reptilia) (correction of an error in Opinion 92)

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 240

A. The Officers of the Commission

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Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straalen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
CORRECTION OF AN ERRONEOUS ENTRY IN THE
"OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY"
RELATING TO THE TYPE SPECIES OF THE
NOMINAL GENUS "MABUYA" FITZINGER,
1826 (CLASS REPTILIA) (CORRECTION
OF AN ERROR IN "OPINION" 92)

RULING:—(1) The statement that Scincus sloanii Daudin, 1803, is the type species of the genus Mabuya Fitzinger, 1826 (Class Reptilia) made in Opinion 92, when the foregoing generic name was placed on the Official List of Generic Names in Zoology is incorrect and is hereby deleted from the Official List, there being inserted in its place the statement that Lacertus mabouya Lacépède, 1788, is the type species of that genus by absolute tautonymy.

(2) The specific name mabouya Lacépède, 1788, as published in the combination Lacertus mabouya, is hereby placed on the Official List of Specific Names in Zoology as Name No. 59.

I.—THE STATEMENT OF THE CASE

The problem dealt with in the present Opinion came to notice from two different sources: First, Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, when examining the older Opinions in the course of preparing the Official List of Generic Names in Zoology for publication in book form, noted, on referring to the original literature, that an incorrect statement had been made in Opinion 92 regarding the type species of the genus Mabuya Fitzinger, 1826 (Class Reptilia), which would need to be corrected before the Official List could be published. Second, at a somewhat later date Senhor Haraldo Travassos (Museu Nacional, Rio de Janeiro, Brazil) submitted a detailed statement on this case for
the consideration of the International Commission. Mr. Hemming’s note and Senhor Travassos’ paper are given in the immediately following paragraphs.

2. Note dated 4th April 1944 by Mr. Francis Hemming, Secretary to the International Commission: On 4th April 1944 the following note by Mr. Francis Hemming, Secretary to the International Commission, was placed on the File Z.N.(G.) 15, in which papers relating to the proposed publication of the Official List in book form were at that time registered:

“Mabuya ” Fitzinger, 1826 ("Opinion" 92)

By FRANCIS HEMMING
(Secretary to the International Commission on Zoological Nomenclature)

In checking the entries made in the Official List of Generic Names in Zoology in the Commission’s older Opinions with the object of extracting therefrom the particulars which will be needed when the Official List is published in book form, I have found that an entirely incorrect entry has been made in Opinion 92 (1926, Smithson, misc. Coll. 73 (No. 4) : 3—4) regarding the type species of the genus Mabuya Fitzinger, 1826 (Neue Classif. Rept. : 23) (Class Reptilia).

2. The facts in this case are as follows:

(1) In Opinion 92 it is stated that the type species of Mabuya Fitzinger, 1826, is "Scincus sloanii Daud., 1803, v. 4, 287.", i.e. Scincus sloanii Daudin, 1802, in Sonnini’s Buffon, Rept. 4 : 287.

(2) Fitzinger in 1826 did not even place the above species in the genus Mabuya Fitzinger; on the contrary, he cited it as the sole included species in his new genus Spondylurus Fitzinger, 1826 (Neue Classif. Rept. : Tabl.).

(3) Fitzinger included in his genus Mabuya sixteen species, of which the fourteenth is of special interest in the present case. The nominal species in question which is there (: 52) named for the first time, is Mabuya dominicensis. Fitzinger indicated by adding in brackets (parentheses) the words “Lacertus Mabouya La Cépède” that the name Mabuya dominicensis was no more than a nom. nov. pro Lacertus mabouya Lacépède, 1788 (Hist. nat. Quad. ovip. Serpens 1 : Syn. méth.).

(4) In view of (3) above, the type species of Mabuya Fitzinger, 1826, appears to be the nominal species Lacertus mabouya Lacépède, 1788, by absolute tautonomy under Rule (d) in Article 30.
3. I have ascertained from Dr. Malcolm Smith (British Museum (Natural History), London) that the strict application of the ordinary provisions in the Règles, that is, the acceptance of Lacertus mabouya Lacépède, 1788, as the type species of Mabuya Fitzinger, 1826, will not lead to any confusion. I am of the opinion, therefore, that there is no need for the Commission in this case to use its Plenary Powers and that all that is required is a supplementary decision by the Commission correcting the erroneous statement in Opinion 92 regarding the type species of this genus.

3. Application submitted by Senhor Haraldo Travassos (Museu Nacional, Rio de Janeiro, Brazil): On 12th December 1945, the Secretary received from Senhor Haraldo Travassos (Museu Nacional, Rio de Janeiro, Brazil) a copy of a paper recently published in Portuguese and English, in which Senhor Travassos had discussed the question of the type species of the genus Mabuya Fitzinger, 1826 (Travassos, August 1945, Bol. Mus. nac., Rio de Janeiro (n.s.) (Zool.) 37 : 1—7). On receipt of this paper, the papers relating to the problem presented by the name Mabuya Fitzinger were separately registered under the Number Z.N.(S.) 203. It was agreed in correspondence between the Secretary and Senhor Travassos that the English text of the latter’s paper should be treated as constituting his application to the International Commission. Senhor Travassos’ application was as follows:—

A note on the type species of “Mabuya” Fitzinger, 1826

By HARALDO TRAVASSOS (Museu Nacional)

Fitzinger in 1826 established within his XII family “Scincoidea” the genus Mabuya for a lizard which presents palatal teeth. In addition to this genus, Fitzinger created other genera, among them Spondylurus. In establishing the genus Mabuya, page 23, he did not mention on what species he based his description of the same, as he had done with other genera. On the genus Spondylurus he made the following statement: “Daudin’s Scincus sloanei, die einzige bis jetzt bekannte Art dieser Familie, welche Schenkelporen besitzt, ist der Repräsentant meiner Gattung Spondylurus, welche einen vortrefflichen Übergang zu Tropidosaura aus der Familie der Lacertoiden bildet, und andererseits in Mabuya abfällt”. According to Fitzinger’s statement, the genus Spondylurus can have only one type species, namely Scincus sloanei Daudin, 1803. This is the only species given by the author of the genus; it is the type species by monotypy.
On page 52, Fitzinger cited the following species:

4. **GENUS. Mabuya. Mabuye.**

1. *M. quinquecarinata.* m. Fünfkielige M. (*Scincus quinquecarinatus.* Kuhl.) Ex Asia, India et Insula Java.


8. *M. subcarinata.* m. Schwachkiehge M. (*Scincus subcarinatus.* Boie.) Ex Asia, Insula Java.


16. *M. Serpens.* m. Schlangenartige M. (*Scincus Serpens* Schneider.) Ex Asia, Insula Java.

Of the species included in the genus *Mabuya*, 14 were already known. Fitzinger transferred them to his new genus, making them agree grammatically. To one of these species, the fourteenth, which is *mabouya* La Cépède, he gave a new name (*M. dominicensis*). The two remaining ones are *nomina nuda*. There are several errors in Fitzinger’s citations, but these are of no importance in the present context. The species which are of interest to us are the second and the fourteenth, respectively: *Mabuya carinata* (Schneider, 1801) and *Mabuya*
dominicensis Fitzinger, 1826 = Mabuya mabouya (La Cépède, 1788). Fitzinger cited carinata as of Daudin, but that is not correct.

According to the International Rules of Zoological Nomenclature, Article 30:

The designation of type species of genera shall be governed by the following rules, applied in the following order or precedence: II. Cases in which the generic type is accepted not solely upon basis of the original publication:

(e) — The following species are excluded from consideration in determining the types of genera: (a) — Species which were not included under the generic name at the time of its original publication.

As one may observe the type of *Mabuya* can only be one of the 16 species which we have seen above, and not *Scincus sloanei* Daudin, 1803, 4, p. 282, pl. 55, fig. 2 as stated in Opinion 92. That Opinion places the genus *Mabuya* on the Official List of Generic Names, and cites that same genus without giving the slightest explanation concerning it. The above species cannot be accepted as the type species, since that would be contrary to Article 30. The species of Daudin is the type species of *Spondylurus* Fitzinger, 1826, as we have seen.

Upon perusal of the relevant literature, we find that Dunn, 1936 (p. 534) selected, for the type species of *Mabuya* Fitzinger, 1826, the species *Lacerta mabouya* La Cépède 1788 = *Mabuya dominicensis* Fitzinger, 1826 (n. n.) = *Mabuya mabouya* (La Cépède, 1788) Fitzinger, 1826. Dunn established this type species by virtual tautonymy (Article 30, III, i). This species can be and is the type species of the genus *Mabuya* Fitzinger, 1826.

Therefore, in accordance with the Code, which is indisputable, the type species accepted as the type species in Opinion 92 (1926) falls to the selection made by Dunn (1936), although the former is the earlier designated.

Thus the type species of the genus *Mabuya* Fitzinger, 1826 is as follows:

*Lacerta mabouya* La Cépède, 1788 2, p. 378, Tab. 24 = *Mabuya dominicensis* Fitzinger, 1826 p. 52 = *Mabuya mabouya* (La Cépède, 1788) Fitzinger, 1826.

In 1937 Amaral cited the genus *Mabuya* (p. 203) with the following reference to the type species: """Typo : carinata"". As we were unable to understand Amaral's selection since we had already seen Dunn's work, we decided to address ourselves to that author, who
replied as follows: "Fitzinger p. 52 (n. 2) registrou como espécie tipica". Amaral was referring to *carinata*. We disagree with Amaral, for, apart from the scientific names, there is only the German word "Kielschuppige" which bears the following meaning: "which has a keeled scale". (See list of Fitzinger’s species). Thus, we conclude that the citation by Amaral 1937 is a lapse.

We should like to stress the following fact: even though the Commission which drew up Opinion 92 considered the species *Scincus sloanei* Daudin, 1803, as synonymous with *Mabuya dominicensis* Fitzinger, 1826 = *Mabuya mabouya* (La Cépède, 1788), as some authors have done, the citation given in Opinion 92 is incorrect and should not have been used, especially in an Opinion.

We consider Daudin’s species as distinct from the species *mabouya* La Cépède.

We avail ourselves of this opportunity to make a request to all zoologists that every selection of a type species be always accompanied by an indication stating the reason for the preference given to the species concerned:

II.—THE SUBSEQUENT HISTORY OF THE CASE

4. The present was one of a number of cases relating to individual names, summaries of which were given in a paper (Paper I.C. (48) 19), prepared by the Secretary for consideration by the International Commission on Zoological Nomenclature at its Paris Session in July 1948. The following is an extract from the above Paper of the portion relating to the present case (1950, *Bull. zool. Nomencl*. 3 : 136) :

(3) Type of "Mabuya" Fitzinger, 1826 (Class Reptilia) (reference Opinion 92): In Opinion 92 in which the above name was placed on the Official List, the type species of the genus was erroneously cited as *Scincus sloanii* Daudin, 1803. This was due to a gross piece of carelessness, since the above species was not only not one of the species originally included in *Mabuya* by Fitzinger but was actually cited by that author in another genus on a different page of the same paper.
Actually, *Lacertus mabouya* Lacépède, 1788, is the type of Fitzinger's genus by absolute tautonymy and is so recognised by specialists in this group. It is proposed to correct this mistake in the edition of the *Official List* shortly to be published.

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

5. The applications submitted in regard to the present case were considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in the present case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 4) (1950, *Bull. zool. Nomencl.* 4 : 356):

THE COMMISSION agreed:—

(1) that the statement that *Scincus sloanii* Daudin, 1803, was the type species of *Mabuya* Fitzinger, 1826 (Class Reptilia) inserted in the *Official List of Generic Names in Zoology* as the result of a mistake in Opinion 92 should be deleted and that in its place there should be inserted a statement that the type species was *Lacertus mabouya* Lacépède, 1788, by absolute tautonomy;

(2) to place the trivial name *mabouya* Lacépède, 1788 (as published in the binominal combination *Lacertus mabouya*) on the *Official List of Specific Trivial Names in Zoology*;

(3) to render an *Opinion* setting out the decision recorded in (1) and (2) above.
6. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph:


7. The decision in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 104—105).

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

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

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

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

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

12. The present Opinion shall be known as Opinion Two Hundred and Forty (240) of the International Commission on Zoological Nomenclature.

Done in London this Eleventh day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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


OPINION 241
Rejection for nomenclatorial purposes of Nozeman & Vosmaer, 1758 Geslachten der Vogelen, a Dutch translation of Moehring's pre-Linnaean work entitled Avium Genera published in 1752

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INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 241

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).

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

Professor Lodovico di Caporiacco (University of Parma, Italy).

Professor J. R. Dymond (University of Toronto, Canada).

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


Class 1955

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

Dr. William Thomas Calman (Tayport, Fife, Scotland).

Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).

Professor Béla Hankó (University of Debrecen, Hungary).

Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).

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

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

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


Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).

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

Dr. Henning Lemche (Kgl. Veterinar- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).

Professor Kamel Mansour (King Fouad University, Cairo, Egypt).


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

Professor Ragnar Spärck (Universitets Zoologiske Museum, Copenhagen, Denmark).

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

Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 241

REJECTION FOR NOMENCLATORIAL PURPOSES OF NOZEMAN & VOSMAER, 1758 "GESLACHTEN DER VOGELEN”, A DUTCH TRANSLATION OF MOEHRING’S PRE-LINNAEAN WORK ENTITLED “AVIUM GENERA” PUBLISHED IN 1752

RULING:—(1) The work published in 1758 under the title Geslachten der Vogelen, consisting of a translation into Dutch by Nozeman & Vosmaer of the work entitled Avium Genera by Moehring (P.H.G.) originally published in 1752 (i.e. before the starting point of zoological nomenclature, as prescribed by Article 26 of the Règles) is not available for nomenclatorial purposes, since Nozeman & Vosmaer did reinforce the names contained therein by adoption or acceptance in the manner first prescribed in Opinion 5.

(2) The foregoing work is accordingly hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature as Work No. 6.

I.—THE STATEMENT OF THE CASE

The question of a possible application to the International Commission to rule against the availability of, or to suppress under its Plenary Powers, the generic names in the Dutch translation of Moehring’s Genera Avium of 1752, prepared by Nozeman & Vosmaer under the title Geslachten der Vogelen and published in 1758 was raised by Dr. James L. Peters (Museum of
If you should happen to be able to consult a copy of the 1758 edition of Moehring and find that the generic names in it are available, I think that the Commission should publish an Opinion outlawing these names, since the wildest sort of confusion would ensue, were they to be adopted. In this connection I think that it would be a good plan if the Commission should publish a list of approved binary or binominal authors between 1758 and 1800, and then prohibit the use of any authors except those on this list, except where additional names may be added by a subsequent Opinion.

2. It was not found possible at that time to prepare material relating to the Geslachten der Vogelen for submission to the International Commission, but, following the re-opening of the London Secretariat in 1942 when the records of the Commission, which had been evacuated for safety against air raids at the beginning of the war in Europe in September 1939, were brought back to Headquarters, Mr. Francis Hemming, Secretary to the International Commission, asked Dr. Karl Jordan, then President of the International Commission, to examine the foregoing work, since a copy was available to him in the library of the Zoological Museum at Tring, whereas no copy was at that time available in London, owing to the evacuation of the great scientific libraries to the country for safety. Dr. Jordan kindly undertook this investigation, at the conclusion of which he submitted two Reports, the first dated 19th December 1943, the second, 12th January 1944. These Reports were as follows :—

(i) Report dated 19th December 1943:

By KARL JORDAN

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

I have read the introduction by Vosmaer and the Bericht van den Vertaaler (translator) (Nozeman) in order to find out whether there was anything said about nomenclature. Nozeman says: (my free translation from the Dutch) "to find the right names in our language
as terms for the genera (and geene anderen = and nothing else) which the very learned Moehring has described (aangetekend) has cost me long and sometimes annoying inquiries . . .”

To judge from what I have translated above, Nozeman wanted Dutch names only, and only for genera. The descriptions of the genera begin on p. 9 and the method is as follows :

1. Warvogel, in’t Latyn door den Heere MOEHRING genoemd Collyrio. Hy is by den Heer C. LINNAEUS, in Edit. 6 Syst. Nat. Gen. 78 gezet by den Beemer, [Ampelis]. [The square bracket means the name is added by Nozeman.]

   Hy is de Ramphastos van Linn. Syst. Nat. het 38ste geslacht.

   Casuarius by Linnaeus gesl. 63.
   Emeu. by Clusius. Exot. L. v. c. 3.

(Then follows the description in every case.)

As exemplified by 3 and 56 (and others) the principle of priority was not in Nozeman’s mind. The Latin names were added to the Dutch ones because Moehring 1752 had them. Neither Nozeman nor Vosmaer indicate anywhere that they accept them as the scientific names of the genera. However, they are certainly published after Linnaeus’s 10th edition.

(ii) Supplementary report dated 12th January 1944:

By KARL JORDAN
(British Museum (Natural History), Zoological Museum, Tring, Herts, England)

I have now compared Moehring, Avium Genera 1752, with the translation of 1758, and am perfectly satisfied that the translator has not added any Latin names of his own. All the Latin names are those of 1752; the spelling is the same except that the letter i is replaced by y and that there are one or two printing errors or penslips. The additions to Moehring 1752 made in the translated 1758 edition contain some Latin names, but all these are quoted from older authors and are not available.

Examples :

1752

36. Parus. Linn. gen. 76., ed. 6, gen. 83.
   [Then follows description of genus.]

   note (a) Variat incisio apicis linguae : in paro maiore apex 3 vel 4 setis terminatus ; in paro caeruleo apex setis quidem
terminatus, sed setarum una vel altera in quibusdam individuis lacera evadit. Paro atro est singula seta in singulo apicis truncati margine, medio spatio fere verticali, integro. (All “v’s” are printed “u”. K. J.).

37. Orites.
Parus caudatus Auctorum.
[Then follows description of genus.]

1758

36. Mees, in’t Latyn Parus.
Linnaeus. Syst. Nat. geslacht 83.
then follows description; words in italics in 1752 here again in italics. Sometimes in the 1758 edition a word or two are added in square brackets.

note (a) De sneede in de punt der Tong is verscheiden: In den Grooten Mees eindigt de punt in drie of vier borstelhaairtjes: In den Blauwen Mees, [of Pimpel] eindigt de punt mede wel in borsteltjes; maar het eene of ’t andere van deze borstelhaairtjes word in sommige byzondere Meezen meer gefnazeld. De Zwarte Mees heft één enkel borstelhaartje op elken rand der geknotte tongpunt, welke rand halver weg omtrent rechtsstandig [verticalis] en gaaf is.

37. Staartmees, in’ t Latyn Orites.
De Langstaart-Mees der Schryveren.
[Then follows description.]

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. At the time of Dr. Jordan’s investigation into Nozeman & Vosmaer’s Geslachten der Vogelen, the issue raised by that work had assumed an immediate practical importance in the current work of the Commission, for at that time the Secretary was engaged in a review of the older Opinions of the Commission for the purpose of extracting therefrom the particulars which would be needed for the publication of the Official List of Generic Names in Zoology and in two of these this issue had arisen in the most direct form. For in the Opinions concerned—Opinions 67 and 103—the International Commission had placed on the Official List
names—in the former case, the name *Coturnix* Bonnaterre, 1790, and, in the latter case, *Grus* Pallas, 1766—which would be invalid junior homonyms of names consisting of the same words, if the *Geslachten der Vogelen* of 1758 were to be found an acceptable work for the purposes of zoological nomenclature. The immediate anxieties regarding the correctness of the action taken by the Commission in the foregoing *Opinions* were set at rest by the evidence adduced by Dr. Jordan that the names published in the *Geslachten der Vogelen* had been carried over by Nozeman & Vosmaer from the pre-1758 *Avium Genera* of Moehring without having been re-inforced by adoption or acceptance as required under the Commission's *Opinion 5*. At that time a re-issue was being prepared of the last-named *Opinion* and it was judged that it would be convenient in that re-issue to cite the *Geslachten der Vogelen* of Nozeman & Vosmaer as an example of a work, the names in which failed to satisfy the tests laid down in that *Opinion* and accordingly possessed no status of availability by reason of having been so republished after 1st January 1758, the date prescribed in Article 26 of the *Règles* as the starting point of zoological nomenclature. A discussion of this work, together with Dr. Jordan's two Reports, was accordingly included in the notes attached to the re-issue of *Opinion 5* published in 1944 (*Ops. Decls. int. Comm. zool. Nomencl. 1 : 120—122*).

4. In the summer of 1948 the documents relating to this case, which at that time bore the Registered Number Z.N.(G.) 24 (re-issue of *Opinions* adopted prior to Lisbon, 1935) but which were later re-registered under the Number Z.N.(S.) 367, were prepared by the Secretary for consideration by the International Commission during its then forthcoming Session at Paris. At the same time (10th June 1948) Mr. Hemming added the following note to the file:—

It seems to me that Dr. Jordan's Reports on Nozeman & Vosmaer's *Geslachten der Vogelen* provide conclusive evidence in favour of the rejection of that work, and that as the new generic names in it are not currently used by ornithologists—indeed, Dr. Peters has said that the adoption of these names would give rise to the wildest confusion—no question of the use of the Plenary Powers to validate these names calls for consideration. Accordingly, my recommendation is that the International Commission should render an *Opinion* that the new names in Nozeman & Vosmaer's *Geslachten der Vogelen*, being names carried over from the pre-Linnean period into the period of zoological
nomenclature without being reinforced by adoption or acceptance, as required by Opinion 5, possess no status of availability in virtue of having been so published.

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

5. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 50) (1950, Bull. zool. Nomencl. 4 : 566—568) :

THE COMMISSION agreed :—

(1) that the work published in 1758 under the title Geslachten der Vogelen, consisting of a translation into Dutch by Nozeman & Vosmaer of the work by Moehring (P.H.G.) originally published in 1752 (i.e. before the starting-point of zoological nomenclature, as prescribed by Article 26) was not available under the Règles, Nozeman & Vosmaer not having reinforced the names contained therein by adoption or acceptance in the manner prescribed in Opinion 5, and therefore that those names possessed no status in zoological nomenclature as from the date of being so published ;

(2) to render an Opinion recording the decision specified in (1) above.

6. The decision in this case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International

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

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

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

9. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the Règles establishing an "Official Index" to be styled the Official Index of Rejected and Invalid Works in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, Copenhagen Decisions zool. Nomencl. : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present Opinion has been taken to record the insertion in the foregoing Official Index of Nozeman & Vosmaer's Geslachten der Vogelen of 1758.

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

11. The present Opinion shall be known as Opinion Two Hundred and Forty-One (241) of the International Commission on Zoological Nomenclature.

Done in London this Twelfth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
ATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

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


OPINION 242
Designation, under the Plenary Powers, of a type species
for Echeneis Linnaeus, 1758 (Class Pisces) in harmony
with accustomed nomenclatorial usage (correction of an
error in Opinion 92)

LONDON:
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Issued 21st May, 1954
INTERNATIONAL COMMISSION ON
ZOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULES GIVEN IN OPINION 242

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President : Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949
Senor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mørtensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952
Senhor Dr. Afrânio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955
Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 242

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR "ECHENEIS" LINNAEUS, 1758 (CLASS PISCES) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE (CORRECTION OF AN ERROR IN "OPINION" 92)

RULING :—(1) Under the Plenary Powers the original indication, by Linnaean tautonymy (as prescribed by Opinion 16), of Echeneis remora Linnaeus, 1758, as the type species of Echeneis Linnaeus, 1758, is hereby set aside and Echeneis neucrates Linnaeus, 1758, is hereby designated as the type species of the foregoing genus.

(2) Neither Gouan (1770) nor Forster (1771), when using the word "Remora," used it as a generic name, and accordingly the reputed generic names Remora Gouan, 1770, and Remora Forster, 1771, are to be rejected as possessing no status in zoological nomenclature.

(3) The decision given implicitly in Opinion 92 (when the generic name Echeneis Linnaeus, 1758, was placed on the Official List of Generic Names in Zoology) that the spelling of the specific name neucrates Linnaeus, 1758, as published in the combination Echeneis neucrates, was incorrect and should be emended to "naucrates" is hereby expressly confirmed.

(4) The position on the Official List of Generic Names in Zoology of the generic name Echeneis Linnaeus, 1758, is hereby confirmed, subject to the insertion of a note that Echeneis naucrates (emend. of neucrates) Linnaeus, 1758, is the type species of this genus by designation under the Plenary Powers under (1) above (decision confirming action taken in Opinion 92).

(5) The generic name Remora (gender of name: feminine) Gill, 1862 (type species, by absolute tautonymy: Echeneis remora Linnaeus, 1758) is hereby placed on the
Official List of Generic Names in Zoology as Name No. 668.

(6) The under-mentioned reputed but non-existent generic names, rejected under (2) above, are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology as Names Nos. 62 and 63:—(a) Remora Gouan, 1770; (b) Remora Forster, 1771.

(7) The under-mentioned specific names are hereby placed on the Official List of Specific Names in Zoology as Names Nos. 60 and 61:—(a) naucrates (emend. of neucrates) Linnaeus, 1758, as published in the combination Echeneis neucrates; (b) remora Linnaeus, 1758, as published in the combination Echeneis remora.

(8) The specific name neucrates (an Invalid Original Spelling for naucrates) Linnaeus, 1758, as published in the combination Echeneis neucrates, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology as Name No. 17.

I.—THE STATEMENT OF THE CASE

When in 1943 Mr. Francis Hemming, Secretary to the International Commission, was engaged in an examination of the older of the Opinions rendered by the Commission for the purpose of extracting therefrom the particulars which would be needed for inclusion in the Official List of Generic Names in Zoology when published in book form, he found that the entry on that List in respect of the type species of the genus Echeneis Linnaeus, 1758, made in Opinion 92 (1926, Smithson. misc. Coll. 73 (No. 4) : 3—4) was incorrect. For in that Opinion it was stated that the type species of this genus was Echeneis naucrates [emend. of neucrates] Linnaeus, 1758, notwithstanding the fact that as far back as 1910 the Commission had itself pointed out in Opinion 16 (Smithson. Publ. 1938 : 34) that under the doctrine of Linnaean tautonomy propounded in that Opinion the type species of the
On an error, due to the non-observance of the provisions of "Opinion" 16, contained in the portion of "Opinion" 92, in which the name "Echeneis" Linnaeus, 1758 (Class Pisces), was placed on the "Official List of Generic Names in Zoology", and on the remedial action proposed

By FRANCIS HEMMING
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In Opinion 16, the International Commission on Zoological Nomenclature laid it down that, where an author, in publishing a
new generic name,* cites in the synonymy of one of the included species a name published prior to 1758 which is clearly a uninomial (i.e. univerbal) specific name and which consists of the same word as the new generic name, the species for which such pre-1758 name is cited as a synonym is to be treated as being automatically the type species of the new genus by absolute tautonymy under the provisions of rule (d) in Article 30† of the Règles Internationales.

2. In paragraph 2 of Opinion 16, the International Commission gave a list of 63 generic names, the type species of each of which appeared to have been fixed in the manner described above at the time when the names in question were severally published. One of the names included in the list given in paragraph 2 of Opinion 16 was Echeneis Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 260.

3. When the genus Echeneis was established in 1758, Linnaeus placed in it two species only, namely : (1) Echeneis remora Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 260 ; and (2) Echeneis naucrates (emendation of neucrates‡) Linnaeus, 1758, ibid. 1 : 261.

4. Linnaeus made four entries in the synonymy of the species Echeneis remora Linnaeus, 1758, the third of which was : “Gron. mus. 1. n. 33. Echeneis.” In this way Linnaeus signified that the species to which he applied the name Echeneis remora was the same species as that to which in 1754 Laurentius Theodorus Gronovius had referred under the name “Echeneis” in the first volume of his Museum Ichthyologicum. In these circumstances, the type species of the genus Echeneis Linnaeus, 1758, is fixed automatically by Opinion 16, as Echeneis remora Linnaeus, 1758, since all the conditions laid down in that Opinion for the citation in synonymy of a tautonymous pre-1758 uninomial specific name are satisfied in this case. The position is, therefore, that Echeneis remora Linnaeus, 1758, is the type species of the genus Echeneis Linnaeus, 1758, by absolute tautonymy under rule (d) in Article 30, as interpreted by Opinion 16.

* A limitation was imposed upon Opinion 16 by the amendment to Article 25 of the Règles Internationales adopted by the Tenth International Congress of Zoology at Budapest in 1927. In consequence, the provisions of Opinion 16 now apply only to names published on, or before, 31st December 1930, the last day prior to the coming into operation of the Budapest amendment to Article 25.

† It should be recalled that the rules in Article 30 operate only in succession to one another. Accordingly, rule (d) is only operative, where the type of a genus has not already been fixed either under rule (a) or under rule (b) or under rule (c). Thus, Opinion 16 has no bearing upon the type species of genera, where those type species have been designated or indicated under rules (a), (b) or (c) of Article 30.

‡ The specific name of this species was printed as “neucrates” in 1758 in the 10th edition of the Systema Naturae of Linnaeus. The spelling of this name has been emended to “naucrates” by subsequent authors.
5. In August 1924 Dr. C. W. Stiles, Secretary to the International Commission, issued a circular letter (C.L. 86) to all members of the Commission, in which, after referring to the proposals for the addition of a large number of names to the *Official List of Generic Names in Zoology* submitted by Commissioner Karl Apstein in 1915, he gave particulars of the names of certain genera belonging to the Classes Amphibia, Reptilia, and Pisces, which had been included in the Apstein List and recently been re-studied by various specialists, who had reported that the names in question were valid,† that the type species had been correctly fixed in accordance with the provisions of the *Règles Internationales* and, therefore, that these names could properly be placed on the *Official List of Generic Names in Zoology*, without the use by the International Commission of their Plenary Powers. The specialist by whom the names of genera belonging to the Class Pisces included in Dr. Stiles’s list were stated to have been restudied was Dr. David Starr Jordan, who was himself at that time a member of the International Commission. Dr. Stiles added that, in view of the favourable reports received from the specialists consulted, he recommended that the generic names in question should be added to the *Official List of Generic Names in Zoology* with the type species indicated in his Circular Letter. In due course, nine members of the International Commission signified their concurrence in Dr. Stiles’s proposals, which were thereupon adopted (by 10 votes to nil, with 7 abstentions) as *Opinion* 92 of the International Commission. This *Opinion* was published in October 1926.‡

6. One of the names placed on the *Official List of Generic Names in Zoology* by *Opinion* 92 was *Echeneis* Linnaeus, 1758. The entry relating to this generic name in *Opinion* 92 reads as follows: “ *Echeneis* Linn., 1758a, 260, type *E. naucrates* Linn. 1758a, 261”.

7. No particulars were given in *Opinion* 92 regarding the manner in which the type species of the genera there enumerated had been determined (i.e. whether by original designation, monotypy, absolute tautonymy, or subsequent selection). In the case of the names of genera belonging to the Class Pisces, there is, however, the following note in the circular letter referred to in paragraph 5 above: “For data by Dr. Jordan see the Genera of Fishes, Jordan and Evermann,

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*The list submitted by Commissioner Karl Apstein formed the subject of discussion in the Commission’s *Opinion* 74 (published in 1922 in *Smithson. misc. Coll.* 73 (No. 1): 32—34, the “summary” of which reads as follows—“The Commission has no power to adopt *en bloc* Apstein’s list of proposed Nomina Conservanda, but is prepared to consider names separately upon presentation of reasonably complete evidence.”

† The use of the expression “valid” in this connection is incorrect. A name is either “available” or “unavailable” under the *Règles Internationales*. The question whether an “available name” is also a “valid name” is a taxonomic, and not a nomenclatorial, question.

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OPINIONS AND DECLARATIONS

1917a”. Reference to the above work (Jordan & Evermann, 1917, Genera Fishes (1) : 12) shows that the name Echeneis Linnaeus was there dealt with as follows:—

Echeneis Linnaeus, 260, after Artedi; type ECHENEIS NAUCRATES L. (misprinted NEUCRATES).

First restriction by Gill, Proc. Acad. Nat. Sci. Phila., 1862, 239. In 1864, loc. cit. 60, Gill proposed to adopt as type ECHENEIS REMORA, this being the only species noted by Artedi, and in Linnaeus’s earlier writings. But as Linnaeus referred both species to ECHENEIS, this change seems not warranted.

8. The points which it is important to note are the following:—

(i) In 1917, Jordan and Evermann:—

(a) gave no consideration to the question of the applicability of Opinion 16 to the generic name Echeneis Linnaeus, 1758, notwithstanding the fact that in Opinion 16 the International Commission on Zoological Nomenclature had indicated that there were prima facie grounds for considering that Echeneis remora Linnaeus, 1758, was the type species of that genus by absolute tautonymy;

(b) disregarded the action of Gill (1864) in selecting Echeneis remora Linnaeus, 1758, as the type species of Echeneis Linnaeus, 1758; and

(c) adopted Echeneis naucrates Linnaeus, 1758, as the type species of Echeneis Linnaeus, 1758.

(ii) When in the period 1924—1926 the question of placing the name Echeneis Linnaeus, 1758, upon the Official List of Generic Names in Zoology was under consideration, the conclusions reached by Jordan and Evermann in 1917 were not re-examined by the International Commission. In consequence, no consideration was given to the question whether the provisions of Opinion 16 applied to the generic name Echeneis Linnaeus, 1758, and, therefore, whether under the Règles Internationales the type species of this genus was Echeneis remora Linnaeus, 1758, and not Echeneis naucrates Linnaeus, 1758, as concluded by Jordan and Evermann in 1917.

9. It is most unfortunate that the question of the applicability of Opinion 16 to Echeneis Linnaeus, 1758, was not considered by the International Commission at the time when Opinion 92 was in preparation, since the failure to do so has had the result that in that Opinion the International Commission, when placing the name Echeneis Linnaeus, 1758, on the Official List of Generic Names in Zoology, erroneously stated that the type species of that genus was Echeneis...
naucrates Linnaeus, 1758, whereas, in fact (as shown in paragraph 4 above), *Echeneis remora* Linnaeus, 1758, is the type species of that genus by absolute tautonymy under rule (d) in Article 30 as interpreted by Opinion 16.

10. The decisions embodied in Opinion 92 were not taken by the International Commission under their Plenary Powers, and in consequence nothing in that Opinion can have the effect of inserting in the Official List of Generic Names in Zoology an entry which is contrary to the provisions of the Règles Internationales. Accordingly, the portion of Opinion 92 which states that *Echeneis naucrates* Linnaeus, 1758, is the type species of *Echeneis Linnaeus*, 1758, is ultra vires and therefore invalid.

11. It is clearly essential that, when, as on the present occasion, an error on a question of fact is detected in an Opinion rendered by the International Commission, the earliest possible opportunity should be taken to rectify the error so detected. In the present case there are two courses of action, either of which it is open to the International Commission to take, namely:

(1) to render an Opinion cancelling the entry in Opinion 92 relating to the generic name *Echeneis* Linnaeus, 1758, and substituting therefore an amended entry placing that name on the Official List of Generic Names in Zoology with *Echeneis remora* Linnaeus, 1758, as type species by absolute tautonymy under rule (d) in Article 30 of the Règles Internationales, as interpreted by Opinion 16;  

or

(2) to render an Opinion under the Commission’s Plenary Powers (a) cancelling the designation of *Echeneis remora* Linnaeus, 1758, as the type species of *Echeneis Linnaeus*, 1758, and (b) specifying *Echeneis naucrates* Linnaeus, 1758, as the type species of that genus.

12. Course (1) above is clearly the proper course to adopt, unless it can be shown that the strict application of the Règles Internationales in the case of the name *Echeneis Linnaeus*, 1758, will clearly result in greater confusion than uniformity, in which event Course (2) would be the proper course to follow. Only specialists in the Class Pisces are in a position to furnish the International Commission with the material necessary to enable them to form a conclusion on the question whether confusion rather than uniformity would clearly result from the strict application of the Règles in this case through the acceptance of *Echeneis remora* Linnaeus, 1758, as the type species of the genus *Echeneis Linnaeus*, 1758, and therefore whether or not the Règles should be suspended in this case in order to validate existing practice by specifying *Echeneis naucrates* Linnaeus, 1758, as type species of this genus.
13. It was in 1944 that I first discovered the mistake in Opinion 92 in regard to the type species of the genus Echeneis Linnaeus, 1758, while I was engaged in an examination of the subsequent history of the numerous generic names, of which the status is discussed in Opinion 16 but on which no decision was taken in that Opinion. On making this discovery, I thought it well to obtain preliminary advice from leading ichthyologists on the question whether this was a case in which the Règles should be allowed to take their course and existing practice should be set aside through the recognition of Echeneis remora Linnaeus, 1758, as the type species of the genus Echeneis Linnaeus, 1758, or whether, in the view of the specialists consulted, the prospect of confusion arising from the adoption of that course was such as to justify the use by the International Commission of their Plenary Powers for the purpose of designating Echeneis naucrates Linnaeus, 1758, as the type species of the genus Echeneis Linnaeus, 1758. In putting the case before the specialists concerned, I drew attention also to the fact that, according to the latest Nomenclator (Neave, 1940, Nomencl. zool. 4 : 21), the name Remora Gill, 1862, Proc. Acad. nat. sci. Philad. 1862 : 239 (the name of the genus to which the species Echeneis remora Linnaeus, 1758, is commonly referred) is a homonym (1) of Remora Gouan, 1770, Hist. Pisc. 10, 183, and (2) of Remora Forster, 1771, Cat. Anim. N. Amer. : 20. I accordingly asked the specialists concerned, when replying to the main question which I had put to them, to indicate also their views on the question whether the name Remora Gill, 1862, was an available name or whether it was, as then appeared probable, an invalid homonym under Article 34 of the Règles Internationales.

14. The following are the replies received from the specialists consulted:—

(a) Views of Dr. Ethelwynn Trewavas, Department of Zoology, British Museum (Natural History), London
(letter dated 24th October 1944)

Unfortunately, the library being evacuated, I cannot go into the Echeneis—Remora question as I should. But I think it is right to say that the use now of Echeneis remora Linnaeus, 1758, as the type of Echeneis Linnaeus, 1758, would cause confusion.

Remora Gill, 1862,* is not a homonym, as, according to the writers whom I have consulted, the first two authors listed by

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* The volume of the Proc. Acad. nat. Sci. Philad. in which the name Remora Gill was published has no volume number. It is the volume for the year 1862 and should therefore be cited as Proc. Acad. nat. Sci. Philad. 1862. It was published in Parts, like similar journals, and the dates of publication of the several Parts are given at the foot of the page on each signature. The signature in which the name Remora Gill appears is dated "April 1862." The title page of the volume was published after the close of 1862 and is dated "1863." This is no doubt the reason why the name Remora Gill is inadvertently treated in the latest Nomenclator (Neave 1940, Nomencl. zool. 4:21) as having been published in 1863.
Neave in his *Nomenclator zoologicus* (Gouan, 1770, and Forster, 1771) used it in the same sense as have later authors, i.e. with *Echeneis remora* Linnaeus as type by absolute tautonymy. If it is possible, I hope that a decision may be postponed until the library is available again, as I have not been able to consult either Gouan or Forster.

(b) Views of Dr. C. M. Breder, Jr., Department of Fishes, American Museum of Natural History, New York

(letter dated 29th November 1944)

I have studied your statement concerning the status of the type of the genus *Echeneis* Linnaeus, 1758. In cases of this sort which involve the inversion of established generic names I believe that true "confusion" as opposed to mere "inconvenience" is the inevitable resultant effect. Consequently I recommend that the appropriate action be taken to firmly establish *Echeneis naucrates* Linnaeus, 1758, as the type of *Echeneis* Linnaeus.

Due to the press of other matters I have not been able to look up Gill, 1862, but I do not believe that any treatment of his would change my view concerning the inadvisability of permitting *Echeneis remora* Linnaeus, 1758, to become properly established as the type of *Echeneis*.

(c) Views of Dr. Leonard P. Schultz, Dr. Samuel F. Hildebrand and Dr. Robert R. Miller, United States National Museum, Washington, D.C.

(letter from Dr. Leonard P. Schultz dated 1st December 1944)

Your letter of November 16th concerning the genera *Echeneis* and *Remora* arrived on the 29th, and, after considerable investigation, I have come to certain conclusions which are explained below.

*Echeneis* Linnaeus, 1758, has two species listed in the following order: (1) *E. remora*, and (2) *E. neucrates*. After, 1758, *E. remora* was listed by very numerous authors and the vernacular name—*Remora*—was used many times both for *E. remora* and *E. neucrates* and, no doubt, for other species of this group of fishes.

The next question is when was the genus *Remora* established and the genus *Echeneis* first restricted?
Neave (Nomenclator Zoologicus, vol. 4, p. 21, 1940) cites Remora Gouan, 1770 (Hist. Pisc., p. 10, [107], 183) but, in looking this up, I find that the left-hand page 183 is in Latin and the generic name Echeneis is used, whereas the right-hand page (also numbered 183) is the French translation of the opposite page 183 and the name used is "Le Remora". No species is cited anywhere. Thus, in my opinion, "Remora" was not used generically in 1770.

Forster, 1771, A Catalogue of the Animals of North America ... (reprint of 1882 examined by me) has three columns throughout. The column on the left-hand side of each page gives a common name preceded by a Roman number and on page 6 this series of numbers has over it the name "Genus". The second column also contains common or vernacular names, breaking down further the common name in the left-hand column. The third column usually (but not always) contains a Latin binomial name, as for example:—

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Thus, I conclude that Remora is not used in the binominal sense but only as a common name by Forster, 1771 and 1882.

I have searched the literature and can find no generic use of Remora previous to that of Gill (April 1862, Proc. Acad. Nat. Sci. Philadelphia, p. 239). Gill revised the "family of Echeneididae",

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* (a) Gill's action here described fulfils all the conditions laid down in Opinion 6. Accordingly, if no type species had previously been designated, indicated or selected for the genus Echeneis Linnaeus, 1758, Gill's action on this occasion would constitute a valid selection Echeneis naucrates (emend. of neucrates) Linnaeus, 1758, as the type of the genus Echeneis Linnaeus.

(b) Although the name Remora was published by Gill in 1862 without a description or definition, it is a nomenclatorially available name, since the genus is monotypical and the name Remora Gill, 1862, was, therefore, published with an "indication" (as defined by Opinion 1) and accordingly satisfies the requirements of Article 25 of the Règles Internationales.

† As Gill designated Echeneis remora Linnaeus, 1758, as the type species of the genus Remora Gill, 1862, that species is automatically the type species of that genus under rule (a) in Article 30 of the Règles Internationales. The specific
giving a key to the various genera, some new, citing the genotype for each, as, for example, in my reprint of his article:—

Echeneis* (E. naucrates L.)

Remora† (E. remora L.)

Thus Gill 1862, not only established the genus Remora, but also restricted the genus Echeneis L. to the species E. naucrates L. Further, he was the first reviser and, in addition, his genus Remora has but a single species cited,* that is, E. remora L., which is tautotypic for Remora.

The next binomial use of Remora appears to be that of Bleeker (September 1863, Onzième Notice sur la Faune Ichthyologique de l’Ile de Ternate). On page 9 of my reprint the name is used as “279. Remora albescens Gill=Echeneis albescens Schl.”

Gill (March 1864,‡ Proc. Acad. Nat. Sci. Philadelphia, pp. 59—60) reversed himself in regard to the genotypes of both Echeneis and Remora when he published the following:—

Elevating these types with others to independent generic rank, I have restricted Echeneis to the genus typified by E. naucrates and called that one typified by E. remora, Remora, which name Dr. Bleeker has since accepted. On examining the works of Linnaeus and Artedi, I find, however, that E. remora was the only species referred to that genus by Linnaeus in the earlier editions of the Systema Naturae, and by Artedi; and that in the later editions, Linnaeus placed that species at the head of the genus. The E. remora must consequently be regarded as the type of the genus, and a new name (Leptecheneis) conferred on E. naucrates. The genera of Echeneidoidae will then be known by the following names:

(name (remora) is the same word as that which constitutes the name of the genus (Remora), and this fact would make that species the type species of Remora Gill by absolute tautonomy under Rule (d) of Article 30, if the type species of that genus had not previously been fixed in some other manner. In this connection, it must be recalled that the Rules set out in Article 30 are not Rules which operate independently of one another but on the contrary are Rules which operate only in succession to one another in a diminishing order of priority. Accordingly, in the present case, the type species of the genus Remora Gill, 1862, is Echeneis remora Linnaeus, 1758, through the operation of Rule (a) in Article 30 (type by original designation). In these circumstances, the later Rule (d) in the same Article has no applicability to the generic name Remora Gill, 1862.

‡ This volume of the Proc. Acad. nat. Sci. Philad. was issued without a volume number and with the dates of publication of the several Parts printed at the foot of each signature in the same way as the volume for 1862.
OPINIONS AND DECLARATIONS

RE MORAE

_Echeneis remora_ L.

1. Echeneis L., _Art._ Type, _Echeneis remora_ L.*
2. Remoropsis _Gill._ Type, _Echeneis brachyptera_ Lowe.
3. Rhombochirus _Gill._ Type, _Echeneis osteochir_ Cuv.
4. Remilegia _Gill._ Type, _Echeneis australis_ Bennett = _Echeneis scutata_ Günther.

LEPTECHENEIDES

5. Leptecheneis _Gill._ Type, _Echeneis neucrates_ L.
6. Phtheirichthys _Gill._ Type, _Echeneis lineatus_ Menzies.

The current use of the two genera is almost universal among present-day ichthyologists, most of whom have completely ignored _Opinion_ 16 and have followed Gill and _Opinion_ 92. Listed below are a few works of importance that recognise both genera (_Echeneis_ and _Remora_) with the genotypes as given:


Meek and Hildebrand, Marine Fishes of Panama, vol. 3, p. 896, 1928 (_Echeneis_ L., type _E. Naucrates_ L.); (_Remora_ Forster, type _E. remora_ L.)

Fowler, Marine Fishes of West Africa, vol. 2, pp. 1018, 1021, 1936 (_Remora_ Forster, type _E. remora_ L.); (_Echeneis_ L. type _E. neucrates_ L.)


* Gill's action in 1862 would have constituted a valid selection of _Echeneis naucrates_ Linnaeus, 1758, as the type species of the genus _Echeneis_ Linnaeus, 1758, if it had not been for the fact that _Echeneis remora_ Linnaeus, 1758, had been the type species of that genus from the date of its original publication (1758) by absolute tautonymy under Rule (d) in Article 30 as interpreted by _Opinion_ 16. In no circumstances, therefore, could Gill's action in 1864 in selecting _Echeneis remora_ Linnaeus as the type species of _Echeneis_ Linnaeus have had any power to reverse or set aside the selection by the same author in 1862 of _Echeneis naucrates_ Linnaeus as the type species of this genus. For the reasons explained above, Gill's action in 1862 was invalid, because through the operation of Rule (d) in Article 30 and _Opinion_ 16 the type species of the genus _Echeneis_ Linnaeus had always been _Echeneis remora_ Linnaeus. By a pure accident, therefore, the statement by Gill in 1864 that _Echeneis remora_ Linnaeus is the type species of this genus happens to correspond correctly with the actual position under the _Règles Internationales_ but this is not due in any way to the action then taken by Gill.

My conclusions are that both genera should be recognised and that *Remora* dates from Gill 1862, and not from Forster 1771, or Gouan 1770. It is clear that the genotypes are those named by Gill 1862, who, as stated heretofore, was the first reviser and the first to restrict the genus *Echeneis* L. To change the genotypes from those designated by Gill, 1862, would result in actual confusion. They should stand as currently used by ichthyologists—*Remora* Gill, 1862 (type *E. remora* L.) and *Echeneis* L. (type *E. neucrates* L.).

Dr. Samuel F. Hildebrand and Dr. Robert R. Miller, both actively engaged in systematic ichthyology here at the United States National Museum, concur in the opinions stated above.

15. In view of the unanimous nature of the advice received from the specialists consulted, a clear prima facie case has been established in support of the view that the strict application of the Règles in the case of the name *Echeneis* Linnaeus, 1758 (i.e. the acceptance of *Echeneis remora* Linnaeus, 1758, as the type species of *Echeneis* Linnaeus, 1758, by absolute tautonomy under Rule (d) in Article 30 of the Règles Internationales, as interpreted by Opinion 16) would clearly result in greater confusion than uniformity. It follows, therefore, that the course best calculated to promote stability in the nomenclature of the Order Discoccephali in the Class Pisces would be for the International Commission on Zoological Nomenclature to use their Plenary Powers in order to validate the (at present) erroneous entry in Opinion 92 in regard to the type species of *Echeneis* Linnaeus, 1758, thereby validating also the current practice of specialists in the group concerned. For this purpose, it would be necessary for the International Commission (i) to set aside the designation of *Echeneis remora* Linnaeus, 1758, as the type species of *Echeneis* Linnaeus, 1758, by absolute tautonomy and (ii) to designate *Echeneis naucrates* (emend. of *neucrates*) Linnaeus, 1758, as the type species of this genus.

16. Further, I agree with the view expressed by Drs. Schultz, Hildebrand and Miller that, if the foregoing action is to be taken in regard to the name *Echeneis* Linnaeus, 1758, it is desirable that at the same time action should be taken by the International Commission on Zoological Nomenclature to dispose of the outstanding points in regard to the name *Remora*. In view of the evidence brought forward, it seems to me that the most satisfactory course would be for the International Commission to suppress under their Plenary Powers all uses of the name *Remora* as a generic name prior to the publication of the generic name *Remora* Gill, 1862, *Proc. Acad. nat. Sci. Philad.* 1862 : 239. The name *Remora* Gill, 1862 (type species by original
designation; *Echeneis remora* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1:260) could then be added to the *Official List of Generic Names in Zoology.*

17. The proposal which will, therefore, be submitted to the International Commission on Zoological Nomenclature is that they should render an *Opinion* under their Plenary Powers in the following terms:—

(a) Under suspension of the *Règles*, it is hereby declared as follows:—

(i) All type designations for *Echeneis* Linnaeus, 1758, made prior to the date of this *Opinion* are set aside:

(ii) *Echeneis naucrates* (emendation of *neucrates*) Linnaeus, 1758, is designated as the type species of *Echeneis* Linnaeus, 1758.

(iii) The name *Remora* as used by A. Gouan, 1770, by J. R. Forster, 1771, and by any other author prior to the publication of the name *Remora* Gill, 1862, is suppressed.

(iv) The name *Remora* Gill, 1862 (type species, by original designation: *Echeneis remora* Linnaeus, 1758) is validated.

(b) The entry in *Opinion* 92 relating to the name *Echeneis* Linnaeus, 1758, is accordingly confirmed and the name *Remora* Gill, 1862 (Class Pisces, Order Discophali), with the type species specified above, is hereby added to the *Official List of Generic Names in Zoology.*

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The mistake in *Opinion* 92 regarding the type species of *Echeneis* Linnaeus, 1758, was discovered at the same time that the Commission’s *Opinion* 16 was being examined in connection with a re-issue which was then in preparation. In consequence, the documents relating to the present case were in the first instance registered under the Number Z.N.(G.) 24, the File concerned with the arrangements for the re-issue of the older *Opinions* which were out of print and had become unobtainable. When however in 1944 it became evident that a special application would need to be submitted to the International Commission in regard to the present case, the documents relating to it were re-registered under the Number Z.N.(S.) 156. On the receipt of Mr. Hemming’s application, it was considered that the most convenient course
would be to include it as one of the Notes which it had been decided to annex to Opinion 16 when re-issued. The revised edition of that Opinion was sent to the printer on 11th September 1945, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (Ops. Decls. int. Comm. zool. Nomencl. 1 : 255—304).

3. Issue of Public Notices: On 20th November 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

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

4. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, giving a summary of the discussion which took place on this case (1950, Bull. zool. Nomencl. 4 : 538) :

IT WAS GENERALLY AGREED that in view of the confusion which would result from the strict application of the Règles in the present case, the desirability of avoiding (wherever possible) the making of changes in entries previously made in the Official List, the wide and representative support for the present proposals received from leading ichthyologists and the complete lack of opposition of any kind, a case for the use of the Plenary Powers in the present instance had been established and that the application should be granted.

5. At the close of the discussion summarised in the preceding paragraph, the Commission took its decision in the present case. That decision is set out as follows in the Official Record of the

THE COMMISSION agreed:—

(1) to use their Plenary Powers to set aside the original indication of *Echeneis remora* Linnaeus, 1758, as the type species of the genus *Echeneis* Linnaeus, 1758 (Class Pisces, Order Discophalii) by absolute tautonymy (Article 30, Rule (d), as interpreted by Opinion 16) and in the place of that species to designate *Echeneis neucrates* Linnaeus, 1758, to be the type species of this genus;

(2) that neither Gouan (1770) nor Forster (1771) when using the word “Remora”, had used it as a generic name and therefore that the reputed generic names *Remora* Gouan, 1770, and *Remora* Forster, 1771, were to be rejected as having no existence under the Règles;

(3) to confirm explicitly the decision given implicitly in Opinion 92 (when the generic name *Echeneis* Linnaeus, 1758, had been placed on the Official List of Generic Names in Zoology) that a faute d’orthographe was evident in the spelling of the trivial name *neucrates* Linnaeus, 1758 (as published in the binominal combination *Echeneis neucrates*) and therefore that the spelling of that trivial name is, under Article 19, to be emended to *naucrates*;

(4) to confirm the position on the Official List of Generic Names in Zoology of the generic name *Echeneis* Linnaeus 1758 (type species, by designation under the Plenary Powers under (1) above: *Echeneis naucrates* (emend. *neucrates*) Linnaeus, 1758) (decision confirming action taken in Opinion 92);

(5) to place the generic name *Remora* Gill, 1862 (type species, by absolute tautonymy: *Echeneis remora* Linnaeus, 1758) on the Official List of Generic Names in Zoology;
(6) to place the under-mentioned reputed but non-existent generic names, rejected under (2) above, on the *Official Index of Rejected and Invalid Generic Names in Zoology*:

(i) *Remora* Gouan, 1770;

(ii) *Remora* Forster, 1771;

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

*naucrates* Linnaeus, 1758 (emendation, under (3) above, of *neucrates*, as published in the binominal combination *Echeneis neucrates*);

*remora* Linnaeus, 1758 (as published in the binominal combination *Echeneis remora*);

(8) to render an *Opinion* recording the decisions specified in (1) to (7) above.

6. The decision in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 117).

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

Beltrán *vice* Cabrera; Boschma; Bradley; di Caporiacco; Hemming; Hindle *vice* Jordan; Jorge *vice* do Amaral; Kirby *vice* Stoll; Lemche *vice* Dymond; Mansour *vice* Hankó; Metcalf *vice* Peters; Riley *vice* Calman; Rode; Spärck *vice* Mortensen; van Straelen *vice* Richter; Usinger *vice* Vokes.
8. The Ruling given in the present Opinion was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

9. Under the regulations governing the Official Index of Rejected and Invalid Generic Names in Zoology and of the corresponding Official Index of Rejected and Invalid Specific Names in Zoology, the International Commission is required to place on these Indexes every generic name or, as the case may be, every specific name which it either rejects under its Plenary Powers or declares to be invalid. In the present instance, the required entries in the Official Index of Rejected and Invalid Generic Names in Zoology were duly specified in the Official Record of the Proceedings of the International Commission, but by some inadver- tence no similar entry on the Official Index of Rejected and Invalid Specific Names in Zoology was made in the Official Record of the specific name neucrates Linnaeus, 1758, as published in the combination Echeneis neucrates, then (Point (3) of the Conclusion quoted in paragraph 5 of the present Opinion) rejected as an Invalid Original Spelling. This omission has been rectified in the Ruling given in the present Opinion.

10. The following are the original references for the names which appear in the decision set out in paragraph 5 above:—

Echeneis Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 260
naucrates (emend. of neucrates), Echeneis Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 261
neucrates, Echeneis, Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 261
Remora Gouan, 1770, Hist. Pisc. : 10, [107], 183
Remora Forster, 1771, Cat. Anim. N. Amer. : 20

11. The gender of the generic name Remora Gill, 1862, referred to in the decision quoted in paragraph 5 above, is feminine.

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

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

14. The present Opinion shall be known as Opinion Two Hundred and Forty-Two (242) of the International Commission on Zoological Nomenclature.

DONE in London this Thirteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 243

Designation, under the Plenary Powers, for the nominal genus *Carabus* Linnaeus, 1758 (Class Insecta, Order Coleoptera) of a type species in harmony with current nomenclatorial usage

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INTERNATIONAL COMMISSION ON
ZOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 243

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History),
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology,
Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum,
Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporaiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge,
Massachusetts, U.S.A.) (Vice-President of the Commission).
Dr. Harold E. Vokes (United States Geological Survey, Washington, D.C.,
U.S.A.).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie,
Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton,
New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohojskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel Mansour (King Foud University, Cairo, Egypt).
Professor Z. P. Metcalf (North Carolina State College of Agriculture and
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California,
U.S.A.).
OPINION 243

DESIGNATION, UNDER THE PLENARY POWERS, FOR THE NOMINAL GENUS "CARABUS" LINNAEUS, 1758 (CLASS INSECTA, ORDER COLEOPTERA) OF A TYPE SPECIES IN HARMONY WITH CURRENT NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers, all type selections for the nominal genus Carabus Linnaeus, 1758 (Class Insecta, Order Coleoptera) made prior to the present Ruling are hereby set aside and Carabus granulatus Linnaeus, 1758, is hereby designated as the type species of this genus.

(2) The generic name Carabus Linnaeus, 1758 (gender of name: masculine) with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 669.

(3) The specific name granulatus Linnaeus, 1758, as published in the combination Carabus granulatus, is hereby placed on the Official List of Specific Names in Zoology as Name No. 62.
On 15th December 1939 the Royal Entomological Society of London published Part 6 of the work entitled *The Generic Names of British Insects*. This Part contained the Sixth Report of the Society’s Committee on Generic Nomenclature\(^1\) covering the First Report of its Coleoptera Sub-Committee\(^2\). This Report was concerned exclusively with the names of genera belonging to the Family *Carabidae*, species of which occur in the United Kingdom. Attached to the Sub-Committee’s Report was a statement in which it had formulated recommendations for the use, by the International Commission, of its Plenary Powers in the case of the names of seven genera belonging to the foregoing Family. The Sub-Committee submitted at the same time a more detailed statement regarding the names of the genera of this Family represented in the British Fauna which had been prepared for it by Mr. H. E. Andrewes, one of its members. The present *Opinion* is concerned only with the first of the applications so submitted. This relates to the generic name *Carabus* Linnaeus, 1758. At the time of the publication of the foregoing Part of the *Generic Names of British Insects*, the hour was not opportune for the submission to the International Commission by the Society of recommendations relating to problems of zoological nomenclature, for at the outbreak of war in Europe in September 1939 the records of the International Commission had been evacuated from London to the country as a precaution against the risk of destruction through air raids and the London Secretariat of the Commission had been temporarily closed, while, for its part, the Society, like other learned institutions with headquarters in London, was pre-occupied with pressing administrative problems. Accordingly, at that time no steps were taken by the Society to submit to the International Commission the recommendations formulated by the Coleoptera Sub-Committee. In

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

2 The composition of the Coleoptera Sub-Committee at this time was as follows: —H. E. Andrewes; W. A. F. Balfour-Browne; K. G. Blair, D.Sc.; M. Cameron; Sir Guy Marshall, C.M.G., D.Sc., F.R.S.
August 1943, however, Mr. Hemming notified Mr. N. D. Riley, who by this time had become Secretary to the Royal Entomological Society of London that the Commission would be glad to receive these recommendations. Thereupon these were submitted to the Commission by Mr. Riley on behalf of the Society on 23rd August 1943. For the purposes of the Commission the present application was treated as consisting of two documents, each an extract from Part 6 of the *Generic Names of British Insects*, the first from the paper written by Mr. H. E. Andrewes, the second, from the covering Report of the Coleoptera Sub-Committee. The application so constituted, was as follows:—

(a) **On the type of the genus "Carabus" Linnaeus, 1758 (Class Insecta, Order Coleoptera)**

By H. E. ANDREWES

(Leicester)

*Carabus* Linnaeus, 1758.

Solier, 1848, *in Truqui and Baudi.* *Studi Ent.* 1 : 58.

Latreille cited as type *Carabus auratus* Fab., 1801 (=Linn., 1761), a species not originally mentioned by Linnaeus, so that the citation is invalid. Curtis, 1833, and Westwood, 1838, made *Carabus violaceus* Linn. the type. C. G. Thomson divided the genus into a number of subgenera, and, following Hope, made *C. granulatus* Linn. the type of his subgenus *Carabus* s.s. Most recent writers, including Breuning in his revision quoted above, also treat *C. granulatus* Linn. as the genotype. For the reasons given in my recent paper, it is very desirable that the International Commission should express an *Opinion* confirming Hope's citation and overruling that of Curtis.}

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3 The above is an extract from the paper entitled "The Generic names of the British Carabidae" prepared by Mr. H. E. Andrewes for the Coleoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London. At the date in question the composition of the above Sub-Committee and of the above Committee was as shown in footnotes 1 and 2 above.
(b) Proposed suspension of the "Règles" for "Carabus" Linnaeus, 1758 (Class Insecta, Order Coleoptera)

By SIR GUY A. K. MARSHALL, K.C.M.G., D.Sc., F.R.S.
(formerly Director, Imperial Institute of Entomology, London),

H. E. ANDREWES
(Leicester),

W. A. F. BALFOUR-BROWNE
(formerly Professor of Entomology, Imperial College of Science and Technology, London),

K. G. BLAIR, D.Sc.
(formerly Deputy Keeper of the Department of Entomology, British Museum (Natural History)),

and

M. CAMERON
(British Museum (Natural History), Zoological Museum, Tring)

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

The portion of Mr. Andrewes' paper relating to this name was written by him in consultation with us, and we are in full agreement both with his conclusions and with his recommendations, which we summarise as follows:

The Generic Name "Carabus" Linnaeus, 1758

The first valid type-citation is that of Carabus violaceus Linnaeus, 1758, by Curtis, 1833. Hope, 1838, cited Carabus granulatus Linnaeus, 1758, and C. G. Thomson, 1875, in his revision of the genus, made this the type of the subgenus Carabus s.s.; in this action he has been followed by all subsequent writers. To maintain Curtis' citation would cause considerable confusion in the subgenera of this genus, with a profuse literature, so that it is very desirable that this citation should be set aside in favour of that of Hope.

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

The name *Carabus* Linnaeus, 1758 (type *Carabus granulatus* Linnaeus), is added to the *Official List of Generic Names in Zoology*. The designation by Curtis, 1833, of *Carabus violaceus* Linnaeus as the type is therefore to be set aside, and that by Hope, 1838, of *Carabus granulatus* Linnaeus is to be accepted.4

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. As soon as possible after the receipt of this application, to which the Registered Number Z.N.(S.) 158 was given, steps were taken to prepare the two papers in question for publication in the *Bulletin of Zoological Nomenclature* which had recently been established as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. The papers in this case were sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (Andrewes, 1947, *Bull. zool. Nomencl.* 1: 247; Marshall, Andrewes, Balfour-Browne, Blair & Cameron, 1947, *ibid.* 1: 248).

3. The publication of this application in the *Bulletin* elicited a letter of support from Dr. Th. Mortensen (*Universitetets Zoologiske*

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4 The above is an extract from the First Report of the Coleoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London. At the time of the submission of the above Report, the Coleoptera Sub-Committee was composed as in footnote 2. At the same period the Committee on Generic Nomenclature was composed as given in footnote 1. On receiving the Sub-Committee’s Report, the Committee on Generic Nomenclature, in their Sixth Report, recommend the Council of the Royal Entomological Society of London to transmit the Coleoptera Sub-Committee’s recommendations to the International Commission on Zoological Nomenclature for favourable consideration. This recommendation was approved by the Council and, on the publication of the Committee’s Sixth Report by the Society on 15th December 1939, the Sub-Committee’s recommendations were forwarded to the International Commission by the Council of the Society.
Museum, Copenhagen) who in a letter dated 8th April 1947 indicated his approval of the action proposed by writing the word "Yes".

4. Issue of Public Notices: On 29th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection so far as concerned the merits of the action proposed, but a letter dated 19th March 1948 was received from Dr. Richard E. Blackwelder (United States National Museum, Washington, D.C., U.S.A.) expressing the view that the material furnished by the applicants was insufficient.

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

5. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission giving a summary of the remarks made by the Acting President (Mr. Francis Hemming) in introducing this case and of the subsequent discussion (1950, Bull. zool. Nomencl. 4: 445):—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that the only objection which had been lodged against the action proposed in this case was similar to, and came from the same source⁵ as, the objection which the Commission had just considered in the case of the name Bradycellus Erichson, 1837. The Commission would no doubt give due weight to the objection so advanced. In his (the Acting President's) opinion, it was necessary, however, to bear in mind that the genus Carabus

⁵ See paragraph 4.
Linnaeus was one of the best known of all the genera in the Class Insecta; in consequence this generic name fell in the class of names, to applications regarding which the Commission should give special consideration with a view to securing, inter alia, that long-forgotten or long-ignored type selections should not be permitted to introduce instability by disturbing current nomenclatorial practice. In this case, therefore, his recommendation was that the Commission should use their Plenary Powers to grant the desired relief.

GENERAL AGREEMENT was expressed with the views outlined by the Acting President.


THE COMMISSION agreed:

(1) to use their Plenary Powers:

(a) to set aside all selections of the type species of the genus Carabus Linnaeus, 1758 (Class Insecta, Order Coleoptera) made previous to the present decision;
(b) to designate Carabus granulatus Linnaeus, 1758, to be the type species of the foregoing genus;

(2) to place the generic name Carabus Linnaeus, 1758, with the type species specified in (1) (b) above, on the Official List of Generic Names in Zoology;

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

(4) to render an Opinion recording the decisions specified in (1) to (3) above.
7. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph:—

*Carabus* Linnaeus, 1758, *Syst. nat.* (ed. 10) 1:413

8. The gender of the generic name *Carabus* Linnaeus, 1758, referred to in the decision quoted in paragraph 6 above, is masculine.

9. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5:113).

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

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

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

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

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

14. The present Opinion shall be known as Opinion Two Hundred and Forty-Three (243) of the International Commission on Zoological Nomenclature.

Done in London this Fourteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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

VOLUME 5. Part 5. Pp. 57—70

OPINION 244

Suppression, under the Plenary Powers, of the generic name *Coriscus* Schrank, 1796, for the purpose of validating the generic name *Alydus* Fabricius, 1803 (Class Insecta, Order Hemiptera)

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Issued 21st May, 1954
INTERNATIONAL COMMISSION ON
ZOÖLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 244

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President : Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

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Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veteriner- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Foud University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 244

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "CORISCUS" SCHRANK, 1796, FOR THE PURPOSE OF VALIDATING THE GENERIC NAME "ALYDUS" FABRICIUS, 1803 (CLASS INSECTA, ORDER HEMIPTERA)

RULING:—(1) Under the Plenary Powers, the generic name Coriscus Schrank, 1796 (Class Insecta, Order Hemiptera), is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy, thereby providing a status of priority for Alydus Fabricius, 1803.

(2) The generic name Alydus Fabricius, 1803 (gender of name: masculine) (type species, by selection by Curtis, 1831: Cimex calcaratus Linnaeus, 1758), is hereby placed on the Official List of Generic Names in Zoology as Name No. 670.

(3) The name Coriscus Schrank, 1796, as suppressed under (1) above, is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology as Name No. 64.

(4) The entry on the Official List of Generic Names in Zoology of the name Nabis Latreille, [1802—1803], made under the directions given in Opinion 104, is hereby confirmed.

(5) The specific name calcaratus Linnaeus, 1758, as published in the combination Cimex calcaratus, is hereby placed on the Official List of Specific Names in Zoology as Name No. 63.
I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled *The Generic Names of British Insects*. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature\(^1\) covering the First Report of its Hemiptera Sub-Committee.\(^2\) This Report dealt exclusively with the generic names of the British Hemiptera-Heteroptera. In the first of two Appendices annexed to the Sub-Committee’s Report were two proposals for the use, by the International Commission, of its Plenary Powers. The first of these proposals was concerned with the generic name *Alydus* Fabricius, 1803, and it is this name which forms the subject of the present *Opinion*. The recommendations contained in the Hemiptera Sub-Committee’s Report were formally submitted to the International Commission by Mr. D. N. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The case of the name *Alydus* Fabricius was dealt with twice in the foregoing work, first, in the paper written by Dr. W. E. China (\(:\) 231—233) annexed to Sub-Committee’s Report, and, second, by the Sub-Committee itself (\(:\) 214—215). These two passages are reproduced below. It must be noted however that, as explained in paragraph 2 below, the actual terms of the proposal prepared by the Sub-Committee for the consideration of the International Commission (i.e. the proposal set out in the last paragraph of the second of the two documents given below) were revised by the Sub-Committee in 1944 before the Sub-Committee’s application was printed in the *Bulletin of Zoological Nomenclature*. It was accordingly this revised proposal, the text of which is given in paragraph 2 of the present *Opinion* which was submitted to the International

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1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the time of the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to *Opinion* 243 (\(:\) 48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
Commission, and not the original proposal published in *The Generic Names of British Insects*, as set out below:

(a) **On the status of the name "Alydus" Fabricius, 1803 (Class Insecta, Order Hemiptera)**

By W. E. CHINA, M.A.

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

*Alydus* Fabricius, 1803


**Type** (fixed by Curtis) = *Cimex calcaratus* Linnaeus, 1758.

It is necessary to discuss here the status of the genus *Coriscus* Schrank, 1796 (*Samml. nat. phys. Aufsätze* 1 : 121), which Kirkcaldy and Stichel used in place of *Alydus* Fabricius. This genus was originally based on a single species represented by figures 2 & 3 of Tab. 123 in Schaeffer, (1776—1779), *Icon. Insect. Ratisbon*. Schrank declared, however, that these figures did not represent *Cimex calcaratus* Linnaeus as had been stated by Fabricius and De Geer but an insect which he proceeded to describe (under the new generic name *Coriscus*) as "Möhrensichelwanze". His description of the new genus and species differed from *Cimex calcaratus* Linnaeus in several important structural points, notably in the sickle-shaped curve of the rostrum, in the tri- instead of quadri-segmentation of the rostrum, in the unarmed femora, and in the smaller size. One of Schaeffer’s figures certainly does show a strongly curved rostrum quite different from that of *Alydus calcaratus*, but in colour the figure is quite a reasonable representation of the Linnaean species. Schrank’s colour description of the species also agrees well with *Alydus calcaratus* Linnaeus. In 1801 Schrank (*Fauna Boica* 2 (1) : 99) applied the Latin name *Coriscus dauci* to his "Möhrensichelwanze" which automatically became the genotype of *Coriscus* in spite of the fact that Schrank at the same time included a new species *Coriscus crassipes* and suggested that *Cimex subapterus* De Geer also belonged to this genus. In 1888 Reuter (*Act. Soc. Sci. Fenn.* 15 : 759) fixed the type of *Coriscus* as *C. dauci* Schrank 1801, thereby ending any argument as to the validity of the above automatic citation. Reuter, however, although he admitted important structural differences, sank *Coriscus dauci* Schrank, 1801 as a synonym of *Alydus calcaratus* Linnaeus. At the same time he retained the name *Alydus* Fabricius, 1803, although *Coriscus*, 1796, and, 1801, had priority. Kirkaldy 1900 (*Entomologist 33* : 263) also asserted that "dauci=calcaratus" and that consequently *Alydus* Fabricius, 1803, was homotypical with *Coriscus* Schrank, 1796. In this he was followed by Stichel, 1925 (*Ill. Bestimm. Deuts. Wanzen* 2 : 46). Nevertheless, I do not see how
it is possible to synonymise Coriscus dauci Schrank with Cimex calcariatus Linnaeus in the face of such distinct structural differences and having regard to the author’s definite statement to the effect that his “Möhrensichelwanze” was not Cimex calcariatus Linnaeus. I consider that it is better to ignore his colour description of Coriscus dauci, especially as in 1801 he associated with it a new species Coriscus crassipes which has since been synonymised with Nabis ferus (Linnaeus, 1758) by Reuter. This brings us to the school of thought which would associate Coriscus Schrank with the Nabidae. Latreille in [1802—1803] throws light (Hist. nat. Crust. Ins. 3 : 249), by stating “Voyez le genre Coriscus de Schr.,” suggested that his new genus Nabis was identifiable with Schrank’s genus. Stål 1873 (Enum. Hemipt. 3 : 112) followed up this suggestion and replaced Nabis Latreille, [1802—1803] by Coriscus Schrank, 1796, placing Cimex ferus and its allies in the typical subgenus Coriscus. This in effect made Cimex ferus Linnaeus (=Cimex vagans Fabricius, 1787 = Miris vagans Fabricius, 1794) the genotype, since Stål was the first real reviser of Coriscus, and Miris vagans Fabr. was the only recognisable original species in the group of species which he associated under the typical subgenus. The fact that Latreille in 1807 (Gen. Crust. Ins. 3 : 117) placed Coriscus in his omnibus genus Coreus (with Alydus) need not affect the case.

The generic description of Coriscus certainly agrees better with Nabis than with the Coreid genus Alydus, but unfortunately no known German Nabid agrees with Schrank’s colour description of Coriscus dauci.

Summarising, there are thus three alternatives:

1. To synonymise Coriscus dauci Schrank, 1801, with Cimex calcariatus Linnaeus, 1758, and thereby sink Alydus Fabricius, 1803, as a synonym of Coriscus Schrank, 1796 (as done by Reuter, Kirkaldy, Stichel);

2. To reject Coriscus dauci Schrank, 1801, as genotype of Coriscus Schrank, 1796, on the ground of being unidentifiable and to select Coriscus crassipes Schrank, 1801 (=Cimex ferus Linnaeus, 1758) as the genotype, at the same time sinking Schrank’s genus as a synonym of Nabis Latreille, [1802—1803], which has been placed on the Official List of Generic Names (Opinion 104, 1928);

3. To set aside the genus Coriscus Schrank, 1796, and, 1801, until the genotype Coriscus dauci Schrank, 1801, can be recognised. Unless

3 Griffin (1938, J. Soc. Bibl. nat. Hist. 1 : 157) has shown that notwithstanding the fact that the title-page of the volume in which the name Harpalus Latreille was published bears the date “An X” of the French Revolutionary Calendar (i.e. Sept. 1801—Sept. 1802), that volume was not in fact published until some time in “An XI” (i.e. Sept. 1802—Sept. 1803).
a type specimen of *Coriscus dauci* Schrank exists, this would be tantamount to invalidating *Coriscus* since as a member of the very well-known German fauna, *dauci* would, if possible, have been identified long ago.

(b) Proposed suspension of the "Règles" for "Alydus" Fabricius, 1803, and "Coriscus" Schrank, 1796 (Class Insecta, Order Hemiptera)

By E. E. GREEN (Camberley)

and

W. E. CHINA, M.A. (Assistant Keeper in the Department of Entomology, British Museum (Natural History))

We are of the opinion that greater confusion than uniformity would result if *Alydus* Fabricius, 1803 (type *Cimex calcaratus* Linnaeus, 1758, fixed by Curtis, 1831, *British Entomology* : 369) were replaced by the earlier name *Coriscus* Schrank, 1796. Apart from the fact that *Alydus* Fabricius had been in continuous use prior to 1925 when Stichel (*Illust. Bestimm. Deutsch. Wanzen* 2 : 46), following Kirkaldy 1900 (*Entomologist* 33 : 263), replaced it by *Coriscus* Schrank, 1796, the genus *Coriscus* is doubtfully identical with *Alydus* Fabricius. *Coriscus* Schrank, 1796 (*Samml. nat. phys. Aufsäze* 1 : 121) is monobasic, since the only species originally included in the genus was the Möhrensichelwanze, later named by Schrank, 1801 (*Fauna Boica* 2 (1) : 99) as *Coriscus dauci*. The genotype of *Coriscus* must therefore be *Coriscus dauci*. Schrank’s Möhrensichelwanze was based on figures 2 and 3 of Tab. 123 in Schaeffer, [1776—1779], *Icon. Ins. Ratisbon*. Schrank actually declared that these figures did not represent *Cimex calcaratus* Linnaeus (the genotype of *Alydus*) and his description of the new genus and species differed from *Cimex calcaratus* Linnaeus in several important structural points. In fact, *Coriscus* Schrank was referred by Latreille, 1802, and Stål, 1873, to the family NABIDAE, the latter using it instead of *Nabis* Latreille, [1802—1803]. The genus *Nabis* Latreille, however, has been placed by the International Commission on the *Official List of Generic Names*. *Coriscus* Schrank therefore must either replace *Alydus* Fabricius, 1803; or be sunk as a synonym of *Nabis* Latreille, [1802—1803]; or be set aside as based on an unidentifiable species.

We are of the opinion that it is highly desirable that in the exercise of the Plenary Power conferred on them by the International Zoological

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4 For a note on the date here assigned to the name *Nabis* Latreille, see footnote 3.
Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an Opinion to the following effect:—

Under suspension of the Rules (i) the name Coriscus Schrank, 1796, is hereby suppressed and (ii) Alydus Fabricius, 1803 (type: Cimex calcaratus Linnaeus, 1758, designated by Curtis, 1831) is hereby placed on the Official List of Generic Names in Zoology.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the papers relating to the present case were given the Registered Number Z.N.(S.) 160, and as soon as possible steps were taken to prepare this application for publication in the then newly established Bulletin of Zoological Nomenclature. In so preparing this application, Mr. Hemming noted that the applicants had realised the connection between the name Coriscus Schrank, 1796 (which it was their object to prevent from superseding Alydus Fabricius) and the name Nabis Latreille, but had been under the erroneous impression that, because this name had been placed on the Official List of Generic Names in Zoology (by Opinion 104), it could not in any circumstances be replaced by a senior synonym. In order to clear up this misconception, Mr. Hemming (on 15th September 1944) wrote to Dr. China, explaining that, when a name was placed on the Official List, it possessed absolute protection from senior synonyms only if it had been expressly validated by the Commission under its Plenary Powers and that, as Nabis Latreille had been placed on that List on the assumption that it was the oldest available name for the genus concerned and without resort to the Plenary Powers, it did not enjoy absolute protection but could be called in question if an available senior synonym were found to exist. In subsequent correspondence it was agreed between Mr. Hemming on the one hand and Dr. China and Mr. Green on the other hand that the only certain way of securing complete protection both for the name Alydus Fabricius and for the name Nabis Latreille would be to obtain from the International Commission a decision suppressing the name Coriscus Schrank under its Plenary Powers. Accordingly, Dr. China and Mr. Green decided to amend their
recommendation in this sense, and on 17th November 1944 they submitted the revised proposal set out in the last paragraph of the second of the two documents quoted in the first paragraph of the present Opinion.

3. The present application, amended as shown in the foregoing paragraph, was sent to the printer at the close of 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 273—274 ; Green & China, 1947, ibid. 1 : 275).

4. Comment received from Dr. R. I. Sailer (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) : After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailer (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945 criticising the proposal submitted by Mr. Green and Dr. China in 1944 in Part 8 of The Generic Names of British Insects for the use of the Plenary Powers for the purpose of preserving the name Alydus Fabricius as against the name Coriscus Schrank. In the same letter Dr. Sailer referred to the connection with the present case of the name Nabis Latreille which (as noted by Dr. China) had been placed on the Official List of Generic Names in Zoology by the Commission's Opinion 104. Dr. Sailer's letter was as follows :—

Another matter which I should like to discuss is the proposed suspension of the Rules in the case presented by Green and China (Generic Names of British Insects, 1943, pt. 8, pp. 214—215) pertaining

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5 As Dr. Sailer's letter was written before the publication in the Bulletin of Zoological Nomenclature of the Green/China proposal in its definitive form, he was inevitably unaware that the applicants had revised their application in such a way that the position of the name Nabis Latreille on the Official List was fully protected. Accordingly, in order that Dr. Sailer might be fully informed of the latest stage of the present proposal, Mr. Hemming, in replying on 16th February 1945 to his letter of 12th January, wrote :— "When I recently re-examined this case for the purpose of preparing it for publication in the Bulletin of Zoological Nomenclature, I observed that the case of Nabis was not adequately dealt with in the case as presented. I had some correspondence on this subject with Mr. China, with the result that he and Mr. Green agreed to a re-wording of the recommendation in this case to cover this aspect of the question and to ensure that the validity of Nabis shall not be impaired."
to *Alydus* Fabricius, 1803. While *Coriscus* Schrank, 1796, has not been fixed in economic literature to any great extent it has been used consistently in taxonomic treatments since 1925, and some confusion will inevitably result from a return to *Alydus*. It is proposed by Green and China that the present type of *Coriscus*, *C. dauci* Schrank, 1801, be rejected on grounds of being based on an unidentifiable type, and that *Coriscus crassipes* Schrank, 1801, be accepted in its place. I trust that in taking such action the Commission would be aware that *Nabis* Latreille, 1802, is on the *Official List of Generic Names* (Opinion 104) because, as Stiles states, “The Secretary has personally checked these names and believes they are all nomenclatorially available and valid, and that, therefore, they can be adopted in harmony with the Rules instead of as *Nomina Conservanda*”. From this it is clear that further action with regard to *Nabis* will be necessary in event of favorable action on the case concerning *Alydus* as proposed by Green and China.

As for the rejection of *dauci* Schrank, 1801, as genotype of *Coriscus*, I should like to point out that at least two important references pertaining to this problem are not cited by Green and China. Reuter, 1888 (*Revista Synonymica Heteropterorum Palaearticorum II*, page 534 of *Acta Societatis Scientiarum Fennicae*, Tomus 15, Helsingfors), sank *C. dauci* as a synonym of *Alydus calcaratus* (L.). It is true that Reuter admitted that certain discrepancies existed. Kirkaldy, 1900, seems to have followed this action rather than to have initiated the synonymy directly as suggested by Green and China. The second reference is that by Horváth, 1917 (*Ann. Mus. Nat. Hung. 15* : 378). Horváth’s action in synonymising *dauci* and *calcaratus* here appears to have been independent of either that of Reuter or Kirkaldy. His only qualifying remark is that Schrank’s description was based on a mutilated specimen.

By way of summary, it is my opinion that since *Coriscus* has in the last twenty-five years become well established in the literature of Europe and the United States; that since its suppression, as proposed by Green and China, will endanger *Nabis*, a large and important genus in a different family; and that since the identity of the genotype in question has been established by two of our most noted authorities in the Hemiptera, definite disservice to the stability of hemipterous nomenclature will result should favorable action be taken by the Commission on the case concerning *Alydus* proposed by Green and China.

5. *Comment received from Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen)*: The publication of the present application in the *Bulletin* elicited a letter of support from Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*) who on 8th April 1947 wrote:—“*Coriscus* Schrank to be suppressed: Yes”. 
6. Issue of Public Notices: On 14th September 1947 a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

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

7. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 19) (1950, Bull. zool. Nomencl. 4: 464—467):—

THE COMMISSION agreed:—

(1) to use their Plenary Powers:—
(a) to suppress the name Coriscus Schrank, 1796 (Class Insecta, Order Hemiptera) for the purposes of Article 25, though not for those of Article 34;
(b) to validate the generic name Alydus Fabricius, 1803 (Class Insecta, Order Hemiptera);

(2) to place the generic name Alydus Fabricius, 1803 (type species, selected by Curtis, 1831: Cimex calcaratus Linnaeus, 1758) on the Official List of Generic Names in Zoology;

(3) to place the name Coriscus Schrank, 1796, on the Official Index of Rejected and Invalid Generic Names in Zoology;
(4) to confirm the entry on the *Official List of Generic Names in Zoology* of the name *Nabis* Latreille [1802—1803];

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

(6) to render an *Opinion* recording the decisions specified in (1) to (5) above.

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

*calcaratus*, *Cimex*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 450


9. The gender of the generic name *Alydus* Fabricius, 1803, referred to in the decision quoted in paragraph 7 above, is masculine.

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

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

Beltrán *vice* Cabrera; Boschma; Bradley; di Caporiacco; Hemming; Hindle *vice* Jordan; Jorge *vice* do Amaral; Kirby *vice* Stoll; Lemche *vice* Dymond; Mansour *vice* Hankó; Metcalf *vice* Peters; Riley *vice* Calman; Rode; Spärck *vice* Mortensen; van Straelen *vice* Richter; Usinger *vice* Vokes.
12. The Ruling given in the present Opinion was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

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

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

15. The present Opinion shall be known as Opinion Two Hundred and Forty-Four (244) of the International Commission on Zoological Nomenclature.

Done in London this Fourteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

Francis Hemming
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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


OPINION 245
Designation, under the Plenary Powers, of a type species for the nominal genus Salda Fabricius, 1803 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage

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INTERNATIONAL COMMISSION ON
ZOOLGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 245

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).

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

Professor Lodovico di Caporiacco (University of Parma, Italy).

Professor J. R. Dymond (University of Toronto, Canada).

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


Class 1955

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

Dr. William Thomas Calman (Tayport, Fife, Scotland).

Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).

Professor Béla Hankó (University of Debrecen, Hungary).

Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).

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

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

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


Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).

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

Dr. Henning Lemche (Kgl. Veterinær- og Landbohojskole, Zoologisk Laboratorium, Copenhagen, Denmark).

Professor Kamel Mansour (King Foud University, Cairo, Egypt).


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

Professor Ragnar Späck (Universitetets Zoologiske Museum, Copenhagen, Denmark).

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

Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 245

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "SALDA" FABRICIUS, 1803 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for Salda Fabricius, 1803 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and Cimex littoralis Linnaeus, 1758, is hereby designated as the type species of this genus.

(2) The generic name Salda Fabricius, 1803 (gender of name: feminine), with the type species designated under (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 671.

(3) The specific name littoralis Linnaeus, 1758, as published in the combination Cimex littoralis, is hereby placed on the Official List of Specific Names in Zoology as Name No. 64.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Report contained the Eighth Report of the Society's Committee on Generic Nomenclature covering the First Report of its Hemiptera Sub-Committee. This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (p. 48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. In the first of two Appendices annexed to the Sub-Committee’s Report were two proposals for the use, by the International Commission, of its Plenary Powers. The first of these proposals was concerned with the name *Alydus* Fabricius, 1803, the Commission’s decision on which has been given in Opinion 244, the second, with the name *Salda* Fabricius, 1803, which forms the subject of the present Opinion. The recommendations contained in the Hemiptera Sub-Committee’s Report were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The case of the name *Salda* Fabricius was dealt with twice in the foregoing work, first, in the paper written by Dr. W. E. China (p: 277—278) annexed to the Sub-Committee’s Report, and, second, by the Sub-Committee itself (p: 215). By agreement with the applicants, the two passages referred to above were treated by the International Commission as together constituting the application submitted in regard to the present case. These documents are reproduced below:

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**On the status of the name “Salda” Fabricius, 1803 (Class Insecta, Order Hemiptera)**

By W. E. CHINA, M.A.

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

*Salda* Fabricius, 1803


Unfortunately the first valid genotype fixation of the genus *Salda* Fabricius, 1803, appears to be that of Blanchard 1838, in the Disciples’ edition of Cuvier’s *Règne animal*, Atlas plate 90. On the title-page of this work it is stated, “Edition accompagnée de Planches gravées représentant les types de tous les genres”. Since under *Salda* only a single species, *Salda grylloides* Linnaeus (=*Cimex grylloides* Linnaeus, 1761), is figured, this species becomes the genotype of *Salda* Fabricius, 1803, which is hereby transferred to the family *Lygaeidae* and replaces *Geocoris* Fallén, 1814, a non-British genus. The dates of the Disciples’ edition of Cuvier were published by Sherborn in 1922 (*Ann. Mag. nat. Hist.* (9) 10 : 555—556) and the date for the Heteroptera is 1838. In 1848 Blanchard (in *Orbigny, Dict. univ. Hist. nat.* 11 : 311
and 312) revised his earlier type fixation and cited *Salda littoralis* Fabricius, 1803 = *Cimex littoralis* Linnaeus, 1758. The dates of this work have been verified by Sherborn and Palmer, 1899 (Ann. Mag. nat. Hist. (8) 3: 350) and unfortunately for the familiar name *Salda*, the date of volume 11 is shown to be 1848: that is, ten years after Blanchard’s original type fixation. Unless, therefore, the International Commission agree to invalidate Blanchard’s first type citation in the Disciples’ edition of Cuvier, the name *Salda* goes to the *Lygaeidae* and replaces the well-known name *Geocoris* Fallén.

**Proposed suspension of the “Règles” for “Salda” Fabricius, 1803 (Class Insecta, Order Hemiptera)**

**By E. E. GREEN**
(Camberley)

and

**W. E. CHINA, M.A.**
(Assistant Keeper in the Department of Entomology, British Museum (Natural History))

We are of the opinion that it is highly undesirable to accept the first valid type citation for the genus *Salda* Fabricius, 1803, viz. that of Blanchard, 1838 (Cuvier, *Le Règne animal*, Disciples’ edition: pl. 90) whereby the type is fixed as *Salda grylloides* Linnaeus = *Cimex grylloides* Linnaeus, 1761. This would mean that the well-known name *Salda* would need to be transferred to another family (*Lygaeidae*) and the family *Salidae* left without an available family name. In addition the well-known Lygaeid name *Geocoris* Fallén would sink, as a synonym of *Salda* Fabricius, 1803.

We are emphatically of the opinion that the foregoing change would lead to greater confusion than uniformity. Accordingly we recommend that in the exercise of the Plenary Powers conferred on them by the International Zoological Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect:—

Blanchard’s original 1838 (in Cuvier, *Le Règne animal*, Disciples’ edition: pl. 90) citation of *Cimex grylloides* Linnaeus, 1758, as type of *Salda* Fabricius, 1803, *Syst. Rhyng.* : 113 is to be rejected and replaced by Blanchard’s 1848 (in Orbigny, *Dict. univ. Hist. nat.* 11 : 311 and 312) citation of *Cimex littoralis* Linnaeus, 1758, The name *Salda* Fabricius, 1803 (type *Cimex littoralis* Linnaeus, 1758) is hereby added to the *Official List of Generic Names in Zoology* and is not to be transferred from the *Salidae* to the *Lygaeidae* to replace *Geocoris* Fallén.
II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the papers relating to the present case were given the Registered Number Z.N.(S.) 161, and as soon as possible steps were taken to prepare this application for publication in the then newly established Bulletin of Zoological Nomenclature. The present application was sent to the printer in September 1944, but owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1: 276; Green & China, 1947, ibid. 1: 276—277).

3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945 commenting on the proposals submitted by the Hemiptera Sub-Committee as published by the Royal Entomological Society of London in Part 8 of The Generic Names of British Insects. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:—“I should like to add that in my opinion all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission”.

4. The publication of the present application in the Bulletin elicited a letter of support from Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen) who on 8th April 1947 wrote: “Salda littoralis (Linn.): Yes”.

5. Issue of Public Notices: On 14th September 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection, so far as concerned the merits of the action proposed, but a letter dated 19th March 1948 was received from Dr. Richard E. Blackwelder (United States National Museum, Washington, D.C., U.S.A.) expressing the view that the material furnished by the applicants was insufficient.
III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

6. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, giving a summary of the introductory remarks by the Acting President (Mr. Francis Hemming) and of the ensuing discussion (1950, Bull. zool. Nomencl. 4 : 468) :

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that the present application, like that relating to the name Alydus Fabricius, which the Commission had just considered, had been submitted to the Commission by the Royal Entomological Society of London, on the recommendation of their Committee on Generic Nomenclature, acting on the advice of the Hemiptera Sub-Committee, the members of which were Dr. China and Mr. Green. The application had been advertised subsequent to publication in the Bulletin. The only objection received had come from Dr. Richard Blackwelder (United States National Museum, Washington, D.C.) who considered that the grounds advanced in the application were insufficient to justify the use by the Commission of their Plenary Powers.

IN DISCUSSION the view was expressed that the application submitted contained sufficient evidence as to the likelihood of confusion arising if the Règles were strictly applied in this case and that the application should therefore be granted.

7. The decision of the International Commission in this case is set out as follows in the Official Record of its Proceedings (Paris Session, 14th Meeting, Conclusion 20) (1950, Bull. zool. Nomencl. 4 : 467—469) :—
THE COMMISSION agreed:—

(1) to use their Plenary Powers:—
  (a) to set aside all selections of a type species for the
genus *Salda* Fabricius, 1803 (Class Insecta, Order
Hemiptera) made prior to the present decision;
  (b) to designate *Cimex littoralis* Linnaeus, 1758, to be
the type species of the foregoing genus;
(2) to place the generic name *Salda* Fabricius, 1803, with the
type species designated in (1)(b) above, on the *Official
List of Generic Names in Zoology*;
(3) to place the trivial name *littoralis* Linnaeus, 1758 (as
published in the binominal combination *Cimex littoralis*)
on the *Official List of Specific Trivial Names in Zoology*;
(4) to render an *Opinion* recording the decisions specified
in (1) to (3) above.

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

*littoralis*, *Cimex*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 442

9. The gender of the generic name *Salda* Fabricius, 1803,
referred to in the decision quoted in paragraph 7 above, is
feminine.

10. The decision taken in the present case was reported to,
and approved by, the Section on Nomenclature of the Thirteenth
International Congress of Zoology, Paris, 1948, at its Sixth
5 : 114).

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

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

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

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

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present Opinion is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
15. The present *Opinion* shall be known as *Opinion* Two Hundred and Forty-Five (245) of the International Commission on Zoological Nomenclature.

**DONE** in London this Fifteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

- FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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

VOLUME 5. Part 7. Pp. 81—90

OPINION 246
Designation, under the Plenary Powers, of a type species for the nominal genus *Gastrodes* Westwood, 1840 (Class Insecta, Order Hemiptera), 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 246

A. The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President : Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 246

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "GASTRODES" WESTWOOD, 1840 (CLASS INSECTA, ORDER HEMIPTERA), IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for the nominal genus Gastrodes Westwood, 1840 (Class Insecta, Order Hemiptera), made prior to the present Ruling are hereby set aside and Gastrodes abietum Bergroth, 1914, is hereby designated as the type species of this genus.

(2) The generic name Gastrodes Westwood, 1840 (gender of name: masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 672.

(3) The specific name abietum Bergroth, 1914, as published in the combination Gastrodes abietum, is hereby placed on the Official List of Specific Names in Zoology as Name No. 65.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society's Committee on Generic Nomenclature covering the First Report of its Hemiptera Sub-Committee. This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
OPINIONS AND DECLARATIONS

dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee’s Report as Annex II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The fourth of the names in question was Gastrodes Westwood, 1840, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:—

Proposed suspension of the “Règles” for “Gastrodes” Westwood, 1840 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.
(Assistant Keeper in the Department of Entomology, British Museum (Natural History))

Gastrodes Westwood, 1804


Author by whom the type in question was designated and reference:—
The genus is monobasic.

Name of species so designated as type:—Monobasic type is Cimex abietis Linnaeus, 1758.

Species intended by the original author of the genus when employing the specific name in question:—Cimex abietis (Linnaeus) Westwood, 1840, nec Linnaeus, 1758, i.e., the species the valid name for which is Cimex abietum Bergroth, 1914, Wien. ent. Ztg. 33 : 183.

Discussion of the case:—Westwood based his genus on a single species which he (in common with all authors up to 1898) assumed to
be *Cimex abietis* Linnaeus, 1758. Horváth, however, in 1898, *Rev. Ent.,* Caen, 17 : 277, showed conclusively that the true *Cimex abietis* Linnaeus is identical with *Lygaeus erraticus* Fabricius, 1794, a species at that time referred to the genus *Eremocoris* Fieber, 1860, and since fixed as the type of that genus by Distant, 1903, *Faun. Brit. Ind. Rhyn.* 2 : 92. In consequence the species *Cimex abietis* Westwood et auct. remained without a name and was re-named *Cimex abietum* by Bergroth, 1914, *Wien. ent. Ztg.* 33 : 183. The type of *Gastrodes* Westwood therefore is not the wrongly identified *Cimex abietis* Linnaeus, 1758, but *Cimex abietum* Bergroth, 1914.

If it were necessary under the Code to assume that Westwood’s determination of this species was correct, Westwood’s designation of *Cimex abietis* Linnaeus as the type of *Gastrodes* Westwood would involve the transfer of that name to the genus at present known as *Eremocoris* Fieber, 1860, while the genus at present known as *Gastrodes* would become *Oimocites* Gistel, 1848. Such action would not only cause confusion in the nomenclature of these genera but would run directly counter to Westwood’s intentions and would be open to the strongest objection in that it would involve the designation as type of *Gastrodes* of a species disagreeing completely with the generic description. It is for this reason that I have disregarded Westwood’s citation on *Cimex abietis* Linnaeus as the type of the genus, accepted *Cimex abietum* Bergroth, and treated *Cimex abietis* Linnaeus as an *Eremocoris*.

Action by the International Commission desired:—A declaration that the action of Westwood in citing *Cimex abietis* Linnaeus, 1758, as the type *Gastrodes* Westwood, 1840, is invalid, since that species was not included in the genus, the species which he there designated under that name being in fact another species generically distinct from *Cimex abietis* Linnaeus and since named *Cimex abietum* Bergroth, 1914. In consequence the type of the genus *Gastrodes* Westwood, 1840, is *Cimex abietum* Bergroth, 1914, the sole species originally included by Westwood in the genus.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established *Bulletin of Zoological Nomenclature*. The present application was sent to the printer in September 1944, but owing to difficulties arising from paper rationing, shortage of labour at the printing
works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 283).

3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:—
“ I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission”.

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species
of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers, in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author’s error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4: 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion which took place on the present case (1950, Bull. zool. Nomencl. 4: 472):

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144), dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

ALTERNATE COMMISSIONER ROBERT L. USINGER (U.S.A.) said that, as a hemipterist, he was familiar with the problem presented by the name Gastrodes Westwood and was in full agreement with the conclusions reached by Dr. China. He
accordingly supported the proposal that the Plenary Powers should be used to designate *Cimex abietum* Bergroth, 1914, as the type species of this genus.


THE COMMISSION agreed:

(1) to use their Plenary Powers:

(a) to set aside the designation by Westwood of *Cimex abietis* Linnaeus, 1758, as the type species of the monotypical genus *Gastrodes* Westwood, 1840 (Class Insecta, Order Hemiptera);

(b) to designate *Gastrodes abietum* Bergroth, 1914, to be the type species of the foregoing genus;

(2) to place the generic name *Gastrodes* Westwood, 1840, with the type species specified in (1)(b) above, on the *Official List of Generic Names in Zoology*;

(3) to place the trivial name *abietum* Bergroth, 1914 (as published in the combination *Gastrodes abietum*), on the *Official List of Specific Trivial Names in Zoology*;

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

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


8. The gender of the generic name *Gastrodes* Westwood, 1840, referred to in the decision quoted in paragraph 6 above, is masculine.

9. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5**: 115).

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

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

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

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

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

14. The present *Opinion* shall be known as *Opinion* Two Hundred and Forty-Six (246) of the International Commission on Zoological Nomenclature.

DONE in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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


OPINION 247
Designation, under the Plenary Powers, of a type species for the nominal genus *Aquarius* Schellenberg, 1800 (Class Insecta, Order Hemiptera), in harmony with accustomed nomenclatorial usage

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Issued 11th June, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 247

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jörge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinar- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouda University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Søràck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS “AQUARIUS” SCHELLENBERG, 1800 (CLASS INSECTA, ORDER HEMIPTERA), IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for the nominal genus Aquarius Schellenberg, 1800 (Class Insecta, Order Hemiptera), made prior to the present Ruling are hereby set aside and Cimex najas De Geer, 1773, is hereby designated as the type species of this genus.

(2) The generic name Aquarius Schellenberg, 1800 (gender of name: masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 673.

(3) The specific name najas De Geer, 1773, as published in the combination Cimex najas, is hereby placed on the Official List of Specific Names in Zoology as Name No. 66.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature1 covering the First Report of its Hemiptera Sub-Committee.2 This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (: 48).
2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
OPINIONS AND DECLARATIONS

dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee’s Report as Annexe II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The tenth of the names in question was *Aquarius* Schellenberg, 1800, with which the present *Opinion* is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:

Proposed suspension of the “Règles” for “*Aquarius*” Schellenberg, 1800 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.

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

*Aquarius* Schellenberg, 1800


Author by whom the type in question was designated and reference:—Kirkaldy, 1906, *Trans. amer. ent. Soc.* 32 : 155.

Name of species so designated as type:—*Gerris paludum* Schellenberg, 1800.

Species intended by the original author of the genus when employing the specific name in question:—*Gerris paludum* (Fabricius) Schellenberg, 1800, *nec* Fabricius, 1794, *i.e.*, the species the valid name for which is *Cimex najas* De Geer, 1773, *Mém. Hist. Ins.* 3 : 313.

Discussion of the case:—Schellenberg included (figured) two species in his genus *Aquarius*, *Gerris paludum* Fabricius, 1794, and *Gerris stagnorum* Fabricius, 1794 (i.e., *Cimex stagnorum* Linnaeus, 1758).
Kirkaldy, 1906, fixed *Aquarius paludum* Schellenberg, 1800, as the type, indicating at the same time that it was actually *Gerris canalium* Dufour, 1833, *i.e.*, *Cimex najas* De Geer, 1773. Schellenberg's figure indicated an apterous species, whereas *Gerris paludum* is normally macropterous, so that it would appear to represent *Cimex najas* De Geer and not *Gerris paludum* Fabricius. If it were necessary under the Code to assume that Schellenberg's determination of this species was correct, no change would be necessary in the generic nomenclature since both *Cimex najas* De Geer and *Gerris paludum* Fabricius belong to the same genus. A declaration in this case is, however, desirable, since at any time the discovery of further species might warrant the splitting of *Aquarius* into two genera, in which case it is essential that the type of the original genus should be correctly fixed.

Action by the International Commission desired:—A declaration that the type of *Aquarius* Schellenberg, 1800, is *Cimex najas* De Geer, 1773, *Mém. Hist. Ins.* 3 : 313, and not *Gerris paludum* Fabricius, 1794, *Ent. Syst.* 4 : 188, the included species, since the latter does not agree with Schellenberg's figure and was clearly misidentified by him.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established *Bulletin of Zoological Nomenclature*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, *Bull. zool. Nomencl.* 1 : 277—278).

3. After the present application had been sent to the printer for publication in the *Bulletin* but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of
London. After criticising the application submitted in the case of the name *Alydus* Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present *Opinion*:

"I should like to add that, in my opinion, all other cases presented in Part 8 of *The Generic Names of British Insects* merit favorable action by the Commission."

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the *Règles* of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author’s error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, *Bull. zool. Nomencl.* 4 : 158—159). It was in the light of the foregoing
provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4 : 472):—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any such adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse
comments had been received, the Secretary to the Commission should prepare *Opinions* in the sense proposed.


THE COMMISSION agreed:—

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(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:—

(a) that, if an examination of the Commission’s file Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:—

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Aquarius Schellenberg, 1800</td>
<td>(2) Cimex najas De Geer, 1773</td>
</tr>
</tbody>
</table>
(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the Official List of Generic Names in Zoology and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the Official List of Specific Trivial Names in Zoology;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an Opinion should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission’s File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4 : 474):

Note by the Secretary to the Commission.—

I have examined the Commission’s File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.
8. The following are the original references for the names which appear in the decision set out in paragraph 6 above:—

najas, Cimex, De Geer, 1773, Mém. Hist. Ins. 3 : 313

9. The gender of the generic name Aquarius Schellenberg, 1800, referred to in the decision quoted in paragraph 6 above, is masculine.

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

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

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

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

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

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

15. The present *Opinion* shall be known as *Opinion* Two Hundred and Forty-Seven (247) of the International Commission on Zoological Nomenclature.

*Done in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.*

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
Designation, under the Plenary Powers, of a type species for the nominal genus *Bellocoris* Hahn, 1834 (Class Insecta, Order Hemiptera), in harmony with accustomed nomenclatorial usage.
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 248

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).

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

Professor Lodovico di Caporiacco (University of Parma, Italy).

Professor J. R. Dymond (University of Toronto, Canada).

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


Class 1955

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

Dr. William Thomas Calman (Tayport, Fife, Scotland).

Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).

Professor Béla Hankó (University of Debrecen, Hungary).

Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).

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

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

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


Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).

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

Professor Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).

Professor Kamel Mansour (King Foud University, Cairo, Egypt).


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

Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).

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

Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 248

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "BELLOCORIS" HAHN, 1834 (CLASS INSECTA, ORDER HEMIPTERA), IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type selections for the nominal genus Bellocoris Hahn, 1834 (Class Insecta, Order Hemiptera), made prior to the present Ruling are hereby set aside and Cimex austriacus Schrank, 1776, is hereby designated as the type species of this genus.

(2) The generic name Bellocoris Hahn, 1834 (gender of name: masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 674.

(3) The specific name austriacus Schrank, 1776, as published in the combination Cimex austriacus, is hereby placed on the Official List of Specific Names in Zoology as Name No. 67.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society's Committee on Generic Nomenclature\(^1\) covering the First Report of its Hemiptera Sub-Committee.\(^2\) This Report

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\(^1\) The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (: 48).

\(^2\) The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee’s Report as Annexe II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The second of the names in question was Bellocoris Hahn, 1834, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:—

Proposed suspension of the "Règles" for "Bellocoris" Hahn, 1834 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A. (Assistant Keeper in the Department of Entomology, British Museum (Natural History))

Bellocoris Hahn, 1834

Original reference:—Hahn, 1834, Wanzen. Ins. 2: 42

Author by whom the type in question was designated and reference:—Westwood, 1840, Introd. Mod. Class Ins. 2 (Syn. Gen. Brit. Ins.): 124.

Name of species so designated as type:—Cimex maurus Linnaeus, 1758.

Species intended by the original author of the genus when employing the specific name in question:—Cimex maurus (Linnaeus) Hahn, 1834, nec Linnaeus, 1758, i.e., the species the valid name for which is Cimex austriacus Schrank, 1776, Beitr. z. Naturges. Leipzig : 78.

Discussion of the case:—Hahn established the genus Bellocoris for three species, Cimex purpureolineatus Rossi, 1790, Tetyra maura Fabricius, 1803 (Cimex maurus Linnaeus, 1758) and Tetyra picta
Fabricius, 1803. The first designation of type in correct form is by Westwood, 1840, who cited *Cimex maurus* Linnaeus. Kirkaldy, however, rightly contends that, as in the case of *Tetyra* Fabricius, 1803, *Cimex maurus* Linnaeus was wrongly identified by Hahn, since Hahn’s description disagrees with *C. maurus* Linnaeus in the size—$5\frac{1}{2}$ lines—(even females of *C. maurus* L. do not exceed $4\frac{1}{2}$ lines), and in the presence of a distinct longitudinal keel on the scutellum (“in der Mitte desselben ein erhöhter Längskiel”). Hahn’s species is in fact *Cimex austriacus* Schrank, 1776. In effect, therefore, *Cimex maurus* Linnaeus, 1758, was not one of the species originally included in *Bellocoris*, and Westwood’s designation was consequently invalid, being based on a misidentification of *Tetyra maura* Fabricius, 1803, with *Cimex maurus* Linnaeus, 1758. If, however, it were necessary under the Code to assume that Hahn’s determination was correct, Westwood’s designation of *Cimex maurus* Linnaeus as the genotype of *Bellocoris* would be validated. In this case no great nomenclatorial confusion would be caused since *Bellocoris* Hahn, 1834, would merely become a synonym of *Eurygaster* Laporte, 1832, instead of a synonym of *Odontotarsus* Laporte, 1832. Such a course, however, would involve the fixing as genotype of *Bellocoris* Hahn of a species not originally included in that genus, a principle which, if invalidated in the case of *Tetyra* Fabricius, can scarcely be accepted here. It is for this reason that I have disregarded Westwood’s selection of *C. maurus* Linnaeus as the type of *Bellocoris*, placed that species in the genus *Eurygaster* Laporte, 1832, with the type of which (*Cimex hottentotus* Fabricius, 1775) it is congeneric, and have consequently refrained from placing *Bellocoris* Hahn, 1834, as a synonym of *Eurygaster* Laporte, 1832.

Reuter (1888, *Act. Soc. Sci. Fenn.* 15 : 758) again designated *Cimex maurus* Linnaeus, 1758, as the type of *Bellocoris* (Hahn) Westwood. This too has been rejected on the same above-mentioned grounds and the first valid fixation by Kirkaldy of *Cimex purpureolineatus* Rossi, 1790, accepted. Thereby *Bellocoris* Hahn, 1834, becomes a synonym of *Odontotarsus* Laporte, 1832.

Action by the International Commission desired:—A declaration that the action of Westwood (1840) in designating *Cimex maurus* Linnaeus, 1758, as the type of *Bellocoris* Hahn, 1834, is invalid, since that species was not included in the genus by Hahn, the species cited under that name being *Cimex austriacus* Schrank, 1776, *Beitr. z. Naturges. Leipzig* : 78 (= *C. nigrocucullatus* Goeze, 1778, *Ent. Beytr. 2* : 235) and that the type of the genus *Bellocoris* Hahn is the next species to be designated as such by an author complying with the provisions of Article 30 of the International Code; and that, in consequence, the type of that genus is *Cimex purpureolineatus* Rossi, 1790 (*Faun. Etr.* 2 : 228) which is one of the species originally included in the genus by Hahn, and was designated as the type by Kirkaldy in 1909, *Cat. Hemipt.* 1 : 270.
II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established Bulletin of Zoological Nomenclature. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 278—279).

3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:—

"I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission”.

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature
submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4 : 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4 : 472) —

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon
misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare Opinions in the sense proposed.

6. The decision taken by the International Commission in the present case is set out as follows in the Official Record of its Proceedings (Paris Session, 14th Meeting, Conclusion 21) (1950, Bull. zool. Nomencl. 4: 469—474):

THE COMMISSION agreed:

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:

(a) that, if an examination of the Commission's File Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that
such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:—

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellocoris Hahn, 1834</td>
<td>Cimex austriacus Schrank, 1776</td>
</tr>
</tbody>
</table>

(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology*;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard
to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission’s File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4 : 474) :

Note by the Secretary to the Commission.—

I have examined the Commission’s File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

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

Bellocoris Hahn, 1834, Wanzen. Ins. 2 : 42

9. The gender of the generic name Bellocoris Hahn, 1834, referred to in the decision quoted in paragraph 6 above, is masculine.

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

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

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

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

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

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present Opinion is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
15. The present *Opinion* shall be known as *Opinion* Two Hundred and Forty-Eight (248) of the International Commission on Zoological Nomenclature.

DONE in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

_Secretary to the International Commission on Zoological Nomenclature_

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 249
Designation, under the Plenary Powers, of a type species for the nominal genus Beosus Amyot & Serville, 1843 (Class Insecta, Order Hemiptera), in harmony with accustomed nomenclatorial usage

LONDON:
Printed by Order of the International Trust for Zoological Nomenclature
and
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1954

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Issued 11th June, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 249

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History)
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology,
Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senior Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum,
Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporaiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge,
Massachusetts, U.S.A.) (Vice-President of the Commission).
Dr. Harold E. Vokes (United States Geological Survey, Washington, D.C.,
U.S.A.).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie,
Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton,
New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lencø (Kgl. Veteriner- og Landbohojskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Professor Z. P. Metcalf (North Carolina State College of Agriculture and
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California,
U.S.A.).
OPINION 249

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "BEOSUS" AMYOT & SERVILLE, 1843 (CLASS INSECTA, ORDER HEMIPTERA), IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING :—(1) Under the Plenary Powers all type-selections for the nominal genus Beosus Amyot & Serville, 1843 (Class Insecta, Order Hemiptera), made prior to the present Ruling, are hereby set aside and Cimex maritimus Scopoli, 1763, is hereby designated as the type species of this genus.

(2) The generic name Beosus Amyot & Serville, 1843 (gender of name: masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 675.

(3) The specific name maritimus Scopoli, 1763, as published in the combination Cimex maritimus, is hereby placed on the Official List of Specific Names in Zoology as Name No. 68.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature covering the First Report of its Hemiptera Sub-Committee. This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee’s Report as Annexe II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The third of the names in question was *Beosus* Amyot & Serville, 1843, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:

**Proposed suspension of the “Règles” for “Beosus” Amyot & Serville, 1843 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species**

By W. E. CHINA, M.A.

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

**Beosus** Amyot & Serville, 1843

Original reference:—Amyot and Serville, 1843 (Roret’s Suite à Buffon), *Hist. nat. Ins. Hémipt.*: 254

Author by whom type in question was designated and reference:—The genus is monobasic.

Monobasic type is *Lygaeus quadratus* Fabricius, 1803.

Species intended by the original author of the genus when employing the specific name in question:—*Lygaeus quadratus* (Fabricius) Amyot & Serville, 1843, *nec* Fabricius, 1803, *i.e.*, the species the valid name for which is *Cimex maritimus* Scopoli, 1763, *Ent. Carn.*: 129.

Discussion of the case:—Amyot and Serville based their genus *Beosus* on a single species which they assumed to be *Lygaeus quadratus* Fabricius, 1803. Fabricius’s species, however, was wrongly identified by them. They gave the length of the species as 7 mm., whereas
Lygaeus quadratus Fabricius does not exceed 5 mm. They also stated "legs pale, the extremity of the femora black", whereas in Lygaeus quadratus Fabricius the femora are black with the extreme apices pale. In their generic synopsis of Beosus they stated "anterior lateral angles of pronotum not extending beyond the line of the eyes (anterior margin of pronotum) on each side", a character possessed by Cimex maritimus Scopoli and not by Lygaeus quadratus Fabricius, 1803. It has been generally agreed by Hemipterists that the species Amyot and Serville had before them was Cimex maritimus Scopoli, 1763 (= Lygaeus luscus Fabricius, 1794), which should therefore be the type of Beosus Amyot & Serville, 1843. If it were necessary under the Code to assume that Amyot and Serville's determination of Lygaeus quadratus Fabricius was correct, Beosus auct. would be without a name and Xanthochilus Stål, 1872, would become a synonym of Beosus Amyot & Serville, 1843. Such action would run directly counter to Amyot and Serville's intentions and would be open to the strongest objection in that it would involve the acceptance as type of this genus of a species agreeing neither with the original generic description nor with Amyot and Serville's description of the sole species of the genus. It is for this reason that I have accepted Cimex maritimus Scopoli, 1763, as the type of Beosus Amyot & Serville, 1843.

Action by the International Commission desired:—A declaration that the type of Beosus Amyot & Serville, 1843, is Cimex maritimus Scopoli, 1763, Ent. Carn. : 129, and not Lygaeus quadratus Fabricius, 1803, Syst. Rhyng. : 232, the single species described in the genus by Amyot and Serville, since the latter species does not agree with the generic description nor with the description of the type species given by Amyot and Serville, which was clearly misidentified as Lygaeus quadratus Fabricius.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established Bulletin of Zoological Nomenclature. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 279—280).
3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:—

"I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission".

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic
name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4 : 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4 : 472) :

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that,
before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare *Opinions* in the sense proposed.


**THE COMMISSION** agreed:—

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:—

(a) that, if an examination of the Commission's File Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:—

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1)</strong></td>
<td></td>
</tr>
<tr>
<td><em>Beosus</em> Amyot &amp; Serville, 1843</td>
<td></td>
</tr>
<tr>
<td><em>Cimex maritimus</em> Scopoli, 1763</td>
<td></td>
</tr>
</tbody>
</table>
(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the Official List of Generic Names in Zoology and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the Official List of Specific Trivial Names in Zoology;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an Opinion should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission’s File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4 : 474) :—

Note by the Secretary to the Commission :—

I have examined the Commission’s File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.
8. The following are the original references for the names which appear in the decision set out in paragraph 6 above:—

Beosus Amyot & Serville, 1843, (Roret’s Suite à Buffon), Hist. nat. Ins. Hémipt. : 254
maritimus, Cimex, Scopoli, 1763, Ent. carn. : 129

9. The gender of the generic name Beosus Amyot & Serville, 1843, referred to in the decision quoted in paragraph 6 above, is masculine.

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

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

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

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

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

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

15. The present *Opinion* shall be known as *Opinion* Two Hundred and Forty-Nine (249) of the International Commission on Zoological Nomenclature.

Done in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 250
Designation, under the Plenary Powers, of a type species for the nominal genus *Catoplatus* Spinola, 1837 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage

LONDON:
Printed by Order of the International Trust for Zoological Nomenclature and Sold on behalf of the International Commission on Zoological Nomenclature by the International Trust at its Publications Office 41, Queen's Gate, London, S.W.7 1954

Price Four Shillings and Sixpence

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Issued 11th June, 1954
INTERNATIONAL COMMISSION ON
ZOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 250

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History),
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology,
Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum,
Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge,
Massachusetts, U.S.A.) (Vice-President of the Commission).
Dr. Harold E. Vokes (United States Geological Survey, Washington, D.C.,
U.S.A.).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie,
Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Easaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton,
New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Professor Z. P. Metcalf (North Carolina State College of Agriculture and
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California,
U.S.A.).
OPINION 250

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "CATOPLATUS" SPINOLA, 1837 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING :—(1) Under the Plenary Powers all type-selections for the nominal genus Catoplatus Spinola, 1837 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and Tingis fabricii Stål, 1868, is hereby designated as the type species of this genus.

(2) The generic name Catoplatus Spinola, 1837 (gender of name : masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 676.

(3) The specific name fabricii Stål, 1868, as published in the combination Tingis fabricii, is hereby placed on the Official List of Specific Names in Zoology as Name No. 69.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society's Committee on Generic Nomenclature\(^1\) covering the First Report of its Hemiptera Sub-Committee.\(^2\) This Report

\(^1\) The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (\(\pm\) 48).

\(^2\) The Hemiptera Sub-Committee at the time of the submission of this Report was composed of : Dr. W. E. China ; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee’s Report as Annexe II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The sixth of the names in question was Catoplatus Spinola, 1837, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:—

Proposed suspension of the “Règles” for “Catoplatus” Spinola, 1837 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.
(Assistant Keeper in the Department of Entomology, British Museum (Natural History))

Catoplatus Spinola, 1837

Original reference:—Spinola, 1837, Essai Ins. Hémipt. : 167

Author by whom the type in question was designated and reference:—The genus is monobasic.

Name of species so designated as type:—The monobasic type is Acanthia costata Fabricius, 1794.

Species intended by the original author of the genus when employing the specific name in question:—Acanthia costata (Fabricius) Spinola, 1837, nec Fabricius, 1794, i.e., the species the valid name for which is Tingis fabricii Stål, 1868, Hémipt. Fabric. 1 (K. Svensk. Vet.-Ak. Handl. 4 (11)) : 93.

Discussion of the case:—Spinola based his genus on a single species Acanthia costata Fabricius, 1794. Unfortunately he misidentified
this species. Stål, 1868, Hémipt. Fabric. 1 : 93, who examined the Fabrician type, showed that Spinola's species was distinct from that of Fabricius and consequently renamed it Tingis fabricii. The type of Catoplatus Spinola therefore is not the wrongly identified Acanthia costata Fabricius, 1794, but Tingis fabricii Stål, 1868. The identity of the true Acanthia costata Fabricius is in doubt. Fabricius recorded it from northern Europe. Stål, 1873, Enum. Hémipt. 3 : 129, refers it to Laporte's genus Eurydera, but states "Patria ignota". Horváth, 1906, Ann. Mus. nat. Hung. 4 : 94, is of the opinion that this is an exotic African species of the genus Copium Thunberg, 1822, of which genus Eurydera Laporte, 1832, is a synonym. If therefore it were necessary under the Code to assume that Spinola's determination of Acanthia costata Fabricius, 1794, was correct, Catoplatus Spinola, 1837, would become a synonym of Copium Thunberg, 1822, and the well-known European genus Catoplatus auct. nec. Spinola would be left without a name. Such action would not only cause great confusion in the nomenclature of the genus Catoplatus but would run directly counter to Spinola's intentions and would involve the designation as type of Catoplatus of a species disagreeing with the generic description. It is for this reason that I have accepted Tingis fabricii Stål, 1868, as the type of Catoplatus Spinola, 1837.

Action by the International Commission desired:—A declaration that the type of Catoplatus Spinola, 1837, is Tingis fabricii Stål, 1868, Hémipt. Fabric. 1 (K, Svensk. Vet.-Ak. Handl. 4 (11)) : 93, and not Acanthia costata Fabricius, 1794, Ent. syst. 4 : 77, the single species included in the genus by Spinola, since the Fabrician species agrees neither with Spinola's generic description nor with the description of the type species given by Spinola, which was clearly misidentified as Acanthia costata Fabricius.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established Bulletin of Zoological Nomenclature. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 281).
3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:—

"I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission".

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic
name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4 : 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4 : 472):—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable
to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare *Opinions* in the sense proposed.


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**THE COMMISSION** agreed:

... ... ... ... ... ...

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:

(a) that, if an examination of the Commission’s File Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:

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<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Catoplatus</em> Spinola, 1837</td>
<td><em>Tingis fabricii</em> Stål, 1868</td>
</tr>
</tbody>
</table>

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(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology*;  
(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission's File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, *Bull. zool. Nomencl.* 4 : 474) :—

*Note by the Secretary to the Commission.—*

I have examined the Commission's File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (*United States National Museum, Washington, D.C.*)
has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

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


9. The gender of the generic name *Catoplatus* Spinola, 1837, referred to in the decision quoted in paragraph 6 above, is masculine.

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

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

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

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

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

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

15. The present Opinion shall be known as Opinion Two Hundred and Fifty (250) of the International Commission on Zoological Nomenclature.

Done in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINION 251

Designation, under the Plenary Powers, of a type species for the nominal genus *Dictyonota* Curtis, 1827 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage.
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 251

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

Senior Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senior Dr. Afranio do Amaral (S. Paulo, Brazil).

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

Professor Lodovico di Caporiacco (University of Parma, Italy).

Professor J. R. Dymond (University of Toronto, Canada).

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


Class 1955

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

Dr. William Thomas Calman (Tayport, Fife, Scotland).

Professor Teišo Esaki (Kyushu University, Fukuoka, Japan).

Professor Béla Hankó (University of Debrecen, Hungary).

Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).

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

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

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


Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).

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

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

Professor Kamel Mansour (King Fouad University, Cairo, Egypt).


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

Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen, Denmark).

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

Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 251

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "DICTYONOTA" CURTIS, 1827 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for the nominal genus Dictyonota Curtis, 1827 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and Dictyonota strichnocera Fieber, 1844, is hereby designated as the type species of this genus.

(2) The generic name Dictyonota Curtis, 1827 (gender of name: feminine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 677.

(3) The specific name strichnocera Fieber, 144, as published in the combination Dictyonota strichnocera, is hereby placed on the Official List of Specific Names in Zoology as Name No. 70.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature covering the First Report of its Hemiptera Sub-Committee. This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (:48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee's Report as Annexe II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name was applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The fifth of the names in question was *Dictyonota* Curtis, 1827, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:—

**Proposed suspension of the "Règles" for "Dictyonota" Curtis, 1827 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species**

By W. E. CHINA, M.A.

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

*Dictyonota* Curtis, 1827


Author by whom the type in question was designated and reference:—Curtis, 1827, *Brit. Ent.* 4 (154) : pl. 154.

Name of species so designated as type:—*Tingis eryngii* Latreille, 1804.

Species intended by the original author of the genus when employing the specific name in question:—*Tingis eryngii* (Latreille) Curtis, 1827, *nec* Latreille, 1804, *i.e.*, the species the valid name for which is *Dictyonota strichnocera* Fieber, 1844, *Ent. Monogr.* : 95.

Of these he designated *Tingis eryngii* Latreille as the type of the genus. Unfortunately Curtis, as is clear from his description and excellent figure, misidentified Latreille’s species (which does not occur in Britain) and the British species he actually described under Latreille’s name has since been redescribed and named *Dictyonota strichnocera* by Fieber, 1844. The true *Tingis eryngii* Latreille, [1804] is actually a synonym of *Cinex carthusianus* Goeze, 1778, *Ent. Beytr. 2* : 268, and belongs to the genus *Catoplatus* Spinola, 1837, *Essai Ins. Hemipt.* : 167. This synonymy has been generally accepted by Hemipterists for many years. *Dictyonota strichnocera* Fieber must therefore be accepted as the type of *Dictyonota*. If it were necessary under the Code to assume that Curtis’s determination of *Tingis eryngii* Latreille was correct, the well-known genus *Catoplatus* Spinola, 1837, would become a synonym of *Dictyonota* Curtis, 1827, and the equally well-known genus *Dictyonota* auct. would take the name *Scraulis* Stål, 1874. Such action would run directly counter to Curtis’s intentions and would be open to the strongest objection in that it would involve the acceptance as type of this genus of a species agreeing neither with the original generic description nor with Curtis’s own description and figure of the type species. It is for this reason that I have accepted *Dictyonota strichnocera* Fieber, 1844, as the type of *Dictyonota* Curtis, 1827.

Action by the International Commission desired:—A declaration that the type of *Dictyonota* Curtis, 1827, is *Dictyonota strichnocera* Fieber, 1844, *Ent. Monogr.* : 95 and not *Tingis eryngii* Latreille, [1804], *Hist. Nat. Crust. Ins. 12* : 253, since the latter species agrees neither with the generic description nor with the description and figure of the type species given by Curtis, which was clearly misidentified as *Tingis eryngii* Latreille.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established *Bulletin of Zoological Nomenclature*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, *Bull. zool. Nomencl.* 1 : 282).
3. After the present application had been sent to the printer for publication in the *Bulletin* but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name *Alydus* Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:

"I should like to add that, in my opinion, all other cases presented in Part 8 of *The Generic Names of British Insects* merit favorable action by the Commission."

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the *Règles* of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic
name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author’s error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4: 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4: 472):

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable
to make sure, by reference to the Commission’s File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any such adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare *Opinions* in the sense proposed.


THE COMMISSION agreed:

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:

(a) that, if an examination of the Commission’s File Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dictyonota Curtis, 1827</td>
<td>Dictyonota strichnocera Fieber, 1844</td>
</tr>
</tbody>
</table>
(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the Official List of Generic Names in Zoology and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the Official List of Specific Trivial Names in Zoology;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an Opinion should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission’s File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4 : 474) :—

Note by the Secretary to the Commission.—

I have examined the Commission’s File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above,
and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

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


*strichnocera, Dictyonota*, Fieber, 1844, *Ent. Monogr.* : 95

9. The gender of the generic name *Dictyonota* Curtis, 1827, referred to in the decision quoted in paragraph 6 above, is feminine.

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

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

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

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

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

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

15. The present Opinion shall be known as Opinion Two Hundred and Fifty-One (251) of the International Commission on Zoological Nomenclature.

Done in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS
RENDERED BY THE INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 252
Designation, under the Plenary Powers, of a type species for the nominal genus *Oncotylus* Fieber, 1858 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage.

LONDON:
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Issued 11th June, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 252

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teïzo Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovable A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Foud University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Strælen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "ONCOTYLUS" FIEBER, 1858 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for the nominal genus *Oncotylus* Fieber, 1858 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and *Oncotylus punctipes* Reuter, 1873, is hereby designated as the type species of this genus.

(2) The generic name *Oncotylus* Fieber, 1858 (gender of name: masculine) with the type species designated in (1) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 678.

(3) The specific name *punctipes* Reuter, 1873, as published in the combination *Oncotylus punctipes*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 71.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled *The Generic Names of British Insects*. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature\(^1\) covering the First Report of its Hemiptera Sub-Committee.\(^2\) This Report

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\(^1\) The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to *Opinion* 243 (: 48).

\(^2\) The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee's Report as Annex II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned.

The ninth of the names in question was *Oncotylus* Fieber, 1858, with which the present *Opinion* is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:

**Proposed suspension of the “Règles” for “Oncotylus” Fieber, 1858 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species**

By W. E. CHINA, M.A.

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

**Oncotylus** Fieber, 1858


Author by whom the type in question was designated and reference:—Kirkaldy, 1906, *Trans. amer. ent. Soc.* 32 : 126.

Name of species so designated as type:—*Capsus tanaceti* Fieber, 1858, *i.e.*, *Capsus tanaceti* (Fallén) Fieber, 1858, *nec* Fallén, 1807.

Species intended by the original author of the genus when employing the specific name in question:—*Capsus tanaceti* Herrich-Schaeffer, 1836, *nec* *Capsus tanaceti* Fallén, 1807, *i.e.*, the species the valid name of which is *Oncotylus punctipes* Reuter, 1873, *Bihang. K. Svensk. Vet.-Ak. Handl.* 3 (1) : 42.

Discussion of case:—Fieber based his genus *Oncotylus* on *Capsus decolor* Fallén, 1807, *Capsus tanaceti* Fallén, 1807, and *Oncotylus*
fenestratus Fieber, 1858. Kirkaldy, 1906, fixed Oncotylius tanaceti Fieber, 1858, as the type, indicating that this species was not Capsus tanaceti Fallén, 1807, the species actually referred to by Fieber, but Oncotylius punctipes Reuter, 1873, as had been shown by Reuter, 1873, Bihang K. Svensk. Vet.-Akad. Handl. 3 (1): 42 and 1879, Act. Soc. Sci. Fenn. 13 (2): 279. Fieber apparently followed Herrich-Scheffer, 1836, Wanz. Ins. 3: 85 and Kirschbaum, 1855, Rhyn. Wiesbaden 1: (Jahrb. Ver. Naturk. Herz. Nassau 10:) 80, no. 120, in his identification of Capsus tanaceti Fallén, 1807, but, as shown by Reuter, the species which they wrongly identified as such was a distinct species later described by Reuter as Oncotylius punctipes, which therefore becomes the type of Oncotylius Fieber. If it were necessary under the Code to assume that Fieber’s determination of Capsus tanaceti Fallén was correct, then Oncotylius Fieber, 1858, would replace Megalocoleus Reuter, 1890, which is a new name for Macrocoleus Fieber, 1858, nec Desvignes, 1849 (Hymenoptera) and Oncotylius auct. would become Anoterops Fieber, 1858. Such action would not only cause confusion in the nomenclature of these genera, but would also run directly counter to Fieber’s intention, which was to separate his genera Oncotylius and Macrocoleus (i.e., Megalocoleus Reuter n.n.) described within a few pages of one another in the same work. It would also be open to the strongest objection in that it would involve the designation as type of Oncotylius of a species disagreeing with the generic description. It is for this reason that I have accepted Oncotylius punctipes Reuter instead of Capsus tanaceti Fallén as type of Oncotylius.

Action by the International Commission desired:—A declaration that the type of Oncotylius Fieber, 1858, is Oncotylius punctipes Reuter, 1873, Bihang K Svensk. Vet.-Akad. Handl. 3 (1): 42 and not Capsus (Phytocoris) tanaceti Fallén, 1807, Hem. Suec. Cimic. : 83, the species included in the genus by Fieber, since Fallén’s species agrees neither with Fieber’s generic description nor with the description of the type species given by Fieber, which was clearly misidentified as Capsus (Phytocoris) tanaceti Fallén.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established
Bulletin of Zoological Nomenclature. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 284).

3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:—

"I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission."

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal
genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author’s error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4 : 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4 : 472):—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the
Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission’s File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any such adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare Opinions in the sense proposed.

6. The decision taken by the International Commission in the present case is set out as follows in the Official Record of its Proceedings (Paris Session, 14th Meeting, Conclusion 21) (1950, Bull. zool. Nomencl. 4: 469—474):

THE COMMISSION agreed:—

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:—

(a) that, if an examination of the Commission’s file Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that
such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Oncotylus Fieber,</td>
<td>Oncotylus punctipes</td>
</tr>
<tr>
<td>1858</td>
<td>Reuter, 1873</td>
</tr>
</tbody>
</table>

(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology*;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission's File Z.N.(S.) 144, relating to
the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4: 474):

Note by the Secretary to the Commission.—

I have examined the Commission’s File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

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

Oncotylus Fieber, 1858, Wien. ent. Monats. 2: 318

9. The gender of the generic name Oncotylus Fieber, 1858, referred to in the decision quoted in paragraph 6 above, is masculine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, Bull. zool. Nomencl. 5: 115).

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

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

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

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

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present Opinion is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
15. The present *Opinion* shall be known as *Opinion* Two Hundred and Fifty-Two (252) of the International Commission on Zoological Nomenclature.

DONE in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

**FRANCIS HEMMING**
OPINIONS AND DECLARATIONS RENDRED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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


OPINION 253
Designation, under the Plenary Powers, of a type species for the nominal genus Pachylops Fieber, 1858 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage

LONDON:
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1954
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 253

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

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

Class 1952

Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di CAPORIACCO (University of Parma, Italy).
Professor J. R. DYMOND (University of Toronto, Canada).
Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

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

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

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo JORGE (Museu Bocage, Lisboa, Portugal).
Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
Dr. Henning LEMCHE (Kgl. Veteriner- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel MANSOUR (King Foud University, Cairo, Egypt).
Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).
Mr. N. D. RILEY (British Museum (Natural History), London, England).
Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).
DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS “PACHYLOPS” FIEBER, 1858 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for the nominal genus Pachylops Fieber, 1858 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and Litosoma bicolor Douglas & Scott, 1868, is hereby designated as the type species of this genus.

(2) The generic name Pachylops Fieber, 1858 (gender of name: masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 679.

(3) The specific name bicolor Douglas & Scott, 1868, as published in the combination Litosoma bicolor, is hereby placed on the Official List of Specific Names in Zoology as Name No. 72.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature1 covering the First Report of its Hemiptera Sub-Committee.2 This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (: 48).
2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee’s Report as Annex II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The eighth of the names in question was Pachylops Fieber, 1858, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:

Proposed suspension of the "Règles" for "Pachylops" Fieber, 1858 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.
(Assistant Keeper in the Department of Entomology, British Museum (Natural History))

Pachylops Fieber, 1858


Author by whom the type in question was designated and reference:—The genus is monobasic.

Name of species so designated as type:—The monobasic type is Capsus chloropterus Kirschbaum, 1855.

Species intended by the original author of the genus when employing the specific name in question:—Capsus chloropterus (Kirschbaum) Fieber, 1858, nec Kirschbaum, 1855, i.e., the species the valid name for which is Litosoma bicolor Douglas & Scott, 1868, Ent. mon. Mag. 4 : 267.

Discussion of the case:—Fieber based his genus on a single species which he assumed to be Capsus chloropterus Kirschbaum, 1855, Rhyn. Wiesbaden 1 : (Jahr. Ver. Naturk. Herz. Nassau 10 : 249). Reuter,
1877 (Ent. mon. Mag. 14: 129), showed that Fieber misidentified Kirschbaum's species (possibly because he received a wrongly identified specimen from Kirschbaum himself), and that the species Fieber (followed by Douglas and Scott, and Saunders) determined as Pachylops chloropterus Kirschbaum is a distinct species which was later described by Douglas and Scott under the name Litosoma bicolor. The type of Pachylops is therefore Litosoma bicolor Douglas & Scott, 1868, and not the wrongly identified Capsus chloropterus Kirschbaum, 1855. If it is necessary under the Code to assume that Fieber's determination of this species was correct, then Pachylops Fieber would replace the well-known Orthotylus Fieber, 1858, and Pachylops auct. nec Fieber would become Hypsitylus Fieber, [1860]. Such action would not only cause confusion in the nomenclature of these genera, but would run directly counter to Fieber's intention, which was to separate distinctly his two new genera Pachylops and Orthotylus described on consecutive pages of the same work. It would also be open to the strongest objection in that it would involve the designation as type of Pachylops of a species disagreeing completely with the generic description. It is for these reasons that I have accepted Litosoma bicolor Douglas & Scott, 1868, instead of Capsus chloropterus Kirschbaum, 1855, as the type of Pachylops. Since Capsus chloropterus Kirschbaum, 1855, is a primary homonym of Capsus chloropterus Herrich-Schaeffer, 1853, the next available name, which is Litosoma virescens Douglas & Scott, 1865, must be used if Capsus chloropterus is accepted as type.

Action by the International Commission desired:—A declaration that the type of Pachylops Fieber, 1858, is Litosoma bicolor Douglas & Scott, 1868, Ent. mon. Mag. 4: 267 and not Capsus chloropterus Kirschbaum, 1855, Rhyn. Wiesbaden 1: (Jahrb. Ver. Naturk. Herz. Nassau 10: 249), the single species included in the genus by Fieber, since the Kirschbaum species agrees neither with Fieber's generic description nor with the description of the type species given by Fieber, which was clearly misidentified as Capsus chloropterus Kirschbaum.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established Bulletin of Zoological Nomenclature. The present application was sent to the printer in September 1944, but, owing to difficulties
arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, Bull. zool. Nomencl. 1 : 285).

3. After the present application had been sent to the printer for publication in the Bulletin but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name Alydus Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present Opinion:

"I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission".

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this
The provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, *Bull. zool. Nomencl.* 4:158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion which took place, other than that portion which relates to the application submitted in regard to the name *Gastrodes* Westwood, 1840, which has been quoted in *Opinion* 246 (the *Opinion* dealing with that name) (1950, *Bull. zool. Nomencl.* 4:472):

**The Acting President (Mr. Francis Hemming)** said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in *Opinion* 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the
Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare Opinions in the sense proposed.

6. The decision taken by the International Commission in the present case is set out as follows in the Official Record of its Proceedings (Paris Session, 14th Meeting, Conclusion 21) (1950, Bull. zool. Nomencl. 4: 469—474):

THE COMMISSION agreed:

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:

(a) that, if an examination of the Commission's file Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that
such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pachylops Fieber, 1858</td>
<td>Litosoma bicolor Douglas &amp; Scott, 1868</td>
</tr>
</tbody>
</table>

(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology*;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to
London examined the Commission's File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4 : 474) :

Note by the Secretary to the Commission.—
I have examined the Commission's File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

8. The following are the original references for the names which appear in the decision set out in paragraph 6 above :

bicolor, Litosoma, Douglas & Scott, 1868, Ent. mon. Mag. 4 : 267

9. The gender of the generic name Pachylops Fieber, 1858, referred to in the decision quoted in paragraph 6 above, is masculine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 115).

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

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

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

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

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present Opinion is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
15. The present *Opinion* shall be known as *Opinion* Two Hundred and Fifty-Three (253) of the International Commission on Zoological Nomenclature.

DONE in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

**FRANCIS HEMMING**
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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

VOLUME 5. Part 15. Pp. 175—186

OPINION 254

Designation, under the Plenary Powers, of a type species for the nominal genus Pilophorus Hahn, 1826 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage.

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1954

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Issued 11th June, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTON OF THE
RULING GIVEN IN OPINION 254

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

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

Class 1952

Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).
Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di CAPORICCIO (University of Parma, Italy).
Professor J. R. DYMOND (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

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

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

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo RICARDO JORGE (Museu Bocage, Lisbon, Portugal).
Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).
Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).
Mr. N. D. RILEY (British Museum (Natural History), London, England).
Professor Ragnar SPÅRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van STRAELLEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).
DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS "PILOPHORUS" HAHN, 1826 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING :—(1) Under the Plenary Powers all type-selections for the nominal genus Pilophorus Hahn, 1826 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and Cimex clavatus Linnaeus, 1767, is hereby designated as the type species of this genus.

(2) The generic name Pilophorus Hahn, 1826 (gender of name : masculine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 680.

(3) The specific name clavatus Linnaeus, 1767, as published in the combination Cimex clavatus, is hereby placed on the Official List of Specific Names in Zoology as Name No. 73.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature covering the First Report of its Hemiptera Sub-Committee. This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 ( : 48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of : Dr. W. E. China ; Mr. E. E. Green.
OPINIONS AND DECLARATIONS

dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee's Report as Annex II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The seventh of the names in question was Pilophorus Hahn, 1826, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:

Proposed suspension of the "Règles" for "Philophorus" Hahn, 1826 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.
(Assistant Keeper in the Department of Entomology, British Museum (Natural History))

Pilophorus Hahn, 1826

Original reference:—Hahn, 1826, Icon. Cimic. 1: 22

Author by whom the type in question was designated and reference:—The genus is monobasic.

Name of species so designated as type:—The monobasic type is Cimex bifasciatus Fabricius, 1775.

Species intended by the original author of the genus when employing the specific name in question:—Cimex bifasciatus (Fabricius) Hahn, 1826, nec Fabricius, 1775, i.e., the species the valid name for which is Cimex clavatus Linnaeus, 1767.

Discussion of the case:—Hahn based his genus on a single species which he assumed to be Cimex bifasciatus Fabricius. His figure clearly shows that he had before him Cimex clavatus Linnaeus, 1767, Syst.
It has been generally agreed by hemipterists that the type of *Pilophorus* is therefore *Cimex clavatus* Linnaeus and not *Cimex bifasciatus* Fabricius. However, even if it were necessary under the Code to assume that Hahn's determination of *Cimex bifasciatus* Fabricius was correct, no change in the nomenclature of the genus would be necessary since *Cimex bifasciatus* Fabricius, 1775, also belongs to the genus *Pilophorus*, although since it is a primary homonym of *Cimex bifasciatus* Müller, 1764, *Faun. Ins. Fridrichsdal. : 29*, it must take the next available name, which is *Capsus cinnamopterus* Kirschbaum, 1855, *Rhyn. Wiesbaden (Jahrb. Ver. Naturk. Herz. Nassau 10 : 232)*. At first sight it seems unnecessary for the Commission to make a declaration in this case, but for the sake of the principle involved, it is probably better to ask for such a declaration. In any case it is not impossible that at some future date the genus *Pilophorus* might be split up into two or more genera, in which case it is essential that the type of the original genus should be correctly fixed.

Action by the Commission desired:—A declaration that the type of *Pilophorus* Hahn, 1826, is *Cimex clavatus* Linnaeus, 1767, *Syst. Nat. (ed. 12) 1 (2) : 729*, and not *Cimex bifasciatus* Fabricius, 1775, *Syst. Ent. : 725*, the sole species included in the genus by Hahn, since the latter species does not agree with Hahn's figure and was clearly misidentified by Hahn, whereas the figure agrees well with *Cimex clavatus* Linnaeus, 1767.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established *Bulletin of Zoological Nomenclature*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, *Bull. zool. Nomencl. 1 : 286*).

3. After the present application had been sent to the printer for publication in the *Bulletin* but long before it was published, Dr. R. I. Sailor (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.)
wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name *Alydus* Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present *Opinion*:

"I should like to add that, in my opinion, all other cases presented in Part 8 of The Generic Names of British Insects merit favorable action by the Commission ".

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the *Règles* of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing
(Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4: 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion which took place, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4: 472):

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

. . . . . . .

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission’s File, that no adverse comment of any kind had been received from any
specialist in the groups concerned. If any such adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare *Opinions* in the sense proposed.


THE COMMISSION agreed:—

\[\ldots\ldots\ldots\ldots\ldots\]

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:

(a) that, if an examination of the Commission’s file Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pilophorus Hahn, 1826</td>
<td>Cimex clavatus, Linnaeus, 1767</td>
</tr>
</tbody>
</table>
(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology*;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to London examined the Commission's File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, *Bull. zool. Nomencl.* 4 : 474) :

*Note by the Secretary to the Commission.*

I have examined the Commission's File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (*United States National Museum, Washington, D.C.*)
has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

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


9. The gender of the generic name *Pilophorus* Hahn, 1826, referred to in the decision quoted in paragraph 6 above, is masculine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl*. 5 : 115).

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

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

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

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

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

15. The present Opinion shall be known as Opinion Two Hundred and Fifty-Four (254) of the International Commission on Zoological Nomenclature.

DONE in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 255
Designation, under the Plenary Powers, of a type species for the nominal genus Tetyra Fabricius, 1803 (Class Insecta, Order Hemiptera) in harmony with accustomed nomenclatorial usage

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Issued 11th June, 1954
INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 255

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).

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

Professor Lodovico di Caporiacco (University of Parma, Italy).

Professor J. R. Dymond (University of Toronto, Canada).

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


Class 1955

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

Dr. William Thomas Calman (Tayport, Fife, Scotland).

Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).

Professor Béla Hankó (University of Debrecen, Hungary).

Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).

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

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

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


Dr. Arturo Ricardo Jørge (Museu Bocage, Lisbon, Portugal).

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

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

Professor Kamel Mansour (King Fouad University, Cairo, Egypt).


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

Professor Ragnar Spārck (Universitetets Zoologiske Museum, Copenhagen, Denmark).

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

Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 255

DESIGNATION, UNDER THE PLENARY POWERS, OF A TYPE SPECIES FOR THE NOMINAL GENUS “TETYRA” FABRICIUS, 1803 (CLASS INSECTA, ORDER HEMIPTERA) IN HARMONY WITH ACCUSTOMED NOMENCLATORIAL USAGE

RULING:—(1) Under the Plenary Powers all type-selections for the nominal genus Tetyra Fabricius, 1803 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and Cimex antillarum Kirkaldy, 1909, is hereby designated as the type species of this genus.

(2) The generic name Tetyra Fabricius, 1803 (gender of name: feminine), with the type species designated in (1) above, is hereby placed on the Official List of Generic Names in Zoology as Name No. 681.

(3) The specific name antillarum Kirkaldy, 1909, as published in the combination Cimex antillarum, is hereby placed on the Official List of Specific Names in Zoology as Name No. 74.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled The Generic Names of British Insects. This Part contained the Eighth Report of the Society’s Committee on Generic Nomenclature covering the First Report of its Hemiptera Sub-Committee. This Report

1 The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to Opinion 243 (48).

2 The Hemiptera Sub-Committee at the time of the submission of this Report was composed of: Dr. W. E. China; Mr. E. E. Green.
dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee's Report as Annex II was a paper by Dr. W. E. China (British Museum (Natural History), London), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The first of the names in question was Tetyra Fabricius, 1803, with which the present Opinion is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows:—

Proposed suspension of the "Règles" for "Tetyra" Fabricius, 1803 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.

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

Tetyra Fabricius, 1803

Original reference:—Fabricius, 1803, Syst. Rhynge. : 128

Author by whom the type in question was designated and reference:—Curtis, 1838, Brit. Ent. 15 (685) : pl. 685.

Name of species so designated as type:—Cimex maorus Linnaeus, 1758.

Species intended by the original author of the genus when employing the specific name in question:—Cimex maorus (Linnaeus) Fabricius, 1803, nec Linnaeus, 1758, i.e., the species the valid name for which is Cimex austriacus Schrank, 1776, Beitr. z. Naturges. Leipzig : 78.

Discussion of the case:—Fabricius established his genus Tetyra to hold 79 species. Reuter, Kirkaldy, Van Duzee and other well-known hemipterists maintained that Fabricius himself fixed the type
of his genera by repetition of the generic characters immediately after the description of the type species. In the case of Tetrya these workers for this reason accepted the American Cimex arcuatus Fabricius, 1794 (Ent. Syst. 4 : 83, 12) as the genotype of Tetrya, thereby making Tetrya an American genus. This method of type fixation, however, has been rejected by the International Commission under Article 30 (g), in Opinion 81, since the 1803 Fabrician type fixation for Cimex Linnaeus, viz., C. bidens, is not accepted in section F of the above Opinion. The first citation in valid form is that by Curtis, 1838, who designated Cimex maurus Linnaeus, a well-known British and European species.

Reuter (1888, Act. Soc. Sci. Fenn. 15 : 451) has demonstrated that the Cimex maurus included in Tetrya by Fabricius, 1803, is not the Cimex maurus of Linnaeus, 1758, and was wrongly identified as such by Fabricius, since Linnaeus wrote “Habitat in Mauritania, in Svecia paullo minor” whereas Fabricius stated “Habitat in Oriente, apud nos quadruplo minor”. In effect Cimex maurus Linnaeus, 1758, was not one of the species originally included in Tetrya and Curtis’s designation is consequently invalid.

If, however, it were necessary under the Code to assume that Fabricius’s determination of this species was correct, Curtis’s designation of Cimex maurus Linnaeus as the genotype of Tetrya would be validated and would involve the use of a new name for the American genus and the extension of Tetrya to the European list in place of the well-used name Eurygaster Laporte, 1832, a name of some importance in economic entomology as including pests of wheat. Such action would also run directly counter to Fabricius’s intentions in view of his afore-mentioned method of type indication, and would be open to the strongest objection in that it would involve the designation as the type of this genus of a species not included in it by Fabricius, the original author of the name.

Action by the International Commission desired:—A declaration that the action of Curtis (1838) in designating Cimex maurus Linnaeus, 1758, as the type of Tetrya Fabricius, 1803, is invalid, since that species was not included by Fabricius in the genus, the species which he there cited under that name being Cimex austriaeus Schrank, 1776, Beitr. z. Naturges, Leipzig : 78, and that the type of the genus Tetrya Fabricius is the next species to be designated as such by an author complying with the provisions of Article 30 of the International Code; and that in consequence the type of that genus is Cimex areciata Fabricius, 1794, Ent. Syst. 4 : 83 nec Cimex arcuatus Gmelin, 1789 (=Cimex antillarum Kirkaldy, 1909, nom. n.) which is one of the species originally included in the genus by Fabricius and was designated as the type by Kirkaldy, 1900, in Entomologist 33 : 263.

3 See 1924, Smithson. misc. Coll. 73 (2) : 28
II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established *Bulletin of Zoological Nomenclature*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, *Bull. zool. Nomencl.* 1: 287—288).

3. After the present application had been sent to the printer for publication in the *Bulletin* but long before it was published, Dr. R. I. Sailor (*United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name *Alydus* Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present *Opinion* :

"I should like to add that, in my opinion, all other cases presented in Part 8 of *The Generic Names of British Insects* merit favorable action by the Commission ".

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

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

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature
submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the Règles of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, Bull. zool. Nomencl. 4 : 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion which took place, other than that portion which relates to the application submitted in regard to the name Gastrodes Westwood, 1840, which has been quoted in Opinion 246 (the Opinion dealing with that name) (1950, Bull. zool. Nomencl. 4 : 472) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in Opinion 168. They all related to genera based upon
misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare Opinions in the sense proposed.

6. The decision taken by the International Commission in the present case is set out as follows in the Official Record of its Proceedings (Paris Session, 14th Meeting, Conclusion 21) (1950, Bull. zool. Nomencl. 4: 469—474):

THE COMMISSION agreed:

(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below:

(a) that, if an examination of the Commission's File Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera
concerned the species severally specified below, but that, if in any case it were to be found that such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration:

Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)

Name of genus

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tetyra</td>
<td>Cinex</td>
</tr>
<tr>
<td>Fabricius,</td>
<td>antillarum</td>
</tr>
<tr>
<td>1803</td>
<td>Kirkaldy, 1909</td>
</tr>
</tbody>
</table>

(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology*;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary
to the International Commission on his return from Paris to London examined the Commission's File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, Bull. zool. Nomencl. 4 : 474) :—

Note by the Secretary to the Commission.—

I have examined the Commission's File Z.N.(S.) 144, and find (i) that Dr. R. I. Sailor (United States National Museum, Washington, D.C.) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

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

antillarum, Cimex, Kirkaldy, 1909, Cat. Hemipt. (Heteropt.) 1 (Cimicidae) : 284

9. The gender of the generic name Tetyra Fabricius, 1803, referred to in the decision quoted in paragraph 6 above, is feminine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 115).

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

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

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

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

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
15. The present *Opinion* shall be known as *Opinion* Two Hundred and Fifty-Five (255) of the International Commission on Zoological Nomenclature.

Done in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

**FRANCIS HEMMING**
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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

VOLUME 5. Part 17. Pp. 199—230

OPINION 256
Emendation to Phlebotomus of the generic name Flebotomus Rondani, 1840 (Class Insecta, Order Diptera) under the Plenary Powers

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Issued 10th August, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 256

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History),
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology,
Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

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

Class 1952

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

Class 1955

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

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

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).
Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).
Professor Z. P. METCALF (North Carolina State College of Agriculture and
Mr. N. D. RILEY (British Museum (Natural History), London, England).
Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. USINGER (University of California, Berkeley, California,
U.S.A.).
OPINION 256

EMENDATION TO "PHLEBOTOMUS" OF THE GENERIC NAME "FLEBOMUS" RONDANI, 1840 (CLASS INSECTA, ORDER DIPTERA) UNDER THE PLENARY POWERS

RULING:—(1) Under the Plenary Powers the spelling of the generic name Flebotomus Rondani, 1840, is hereby emended to Phlebotomus.

(2) The generic name Phlebotomus (emend. of Flebotomus) Rondani, 1840 (gender of name: masculine) (type species, by monotypy: Bibio papatasi Scopoli, 1786) (Class Insecta, Order Diptera) is hereby placed on the Official List of Generic Names in Zoology as Name No. 682.

(3) The specific name papatasi Scopoli, 1786, as published in the combination Bibio papatasi, is hereby placed on the Official List of Specific Names in Zoology as Name No. 75.

(4) The name Flebotomus (Invalid Original Spelling of Phlebotomus) Rondani, 1840, is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology as Name No. 65.

I.—THE STATEMENT OF THE CASE

In the summer of 1944 the attention of the International Commission on Zoological Nomenclature was drawn to a suggestion by Mr. William F. Rapp, Jr. (University of Illinois, Department of Entomology, Urbana, Illinois, U.S.A.) in a paper entitled "The correct Generic Name of the Sand Fly" published in April 1944 (Science (n.s.) 99:345) that the emended spelling
Phlebotomus for the generic name *Flebotomus* Rondani, 1840 (Class Insecta, Order Diptera) should be abandoned and a return made to the original spelling. The Executive Committee of the International Commission took the view that, having regard to the large literature associated with the name *Phlebotomus* and the importance of that name to workers in the medical field, a change in the spelling of this name should not be made without prior reference to the International Commission. Accordingly, on 22nd September 1944 Mr. Francis Hemming, Secretary to the International Commission, addressed to the editor of *Science* a note drawing attention to the foregoing considerations and appealing to interested workers to furnish their views to the Commission. This communication, which was published in *Science* (n.s.) 100 : 385 on 27th October 1944, was as follows:—

The generic name of the Sand Fly

By FRANCIS HEMMING

(Secretary to the International Commission on Zoological Nomenclature)

The attention of the Executive Committee of the International Commission has been drawn to the communications regarding the generic name of the Sand Fly by Dr. William F. Rapp, Jr., which appeared in the issues of *Science* for April 28 and August 11, last, and by Dr. Charles T. Brues in the issue for May 26, last.

The proposed abandonment of the emended spelling *Phlebotomus* Agassiz, 1842, in favour of the original spelling *Flebotomus* used by Rondani when he first published this name in 1840, affects not only workers in systematic zoology but also—and perhaps especially—workers in the medical field in view of the enormous literature regarding the role played by this fly in the spread of disease. It is clearly of great importance that, in order to prevent confusion from arising, the correct spelling of this generic name should be settled as soon as possible. In view of the fact that the issue involved turns upon the interpretation of Article 19 of the International Code of Zoological Nomenclature, it appears to the Executive Committee that this is a matter which should be referred for decision to the International Commission on Zoological Nomenclature, as the authority officially charged with the duty of interpreting the application of the International Code in cases of difficulty. Communications in regard to this matter should be addressed to the International Commission on Zoological Nomenclature at their Publications Office, 41, Queen’s Gate, London, S.W.7.
2. In response to the appeal for comments on this case contained in the short paper by Mr. Hemming reproduced in the preceding paragraph, Dr. C. T. Brues (The Biological Laboratories, Harvard University, Cambridge, Massachusetts, U.S.A.) submitted to the International Commission the following request for an authoritative ruling as to the spelling to be adopted for this generic name:

"Phlebotomus" vs. "Flebotomus"

By C. T. BRUES
(The Biological Laboratories, Harvard University,
Cambridge, Massachusetts, U.S.A.)

In 1840, the Italian Entomologist Rondani described as Flebotomus, a genus of phlebotomic Diptera belonging to the family Psychodidae. In his Nomenclator Zoologicus, Agassiz changed the spelling to Phlebotomus as the derivation clearly intended was from the Greek ϕλεβός (vein) and τζωμή (cutting). It seems clear that the spelling Flebotomus by Rondani was a natural error for an Italian to make, but it is nevertheless completely at variance with the usual procedure in transliterating Greek into Latin, and should be regarded as a lapsus calami for Phlebotomus. At present there is a sad lack of uniformity in spelling the name of this genus which is an extremely important one in the field of medicine and public health. As these flies act as vectors of at least two important human diseases, they are consequently very commonly referred to in many publications.

I wish to urge upon the International Commission on Zoological Nomenclature that it consider this matter, so that its decision may be made available to workers in the several fields of science that are concerned with these flies.

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. Registration of the present application: Immediately upon the issue by the Secretary of the appeal to specialists for advice reproduced in the first paragraph of the present Opinion, the
problem represented by the rival spellings *Phlebotomus* and *Flebotomus* was allotted the Registered Number Z.N.(S.) 169.

4. View submitted by Mr. William F. Rapp, Jr. (University of Illinois, Department of Entomology, Urbana, Illinois, U.S.A.): At the time of the issue of the appeal reproduced in the first paragraph of the present Opinion, the Secretary wrote to Mr. William F. Rapp, Jr., as the author by whom the abandonment of the emendation *Phlebotomus* had been proposed, inviting him to furnish a statement of his views for the consideration of the Commission. In response to this invitation, Mr. Rapp submitted the following paper on 20th October 1944:

The Generic Name of the Sand Fly

By WILLIAM F. RAPP, Jr.

(University of Illinois, Department of Entomology, Urbana, Illinois, U.S.A.)

In the issue of *Science* for May 26, 1944, I published a note stating that the correct spelling of the generic name of the Sand Fly is *Flebotomus* and not *Phlebotomus* as commonly spelled by parasitologists. The basis for this statement is the fact that Camillo Rondani in *Sopra una specie di Insetto Dittero; Memoria prima per servere alla Ditterologia Italia*, page 12 erected the genus *Flebotomus*.

Prof. Charles T. Brues of Harvard College, in the issue of *Science* for May 26, 1944, claimed that the correct generic name is *Phlebotomus* because the name was derived from the Greek words (\(\phi\lambda\epsilon\psi\)) vein and (\(\tau\omicron\omicron\omicron\omicron\omicron\)) cutting. According to him and certain other entomologists, Rondani's name contained an "evident typographical error" since the name was obviously derived from the Greek (\(\phi\lambda\epsilon\psi\)) vein and (\(\tau\omicron\omicron\omicron\omicron\omicron\)) cutting.

It is true that Agassiz in 1846, in his *Index Universalis*, changed the spelling to *Phlebotomus* and gave the Greek derivation as quoted by Brues, although he recognized that Rondani had spelled it with an "\(f\)" in his description. In the *Praefatio* to the *Index Universalis*, Agassiz explained that he improved names wherever he thought it necessary.

Discussing the derivation of the word first, the question arises as to whether \(\phi\lambda\epsilon\psi\) and \(\tau\omicron\omicron\omicron\omicron\omicron\) would be translated with an "\(f\)" or a
"ph". Agassiz did not use the classical form of Latin commonly taught in schools today. Furthermore, Italians often translate the Greek "ph" as "f". However, this is a problem for students of classical languages rather than for those of zoological nomenclature.

The main problem is whether the original spelling of the word *Flebotomus* can be changed. According to Article 19 of the International Code of Zoological Nomenclature, names cannot be re-described with a better spelling as suggested by Agassiz, for the article states:

The original orthography of a name is to be preserved unless an error of transcription, a *lapsus calami* or a typographical error is evident.

Then has a typographical error occurred as suggested by Brues? Since Rondani himself used the name *Flebotomus* many times after publishing the original description, there is no evidence that he thought that a typographical error had been made. Brues bases his argument on a typographical error on the derivation of a word. It is very likely that Rondani may not have had any such derivation as $\phi \lambda \varepsilon \psi$ and $\tau \omicron \mu \omicron \varsigma$ in mind when he described the species. The International Commission on Zoological Nomenclature has already established a precedence for such cases in *Opinion* 34 on Article 19:

Since evidence of the derivation of the word is not contained in the original publication, the original spelling shall be preserved.

From the Rules of the Code, therefore, a name cannot be changed simply to obtain a better spelling either to satisfy what others believe the correct derivation of the word to be or to agree with a series of medical terms as Professor Brues, in his article, suggests. If we are not to follow these rules, for what purpose do they exist?

In my opinion, no error of transcription, *lapsus calami* or typographical error has occurred and following the International Code, the generic name of the Sand Fly should remain as in the original description—*Flebotomus*.

5. View submitted by Dr. Franklin C. MacKnight (New Orleans, Louisiana, U.S.A.): On 7th October 1945, Dr. Franklin C. MacKnight (New Orleans, Louisiana, U.S.A.) furnished the following statement commenting on the views on the present case expressed (1) by Professor Harold Kirby (University of California, Berkeley, California, U.S.A.) and (2) Professor
Charles H. Blake (Massachusetts Institute of Technology, Cambridge, Mass., U.S.A.) in notes published earlier that year in the serial publication Science:—

On the Correction of Orthographic Errors in Taxonomy

By FRANKLIN C. MACKNIGHT
(New Orleans, Louisiana, U.S.A.)

Intermittently during the past fifteen months there has appeared in these columns a discussion concerning the interpretation of Article 19 of the International Rules of Zoological Nomenclature as concerns the corrections of fautes d'orthographe, a matter of much practical importance to the systematic taxonomist.

It started over the Sand Flea. In the issue of April 25, 1944 there appeared a note by W. F. Rapp, pointing out that the synonym or variant Phlebotomus should be abandoned for the original Flebotomus Rondani. On May 22 came a reply from Prof. Charles T. Brues who stated that Flebotomus had been emended to Phlebotomus as a "very evident typographical error". Rapp's reply of August 11 pointed out that since the original transliteration from the Greek was demonstrably deliberate and phonetic, though unorthodox, it could not be considered a typographical error.

In the issue of November 10, 1944, Prof. Harold Kirby discussed the matter thoroughly and drew the following conclusions: (1) that the lapsus calami or "slip of the pen" of Article 19 of the International Rules of Zoological Nomenclature is a mistranslation of the French faute d'orthographe, and (2) that therefore "if in transcribing or in transliterating a word of Greek derivation an error is made, restoration of the correctly derived word is appropriated to the most rigid insistence on priority".

The only further correspondence in the controversy has been a note on February 16, 1945 by Prof. Charles H. Blake recording agreement with Kirby and requesting the enforcement of emendation of such "barbarous forms as Flebotomus".

The absence in the meantime of comments adverse to Kirby's stand is puzzling, since he goes further than a strict reading of the

* Article 19 states "The original orthography of a name is to be preserved unless an error of transcription, a lapsus calami, or typographical error is evident". (F.C.M.)

1 Kirby (H.) 1944 "Une faute de transcription, d'orthographe, ou d'impression", Science 100: 47: 5—427.
rules permit, and it seems necessary for someone to present the other side of the case.

By his examples Kirby seems to infer that all deviations from the orthodox method of transliteration from the Greek be considered as errors. This extreme position cannot be maintained in the light of the Opinions of the Commissioners acting on their interpretation of Article 19; and Kirby admits that these Opinions "constitute a valuable commentary". It is true that Article 8, Recommendation (a), may seem to apply to Article 13 in stating that the rules of Latin transliteration (as given in appendix F of the Rules) should be followed when a Greek substantive is used; but nowhere is it expressed that these rules are to be considered compulsorily retroactive. Hence it seems evident that they are to be considered only as recommendations of proper form for future work, as in the Botanical Rules.

It must be realised that these transcription rules, in addition to calling for certain normal equivalents of most Greek letters and the recognition of the operation of a few special phonetic changes (γγ to ιφ, γχ to ιχ, γκ to ικ) also require latinization of κ to c (not k), αι to ae (not ai), ει to i (not ei), οι to oe (not oi), ου to u (not ou), final η to a (not e), final ου to um (not om), and final ος to us (not os). It is probably going too far to accuse Prof. Kirby of wishing to alter Rhinoceros to Rhinocerous, yet he does mention Strombodium as a preferred correction of Strombodion. Presumably he also objects to such well established paleontological names as Ankylosaurus, Machairodus, Deinodon, Oulodus, Hipparion, and Gladoselache. There may be hundreds of names of undisputed validity which violate one or more of these minor requisites. Scores of such names have been approved by the zoological Commissioners in their Opinions. For example, in Opinion 23,* Cheilodipterus is accepted with no mention of an alteration to Chilodipterus. For further examples of such condonments see Opinions 12, 66, 67, 73, 75, 77, 85, 88, 91, 92, 117, 119, 125, and 133.

Particularly relevant to this matter is Opinion 125† where Borus Albers, 1850 is judged a dead homonym because of Borus Agassiz, 1846, an amendment and "absolute synonym" of Borus Herbst, 1797. In this case judgment was not passed on Borus Agassiz, evidently because it was the genus in question. Bather, however, wrote:

By Article 19, the name Borus Herbst should be preserved unless an error of transcription, a lapsus calami or a typographical error is evident. Since the name is obviously the Greek ἄποσ none of these is evident.

* Special Publication of the Smithsonian Institute 1938, July 1910.
† Smithsonian Miscellaneous Collection, Vol. 73, 1941.
But Article 8, Recommendation (a), and Appendix F Herbst “should” have written *Borus*. Since this recommendation is based on the previous usage of both classical scholars and the early systematists (who were for the most part scholars), Agassiz was within his rights in emending *Borus*. If his right be disputed, then, since there is no possible question of an error of transcription, *Borus* Agassiz is a synonym of *Borus* Herbst.

Thus Bather steered around the question of the validity of Agassiz’ emendment, since the judgment was on *Borus* Albers. However, Richter, another Commissioner, directly stated that Agassiz had no right to make the change.

There are also examples of condonments of more serious errors. *Opinion* 117 condones *Lithostrotion* Fleming 1828, taken directly from Lhwyd’s Latin appellation in *Lithophylacii Britannici Ichnographia* (1699). *Lithostrotion* is either an error for *lithostrotus* or *lithostrotum*, or a deliberately coined variation. The meaning is “mosaic (paving) stone”, from the Greek \(\lambda\iota\theta\omicron\omicron\sigma + \sigma\pi\rho\omega\tau\omicron\sigma\varsigma\) (adjective), or \(\sigma\pi\rho\omega\sigma\iota\sigma\varsigma\) (noun). Either way, a purist would object to it, for it would be *lithostrotus* or *lithostrosis* if the direct Greek instead of the Latin is desired.

Another serious error is condoned in *Opinion* 67*, where *Apaloderma* is placed on the *Official List of Generic Names*. This disregard of the aspirate can hardly be considered as anything but an error of transcription.

Besides about a score of condonments of “illegally” constructed names, the *Opinions* also offer examples of the rejection of several, but, pointedly, for reasons other than construction. *Klinophilos* (*Opinion* 81†) and *Carcharodon* (*Opinion* 47‡) are rejected as later synonyms, for instance.

On the other hand there are few cases of actual corrections of orthographic errors (not true typographical errors as in *Opinions* 26, 27, 41, etc.). *Opinion* 36§ changes the *x* in *Dioxocera*, *Trioxocera*, and *Pentoxocera* to *z*. In this case it is significant that there was no question of the mis-construction of the original names since the author of the species admitted the error and requested official emendation. *Opinion* 66|| includes *Ancylostoma* among a number of names to

* Special Publication of the Smithsonian Institute, 2409, April '16.
† Smithsonian Miscellaneous Collection, Vol. 73, 1941.
‡ Special Publication of the Smithsonian Institute, 2060, Feb. '12.
§ Special Publication of the Smithsonian Institution, 2013, Dec. '11.
|| Special Publication of the Smithsonian Institution, 2359, Feb. '15.
be added to the *Official List of Generic Names*. Fide Kirby, this name was originally *Agchylostoma*. Unfortunately the *Opinion* merely states that the various names in question and data upon them were circulated among the Commissioners and were approved. The historical data and reason for the necessity for special treatment are omitted, but the inference is strong that the Commissioners consider *gch* for *γk* a worse error than omission of the *H* in *(H) Alapoderma*. Kirby also states that the Commissioners favor *Trichomonas* over an original *Tricomonas*, but I am unable to find this example. It is also possible that a complete knowledge of the histories of the various names placed on the *Official List* would reveal some more cases of correction of an original error, but certainly not many.

One must conclude, then, that the past practice of the Commission indicates that it is not disposed to make any alterations of original spellings for orthographical reasons save where there is no excuse whatever for the original spelling.

So how about *Flebotomus*? How great an error is the transliteration of *φ* as *f*?

It is true that the Greek *φ* was not pronounced exactly like the Latin *f*, or it would have been so rendered by the Romans, as they changed *β* to *b*, *γ* to *g*, *ζ* to *z*, etc. Instead they chose to join *p* and *h* to mimic this Greek consonant. Nevertheless there has been no phonetic distinction between *ph* and *f* in Latin tongues for some time. The only good reason for writing *ph* instead of *f* in a word is to denote its Greek ancestry. As this often gives a clear indication of meaning which might be obscured with the use of an *f*, the distinction is valuable. It may therefore be considered unfortunate that this was disregarded by the author of *Flebotomus*, but his usage may not be classed as a self-evident error.

Such “phonetic” transliterations of Greek are certainly not to be encouraged. Under certain circumstances, for instance, *φ* may be the equivalent of *b*; *θ* of *f*, *b*, or *d*; *ξ* of *j*; *κ* of *p*; *δ* of *t*; *β* of *g*; *χ* of *h* or hard *g*. When such cases arise such transliterations probably ought to be made just as *γγ* is transliterated *ng*, but no one but an expert in classical languages could do it. There are also the various possibilities of phonetic translations into other languages. A Spanish scientist might, for example, tend to transliterate *θ* to *z*, and *χ* to *x*. Admittedly, then, disregard for Article 8 tends to chaotic confusion; nevertheless, if such semi-valid transliterations are made, or have been made, it seems as though they must stand—at least till brought officially before the Commission.

This controversy, the arguments of Kirby and the statement by Bather, quoted above, indicate that the Zoological Rules are not
clear on the relationship of Article 8 to Article 19, and on the status of Recommendations in general. This sort of argument can hardly come up under the Botanical Rules* where it is expressly stated in Article 2 that: "The precepts on which this precise system of botanical nomenclature is based are divided into principles, rules and recommendations... They [the Rules] are always retroactive. Names... contrary to a Rule cannot be maintained... names or forms contrary to a Recommendation cannot on that account be rejected but they are not examples to be followed". (Italics mine.)

Article 70 states:

"The original spelling of a name or epithet must be retained except in the case of a typographical error or of a clearly unintentional orthographic error". Here notes are appended to illustrate that merely because *Amaranthus* and *Phoradendron* should have been *Amarantus* and *Phoradendrum* respectively, they are not therefore correctable.

Despite the lack of precision in statement of the Zoological Rules, the spirit behind them and their interpretation by the Commissioners seems to conform to the more exact Botanical Rules, in this matter, at least.

This pernicious habit of changing the spelling of names has been nearly as troublesome as changing the names themselves, and nothing but confusion derives from it. A good example of this may be appended.

In 1825 Sternberg† described *Lepidofloyos*, a genus of Pennsylvanian Lepidophytes. In 1850 Unger‡ changed it to *Lepidophloyos*. In 1853 Newberry§ altered it to *Lepidophloios*, and in 1877 Claypole|| pointed out that the spelling was still not quite "orthographic", and wrote it *Lepidophloeus*. Of these names, or variations, that of Newberry (mis-attributed to Sternberg) has persisted. Though made in an authoritative publication, Claypole's variation did not survive, probably because most paleobotanists considered it an illegal change, not knowing that *Lepidiphloios* itself was an illegal change. *Lepidofloyos* is the correct name and should be reinstated to general use.

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‡ *Genera et Species Plantarum Fossilium*. p. 278.
§ *Annals of Science* (Cleveland) Vol. 1, p. 96. Newberry was the first of several who may have independently adopted this "reformed" spelling.
The same applied to *Flebotomus* unless and until the Commission rules otherwise.

6. View submitted jointly by Dr. G. B. Fairchild and Dr. Marshall Hertig (Gorgas Memorial Institute of Tropical and Preventive Medicine, Panama City, Republic of Panama): On 21st November 1946, Dr. G. B. Fairchild and Dr. Marshall Hertig (Gorgas Memorial Institute of Tropical and Preventive Medicine, Panama City, Republic of Panama) wrote a letter to the Commission giving particulars of the modern usage of the spellings *Flebotomus* and *Phlebotomus* respectively and urging that official approval should be given to the emendation *Phlebotomus* in the interests of nomenclatorial stability:—

**Flebotomus and Phlebotomus**

The undersigned have in progress a taxonomic paper on the sand-flies of Panama, and the question has arisen of the proper spelling of the generic name of these flies. Opinion among taxonomists seems to be divided. Costa Lima (1932, *Mem. Inst. Osw. Cruz*, 26, p. 15), Coquillett (1907, *Ent. News*, 18, pp. 101—102; 1910, *Proc. U.S. Nat. Mus.*, 37, p. 543) and most recently Rapp (1944, *Science* (N.S.), 99, p. 345 and 100, p. 124) maintain that *Flebotomus* is the original spelling and that the emendation to *Phlebotomus* made by Agassiz in 1842 and since very largely followed is untenable. On the other hand Dampf (1944, *Rev. Soc. Mexicana Hist. Nat.*, 5, p. 250) and Brues (1944, *Science* (N.S.), 99, p. 427) take a somewhat more liberal view, maintaining that the emendation was justified, either on the basis of orthography (Dampf) or that *Flebotomus* was an obvious typographical error (Brues). Since in addition Sabrosky (1946, *Proc. Ent. Soc. Washington*, 48, p. 164) has raised the question of the possible use of this name as a family name in place of *Psychodidae*, it seems more than ever necessary to have the question settled one way or another.

We feel that under a strict interpretation of the rules, ignoring the obvious derivation of the word and Rondani’s own later acceptance of the emendation, *Flebotomus* is the correct spelling. There are, however, several good reasons for retaining the emendation, and we in favor of suspending the rules, should it be decided that the emendation is unwarranted, and placing *Phlebotomus* on the *Official List of Generic Names*.

In the first place, there is a vast medical literature dealing with the role of these flies in disease transmission and so far as we have been able to determine, the emended spelling *Phlebotomus* has been used...
exclusively. It is very unlikely that medical and public health workers would readily accept any change in the spelling at this late date. In the second place, the great majority of entomologists have also employed the emended spelling. All the Old World and all but a few of the New World species have been described under *Phlebotomus*.

We have made a partial search through the literature available to us, 229 papers by 77 different authors, and have listed our findings on the attached sheets. We are not in a position to make a more thorough search, but feel that a complete survey would show very few additional uses of *Flebotomus*.

To sum up, we hereby petition the International Commission on Zoological Nomenclature to suspend the Rules in the case of *Flebotomus* Rondani 1840 and place the emended form *Phlebotomus* on the *Official List of Generic Names*. Our reasons for this petition are as follows:

1. The original spelling of *Flebotomus* does not conform to the rules for transliteration from the Greek to Latin alphabets. The original spelling was emended very shortly afterwards (1842) and this emendation was later accepted by the original author, indicating rather ignorance of the rules for transliteration than deliberate intent.

2. The emended spelling *Phlebotomus* has been accepted by the vast majority of entomologists for over a century, and a return to the original spelling at this late date would cause confusion and inconvenience.

3. Due to the medical importance of these insects, there is a large and growing non-entomological literature using exclusively the emended form *Phlebotomus*.

4. Return to the use of *Flebotomus* by entomologists would probably not be followed by medical workers, thus leading to further confusion.

Annexe to letter dated 21st November 1946 from Dr. G. B. Fairchild and Dr. Marshall Hertig

*Authors who have consistently used "Flebotomus":*

Antunes and Coutinho 1939—1 paper—desc. of 1 species
Causey and Damasceno 1944—45—4 papers—desc. 17 species
Coquillett 1907, 1910—Only the 1910 list of Genotypes of N. American Dipt. seen.
Fonseca 1935—39—3 papers-desc. 3 species.
Mangabeira 1938—44—14 papers-desc. 36 species.
Curran 1934—The families and genera of N. A. Diptera.

Authors who have used “Flebotomus” occasionally:
Costa Lima—used *Phlebotomus* in 1932, in 4 subsequent papers published 1934—1941 used *Flebotomus*.
Rozeboom—used *Flebotomus* in 1940, *Phlebotomus* in 1942 and 1944.
Galvao and Coutinho—used *Flebotomus* in 1939 and 1940, *Phlebotomus* in 1941.
Coutinho—used *Flebotomus* in 1939 and once in 1940; used *Phlebotomus* in 1940 and 1941.

Authors who have consistently used “Phlebotomus”:

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<tr>
<th>Author(s)</th>
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7. Supplementary information furnished by Dr. G. B. Fairchild: On 27th January 1947 Dr. Fairchild informed the Commission that he and Dr. Marshall Hertig had sent copies of their letter of 21st November 1946 (reproduced in the immediately preceding paragraph of the present Opinion) (1) to Dr. Alan Stone (United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) and (2) to Professor A. Costa Lima (Oswalso Cruz Institute, Brazil). Dr. Fairchild
enclosed (in original) the replies which he had received from these specialists. Extracts from these letters are given below:

(a) Extract from a letter dated 29th November 1946 from Dr. Alan Stone

The copy of your letter to the International Commission on Zoological Nomenclature arrived, and I am glad to see that you are doing something about *Flebotomus*. I do not know that anyone else has written the Commission on the subject, but Secretary Hemming suggested that it be done. I have a few comments to make on your letter, however.

First, I think that your request to the Commission should be so worded as to require an answer to the question, “Is suspension necessary?” If the emendation from *Flebotomus* to *Phlebotomus* is legitimate then we can go ahead using the latter without any suspension of the rules, but I should very much like to have the Commission’s opinion on this point. Unless very specifically asked I am afraid that they would slide over that point and we would get only another suspension with no clear principles laid down.

You state that “All the Old World ... species have been described under *Phlebotomus*”. This is not quite true, since *papatasi* was described under *Bibio*.

Perhaps you should like to add some more references to your bibliography. Under “consistent use of *Flebotomus*” you might include: Mangabeira and Galindo, 1944, 1 paper, 1 new species; Rapp, W. F., 1944—45, 3 papers; Rapp, W. F., and Cooper, J. L., 3 papers; Damasceno and Causey, 1946, 2 new species; Causey and Damasceno, 1946, 4 new species; Coquillett, 1907, 2 new species. Although the Rapp checklists and catalogues are very poor, he has, nevertheless, consistently used *Flebotomus*, and they will probably be used considerably and have some influence. You have the Coquillett reference but no statement as to the number of species. These were *vexator* and *cruciat us*.

Under consistent use of *Phlebotomus* I presume that by Franga you mean Franca. You might also include Perfiliev’s important paper on the subfamily, 1937, Faune de l’URSS.

I am not at all averse to using *Phlebotomus*, my only reason for using *Flebotomus* being that I think that this is necessary under the
Rules. I fully expect that the Commission will sanction Phlebotomus, either by interpretation or suspension.

(b) Extract from a letter dated 18th December 1946, from Professor A. Costa Lima

I entirely agree with you when you say: “We feel that under a strict interpretation of the Rules, ignoring the obvious derivation of the word and Rondani’s own later acceptance of the emendation, Flebotomus is the correct spelling. There are, however, several good reasons for retaining the emendation, and we are in favor of suspending the Rules, should it be decided that the emendation is unwarranted, and placing Phlebotomus on the Official List of Generic Names”.

8. Issue of Public Notices: In the early stages of the investigation of this problem it appeared that the principal question involved was whether or not the authoritative adoption at that date of the original spelling Flebotomus in place of the emendation Phlebotomus would be likely to give rise to confusion, but it gradually became apparent that a substantial doubt existed as to whether or not the original spelling Flebotomus represented an infraction of the provisions of Article 19 of the Règles. The possibility therefore emerged that the Commission might find that on a due construction of Article 19 no objection could be taken to the spelling Flebotomus but that it might take the view that in the interests of nomenclatorial stability it was desirable that it should use its Plenary Powers to validate the emendation Phlebotomus. In order that the Commission might be free to deal with this case in whatever manner it thought best, a notice of the possible use, by the International Commission, of its Plenary Powers in this case was issued on 20th November 1947 to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the use of the Plenary Powers in the manner suggested above.

9. Report by Mr. Francis Hemming (Secretary to the International Commission on Zoological Nomenclature): At the close of 1947, Mr. Hemming took the view, as Secretary to the Commission, that it was desirable that, before the Commission were asked
to take a decision on the question whether or not the emendation to *Phlebotomus* of the name *Flebotomus* was justified under Article 19 of the *Règles*, a more comprehensive examination of the issues involved should be made than had hitherto been attempted. Mr. Hemming accordingly himself investigated this matter, and in February 1948 embodied his conclusions in this matter in the paper set out below. In this paper, it will be observed, Mr. Hemming, after marshalling such evidence as he was able to collect, reached the conclusion that the spelling *Flebotomus* was not subject to emendation under Article 19 and that, if it were to be decided that the emended spelling *Phlebotomus* ought to be preserved, it would be necessary for the International Commission to use its Plenary Powers to secure this end.

**On the interpretation of Article 19 of the "Règles", with special reference to the spelling of the generic name "Flebotomus" Rondani, 1840 (Class Insecta, Order Diptera)**

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

In the issue of *Science* of 28th April 1944 (*Science* (n.s.) 99 : 345) Mr. William F. Rapp, Jr., drew attention to the fact that the generic name commonly spelt *Phlebotomus* had been spelt *Flebotomus* when first published by Rondani in 1840. At the same time Mr. Rapp expressed the view that, under the *Règles*, *Flebotomus* was the correct spelling and should therefore be used in place of the familiar *Phlebotomus*.

2. In view of the wide use of the spelling *Phlebotomus* in medical and other literature, the Executive Committee of the International Commission on Zoological Nomenclature, on having their attention drawn to this matter, asked me to publish in *Science* a short note expressing the view that the established spelling of this important generic name should not be changed until a decision on the issue involved had been obtained from the International Commission. The note prepared at the request of the Executive Committee appeared in the issue of *Science* of 27th October 1944.

3. Before this note was actually published, Dr. C. T. Brues invited the International Commission to give a ruling on the relative merits of the rival spellings *Flebotomus* and *Phlebotomus*. Towards the close of 1946 Drs. G. B. Fairchild and Marshal Hertig submitted an

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1 See paragraph 1 of the present *Opinion*.  
2 See paragraph 2 of the present *Opinion*.  

application to the Commission in favour of the validation of the spelling Phlebotomus under the Commission's plenary powers to suspend the Règles\textsuperscript{4}. At the same time these applicants requested the Commission to place this generic name, so emended, on the Official List of Generic Names in Zoology.

4. In a letter dated 29th November 1946 communicated to the Commission by Dr. Fairchild, Dr. Alan Stone expressed the view\textsuperscript{5} that it would be unfortunate if the Commission were to reach a decision in this case under its Plenary Powers without first giving proper consideration to the question whether in fact the use of those Powers was necessary to secure the end desired in the application by Drs. Fairchild and Hertig.

5. I entirely agree with the opinion advanced by Dr. Stone, for clearly the application submitted in this case raises two entirely distinct issues, namely:—

(1) Do the provisions of Article 19 of the Règles require that the generic name Flebotomus should be emended to Phlebotomus?

(2) If not, is there a case for the use by the International Commission on Zoological Nomenclature of its Plenary Powers to suspend the Règles for the purpose of giving valid force to the spelling Phlebotomus in preference to the original spelling Flebotomus?

6. Article 19 provides that the original spelling of a name is to be preserved unless either (1) a "faute d'orthographe" or (2) a "faute de transcription" or (3) a "faute d'impression" is "évident"\textsuperscript{6}. There is nothing permissive about this Article. Its terms are mandatory and accordingly in certain circumstances the original spelling must be altered while in others it must be retained.

7. The wording of this Article is, however, such that it is often extremely difficult in any given case to determine whether the original spelling of a particular name should be emended or not. This doubt may arise from a number of causes, e.g.:

(1) In what circumstances is the existence of a "faute d'orthographe" "évident" within the meaning of Article 19?

(2) What is the meaning that should be attached to the expression "faute de transcription" and in what circumstances is the existence of such an error "évident"?

(3) When is it "évident" that a "faute d'impression" has occurred?

\textsuperscript{4} See paragraph 6 of the present Opinion.

\textsuperscript{5} See paragraph 7 of the present Opinion.

\textsuperscript{6} It must be realised that the statement in this paragraph regarding the terms of Article 19 reflect the position as it existed at the time when this paper was written at the beginning of 1948. In 1953 Article 19 was completely rewritten by the Fourteenth International Congress of Zoology, Copenhagen (see 1953, Copenhagen Decisions on Zoological Nomenclature : 43—46).
8. At various times the International Commission on Zoological Nomenclature has had under consideration applications in regard to the spelling of particular names, each of which raised some question of the interpretation of Article 19. Unfortunately, however, in the Opinions rendered on these cases, the Commission contented itself with giving a decision on the spelling to be used for the particular name in question and did not lay down any general principles which would be readily applicable to similar cases and thus obviate the need for submitting to the Commission applications which in fact raised no new nomenclatorial issues. Further, as has recently been pointed out by Blackwelder, Knight and Sabrosky (1947, Science (n.s.) 106: 315–316) it must be admitted that, if all the Opinions rendered on particular cases are compared with one another, it is impossible to deduce therefrom any general principles owing to inconsistencies in the arguments used in, and the conclusions reached on, the individual names dealt with in these Opinions.

9. It is quite clear therefore that a thorough examination by the Commission of the ambiguities in Article 19 is long overdue and that what is required is a comprehensive Opinion giving rulings on all those points which are at present the subject of doubt, supplemented by recommendations for the insertion in Article 19 of words formally clarifying the issues in question. It is the intention of the Commission to undertake such an examination at an early date.7

10. In view, however, of the extensive literature relating to the Sand Fly, it would not be desirable to delay a decision on the relative merits of the spellings Flebotomus and Phlebotomus until the Commission has had time to reach conclusions on all the issues raised by Article 19. It is necessary therefore to examine the status of the spelling Flebotomus under Article 19 in the light of such evidence as is immediately available.

11. In a case such as the present the first thing to do is to examine the work in which the name in question was first published. In the present instance this was a 16-page octavo pamphlet published by Camillo Rondani in 1840. This pamphlet was issued with two titles, the first on the wrapper, the second on the title-page. The legend on the wrapper reads: “Memoria per servire alla Ditterologia italiana” (the first and the two last words being printed in capitals, the remainder in lower case). The legend on the title reads: “Sopra una specie di Insetto dittero. Memoria prima per servire alla Ditterologia italiana di Camillo Rondani”. The first part of the title, i.e. the words “Sopra una specie di Insetto dittero” are printed in small italic capitals, while the words “Memoria prima” (the two first words of the second title) are printed in large capitals in heavy black (clarendon-like) type; the words “Ditterologia italiana” (the last two words of the second title) are printed in large italic capitals. In

7 See footnote 6.
view of the kinds of type used on the title-page for the two titles employed, I consider that the main title of the work in which the name *Flebotomus* was first published by Rondani is: "Memoria per servire alla Ditterologia italiana" (the title printed in large capitals and in part in heavy type) and that the title "Sopra una Specie di insetto dittero" (the title printed in small italic capitals) should be regarded not as the title of the work in which the name *Flebotomus* was published by Rondani but as the title of the paper containing that name which appeared in Part I of the work entitled "Memoria per servire alla Ditterologia italiana". As the description appears on page 12 of the pamphlet, the correct bibliographical reference for this name is *Flebotomus* Rondani, 1840, *Mem. serv. Ditterolog. Ital.* 1:12. The genus *Flebotomus* Rondani is monotypical, the type being *Bibio papasiti* Scopoli, 1786, *Deliciae Faun. Flor. insubr.* 1:55. The pamphlet discussed above is extremely rare, the only copy known to me being the photostat example in the British Museum (Natural History). For permission to study this example and for advice as to points of interpretation relating to it, I am much indebted to my friend Mr. N. D. Riley, Keeper of the Department of Entomology.

12. An examination of the pamphlet discussed above shows that Rondani's use of the spelling "*Flebotomus*" (i.e. the spelling with the initial letter "F-") was deliberate, for in that pamphlet he used this word on a number of occasions and in a number of forms (*Flebotomus, Flebotomi, Flebotomidae, Flebotominae, etc.), always with an initial "F-". Accordingly, it cannot be argued that this spelling is due to a "faute d'impression". (It should be noted that Hagen (1863, *Bibloth. ent.* 2:88) was incorrect in stating that the word "Phleboebotomus" (so spelt) formed part of the title of the paper in which Rondani published the name *Flebotomus*.)

13. We have next to consider whether the spelling of this generic name with an initial "F-" was due to a "faute de transcription" on the part of Rondani. Here we are confronted with the difficulty that it is by no means clear what meaning should be attached to this expression as used in Article 19 of the Règles. Pending an authoritative ruling on this subject by the International Commission on Zoological Nomenclature, it is only possible to adopt whatever interpretation appears to one to be the most reasonable. My view is that in this context this expression should be regarded as meaning "an error committed by the author of a scientific name when copying that name into his manuscript from some other source". In the present case there is no evidence whatever that Rondani committed a "faute de transcription" when he wrote the word "Flebotomus" in his manuscript. Indeed, as we shall see when we come to assess the probability that Rondani committed a "faute d'orthographe" (paragraph 17 below) there are excellent reasons for concluding that he committed no "faute de transcription" when he entered the spelling "Flebotomus" in his manuscript.
14. The ground on which it is claimed that the spelling “Flebotomus” represents a “faute d’orthographe” and should therefore be emended to “Phlebotomus” is that this word is a compound of two Greek words of which the first has the meaning “vein” (being derived from the Greek word φλέψ, of which the root is φλέβ-) and the second the meaning “cutting” (being derived from the Greek verb τεύμων, “to cut”). Most of the authors who have discussed this question appear to have assumed that this word was a compound noun of Greek origin coined by Rondani. A few, however, have argued that there is no evidence to show that from Rondani’s standpoint the word “Flebotomus” was anything but an arbitrary combination of letters (“mot formé par un assemblage quelconque de lettres”) of the kind contemplated in Recommendation (k) in Article 8 of the Règles. Each of these possibilities is discussed in turn below.

15. As a first step in the investigation of the first of these problems, I consulted my colleague Mr. R. Cleaver who kindly drew my attention to the fact that the word “Phlebotomus” (so spelt) had been used as meaning a “lancet” (i.e. an instrument for cutting veins) by Cælius Aurelianus (in a work entitled Acutae Passiones) as early as the 3rd Century A.D. and that it had been used also in the same sense by Theodorus Priscianus. On learning these particulars, I realised that it would be necessary carefully to study authoritative Latin and other dictionaries in order to interpret the adoption by Rondani of the word “Flebotomus” as the name for the new genus of Sand Flies.

16. For help in this part of my task I wish to express my gratitude to Dr. Charles Singer, Professor Emeritus of the History of Science in the University of London and to Mrs. Dorothea Waley Singer who very kindly placed their extensive library at my disposal during a visit which my wife and I recently paid to them in Cornwall. The following extracts from the dictionaries so consulted show the evidence obtained through this investigation:

(1) Italian
(extract from “Dizionario della Lingua italiana”, vol. 3, Padova, 1828)

(2) Spanish
Flebotomia. (Del. gr. φλεβοτομία, de φλέβοτόμος; de φλέψ, vena, y τεύμων, cortar) f. Arte de sangrar, 1a. acep./
2. Sangria 1a acep.
English

Phlebotomy. Forms: 5 flebotomie, -ye, (flo-, flabotomye), 5-6 flebotomye, (9 -y), 6 flebothomy (e, flebothemie, -y, phlebothomy, -tomye), 6-7 -tomye, (7 -thomye), 6 phlebotomy. [a. F. flebothomie, It. flebotomia, a Gr. φλεβοτομία, the opening of a vein, f. φλεβοτομός, that opens a vein, f. φλεβο- PHLEBO- + τόμος -cutting,-cutter.]

Mediaeval Latin
(extract from "Glossarium mediae et infimae Latinitatis conditum a Carolo Dufresne Domine du Cange cum Suppletis integris Monachorum Ordinis S. Benedicti D.P.Carpenterii... digessit G.A.L.Henschel". Tomus Tertius Parisii 1844).


Classical Latin
(extract from Lewis and Short, "Latin Dictionary")


17. The authorities quoted above establish a number of points which have either never been referred to in the discussion of the orthography of the name Flebotomus Rondani or to which in those discussions insufficient weight has been given. These points are:—

(1) The word Flebotomus is not a word coined by Rondani but either with an initial "F-" or an initial "Ph-" occurs in English, French, Italian (Rondani's own language) and Spanish as a word having the meaning "lancet" (= instrument for cutting a vein).

(2) This word occurs also in Mediaeval Latin and in Classical Latin with the same meaning. Though apparently in Latin, this word was spelt with an initial "Ph-" for preference, it was also spelt with an initial "F-".

18. We now see therefore than an educated Italian writing in Rondani's day (1840) would certainly have been aware of the existence of the Italian word "Flebotomia", meaning a lancet. The fact that
in his own language this word was spelt with an initial "F-" would naturally lead an Italian author, when using the word in a Latinised form, to spell it in this way and not with an initial "Ph-". Further, even if such an author had felt doubt as to the correctness of this way of spelling this word, when Latinised, and had accordingly consulted a Latin dictionary, before using this spelling for a new scientific name, he would have seen, as we now know, that that spelling had been used in Classical and Mediaeval Latin as well as the more acceptable spelling with an initial "Ph-". In these circumstances we may certainly conclude that, if Rondani deliberately used this word as the generic name of the Sand Fly to designate some lancet-like character of the structure of that fly, the spelling which he used for this name (Flebotomus) was no accident but was the spelling which he intended to employ. This spelling cannot therefore be dismissed either as a "faute d'impression" (paragraph 12 above) or as a "faute de transcription" (paragraph 13 above). Nor in such circumstances could this spelling be rejected as a "faute d'orthographe", for (as we have seen) the spelling with an initial "F-" was used in Classical and Mediaeval Latin as well as the spelling with an initial "Ph-".

19. There remains the possibility (alluded to in paragraph 14 above) that Rondani's use of the word "Flebotomus" as the name for his new genus was purely fortuitous and that from his standpoint this word was no more than an arbitrary combination of letters. Fortunately, this possibility need not detain us, for the following extract from Rondani's original description of the genus Flebotomus clearly shows that he deliberately chose this word to draw attention to the lancet-like character of the structure of the Sand Fly:

(: 5) . . . Ci contenammo per allora di stabilire per esso un nuovo genere, che ponemmo in seguita alle Culicidi senza cercare più in là, e gli abbiamo dato il nome di Flebotomus, che togliemmo dalla forme a lancetta delle lamine del succhiatojo, e dalla mala abitudine di estrarre il sangue dalle nostre vene.

20. We can therefore conclude with certainty that Rondani used the word "Flebotomus" as a new generic name because he considered that the meaning of that word—a lancet—was appropriate for the purpose. We have seen also (paragraph 18 above) that the spelling with an initial "F-" used by Rondani cannot be discarded in favour of the spelling with an initial "Ph-" on the ground the former is a "faute d'orthographe" for the latter.

21. In the light of the foregoing considerations, I conclude that none of the three exceptions specified in Article 198 applies to the spelling "Flebotomus" and therefore that the spelling is the correct spelling of this generic name under the Règles.

22. The only way by which valid force could be given to the spelling "Phlebotomus" would be for the International Commission on

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8 See footnote 6.
Zoological Nomenclature to use its Plenary Powers to suspend the
Règles for the purpose of designating that as the correct spelling of
the generic name proposed by Rondani. On this question, I think
that it can be conclusively shown that, in view of the extensive use
of the spelling "Phlebotomus" (in preference to the spelling
"Flebotomus") in medical and other technical literature as well as
in that of systematic zoology, the strict application of the Règles in
this case, involving, as it would, the transfer of this name from one
part of the alphabet to another, would clearly result in greater
confusion than uniformity. I conclude therefore that a case has been
established for the use of the Commission's Plenary Powers to validate
the spelling "Phlebotomus".

23. I accordingly recommend the International Commission on
Zoological Nomenclature that it should render an Opinion (1) declaring
under its Plenary Powers that the generic name originally published
by Rondani in 1840 as Flebotomus is to be emended to Phlebotomus,
and (2) placing the generic name Phlebotomus (emend. of Flebotomus)
Rondani, 1840 (type by monotypy: Bibio papatasi Scopoli, 1786)
on the Official List of Generic Names in Zoology.

10. Preparations for the Meeting of the Commission in Paris
in 1948: In preparation for the consideration of this case by the
International Commission at Paris in 1948 a brief synopsis of its
principal features was included in Paper I.C.(48) 19 then submitted
to it by the Secretary. The following is an extract of the relevant
3 : 136—137):—

(5) Phlebotomus or Flebotomus (Class Insecta, Order Diptera): This name was published by Rondani in 1840 with an "F-") but was
emended to "Ph-" by Agassiz in 1846. This emendation is in general,
though not universal, use and it is generally agreed by the authorities
who have approached the Commission (C. T. Brues; G. B. Fairchild;
Marshall Hertig) that it would cause confusion if (as suggested by
William F. Rapp, Jr.) the original "F-" spelling were to be re-adopted.
It has been suggested by some of the Commission's correspondents
that the original spelling was a "faute d'orthographe" or a "faute de
transcription" or a "faute d'impression". It is clear, however, from
Rondani's paper that his spelling was intentional. This would indeed
have been the natural spelling for an Italian to adopt, having regard
to the Italian word "Flebotomia" (meaning "lancet"). If, therefore,
the "Ph-" spelling is to be continued, the Commission will have to
use its Plenary Powers to secure this end. In view of the very wide
use of this spelling in medical works and also of the views of
specialists who have approached the Commission, it is suggested that
action in this sense should be taken. The case was advertised last
November and no objection has been received against the adoption
of this course. It is suggested that at the same time as the "Ph-") spelling is validated, this generic name should be placed on the Official List (type Bibio papatasi Scopoli, 1786, by monotypy).

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

11. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the discussion which took place at the foregoing meeting (1950, Bull. zool. Nomencl. 4 : 358—359) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) recalled that, when in 1944 Mr. Rapp had first suggested in the journal Science that the original spelling of Flebotomus should be restored, it had appeared to him, as Secretary to the Commission, that this was exactly the type of change in a name of importance in applied biology which ought not to be made on technical nomenclatorial grounds until the issues involved had been submitted to, and considered by, the Commission, for such changes were incomprehensible to, and were resented by, workers in those fields and should certainly be avoided, if at all possible. He had accordingly published a note inviting specialists to respect the "Ph-" spelling until the Commission had been able to consider the whole matter. When later he had himself looked into the origin of the word on which this generic name was based, he had found that no proper examination of this matter had ever been made. The technical problems involved were complex and he had had to appeal to expert linguists and lexicographers for advice. As the results of these studies he had reached the conclusion that, from the standpoint of an educated Italian of the
mid-XIXth century, such as Rondani, the "F-" spelling was correct and consequently that this was not a case which could properly be dealt with under Article 19 of the Règles. In view, however, of the importance of this name in medical literature it seemed to him that a reversion to the spelling originally used by Rondani would lead to confusion outside systematic circles and was the type of name change which brought discredit on zoological nomenclature among workers who were not concerned with, or interested in, the minutiae of the rules adopted by zoologists for their own work. He accordingly commended to the favourable consideration of the Commission the request that the "Ph-" spelling of this name should be preserved by the Commission by the use of the Plenary Powers.

PROFESSOR L. DI CAPORIACCO (ITALY) said that, speaking both as a zoologist and as an Italian, he was strongly in favour of the maintenance of the "Ph-" spelling of this well-known name. He was surprised that any other course should have been suggested.


THE COMMISSION agreed:—

(1) to use their Plenary Powers to emend to Phlebotomus the generic name originally published by Rondani in 1840 as Flebotomus (Class Insecta, Order Diptera);

(2) to place the generic name Phlebotomus Rondani, 1840 (type species: Bibio papatasi Scopoli, 1786, by monotopy) on the Official List of Generic Names in Zoology and the trivial name papatasi Scopoli, 1786
(as published in the binominal combination Bibio papatasi) on the Official List of Specific Trivial Names in Zoology;

(3) to render an Opinion setting out the decisions recorded in (1) and (2) above.

13. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 104—105).

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

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

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

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

(alternative title: *Sopra una spec. Ins. ditt.*)


17. The gender of the generic name *Phlebotomus* Rondani, 1840, is masculine.

18. Under the provisions relating to the *Official Index of Rejected and Invalid Generic Names in Zoology*, the International Commission is required to place thereon every generic name which it either rejects under its Plenary Powers or declares to be invalid. In the present instance, the entry on this *Official Index*, under the foregoing provisions, of the Invalid Original Spelling *Flebotomus* Rondani, 1840, was inadvertently omitted from the Official Record of the Proceedings of the International Commission. This omission has been rectified in the Ruling given in the present *Opinion*.

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 change 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 Fifty-Six (256) of the International Commission on Zoological Nomenclature.

*Done* in London, this Seventeenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
OPINIONS AND DECLARATIONS
RENDERED BY THE INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

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

VOLUME 5. Part 18. Pp. 231—244, 2 facsimiles

OPINION 257

Rejection for nomenclatorial purposes of the work by Zimmermann (A. E. W. von) published in 1777 under the title Specimen Zoologiae geographicae, Quadrupedum Domicilia et Migrationes sistens and acceptance for the same purposes of the work by the same author published in the period 1778—1783 under the title Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüßigen Thiere

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 257

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949
Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952
Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporaiaco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955
Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorje (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
REJECTION FOR NOMENCLATORIAL PURPOSES
OF THE WORK BY ZIMMERMANN (A.E.W. VON)
PUBLISHED IN 1777 UNDER THE TITLE
“SPECIMEN ZOOLOGIAE GEOGRAPHICAE, QUADRUPE-<br>
DUM DOMICILIA ET MIGRATIONES SISTENS” AND ACCEPTANCE
FOR THE SAME PURPOSES OF THE
WORK BY THE SAME AUTHOR
PUBLISHED IN THE PERIOD 1778—<br>1783 UNDER THE TITLE “GEO-<br>GRAPHISCHE GESCHICHTE DES MENSCHEN, UND DER ALLGE-<br>MEN VOR ERLANGEN VIER-<br>FÜSSIGEN THIERE”

RULING:—(1) In the work entitled Specimen Zoologiae geographicae, Quadrupedum Domicilia et Migrationes sistens published in 1777 Zimmermann (A. E. W. von) did not apply the principles of binominal nomenclature, as required by Proviso (b) to Article 25, and accordingly the above work is not available for nomenclatorial purposes.

(2) In the work entitled Geographische Geschichte des Menschen und der allgemein verbreiteten vierfussigen Thiere published in the period 1778—1783 Zimmermann did, however, apply the principles of binominal nomenclature, and accordingly the above work is available for nomenclatorial purposes.

(3) The work Zimmermann, 1777, Specimen Zoologiae geographicae is hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature as Work No. 7.

(4) The work Zimmermann, 1778—1783, Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfussigen Thiere is hereby placed on the Official List of Works Approved as Available in Zoological Nomenclature as Work No. 5.
I.—THE STATEMENT OF THE CASE

The present application (Registered Number ZN.(S.) 182) arose out of correspondence in 1944 between Mr. Francis Hemming, Secretary to the International Commission and Dr. Wilfred H. Osgood (Chicago Natural History Museum, Chicago, Illinois, U.S.A.). The relevant considerations were embodied by Mr. Hemming on 31st March 1948 in the following note which constitutes the application submitted in this case and in addition, gives particulars of the consultations held by Mr. Hemming up to that date:—

The nomenclatorial status of the works by Zimmermann (A.E.W. von) entitled "Specimen Zoologiae geographicæ" of 1777 and "Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfussigen Thiere" published in the period 1778—1783

Note by FRANCIS HEMMING
(Secretary to the International Commission on Zoological Nomenclature)

The purpose of the present note is to examine the question of the availability under the Règles of the following works by A. E. W. von Zimmermann: (1) the work entitled Specimen Zoologiae geographicæ Quadrupedum, Domicilia et Migrationes sistens published in 1777; (2) the work entitled Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfussigen Thiere published in the period 1778—1783. These works are of considerable interest to mammalogists because of the new names published in them, and the lack of a clear ruling as to their availability for nomenclatorial purposes has already in one conspicuous case discussed below led to confusion and name-changing. Further examples of this type may be expected to arise unless the position is promptly clarified by the International Commission.

2. So far as the International Commission is concerned, this problem was first brought to notice as long ago as 1915 when Dr. Marcus W. Lyon, Jr. (Howard University, Washington, D.C., U.S.A.) asked for a ruling on the availability of the specific name virginiana Zimmermann, 1780, as published in the combination Dama virginiana. No action was taken on Dr. Lyon's application, the papers relating to which were among those transferred to my custody in May 1939. This is one of the considerable number of cases with which the Commission for years found itself unable to deal, owing to the fact that it was not prepared to address itself further to the question of the interpretation of the expression "nomenclature binaire" as used in Proviso (b) to Article 25. This long-standing obstacle will, it may be hoped, be removed by the forthcoming International Congress of
Zoology at Paris, at which the Commission is under instructions from the Twelfth International Congress of Zoology, Lisbon, 1935, to submit a comprehensive Report (Lisbon Session, 5th Meeting, Conclusion 3) (1943, Bull. zool. Nomencl. 1 : 45). In the draft Report1 which I have in preparation on this subject for submission to the International Commission, I have shown conclusively (as it seems to me) that the expression “nomenclature binaire” as used in the foregoing portion of Article 25 can only have a meaning identical with that of the expression “nomenclature binominale”. I propose also to include a recommendation that the Congress should substitute the latter expression for the ambiguous and unsatisfactory expression “nomenclature binaire” wherever that expression at present occurs in the Règles. It is on the basis of the foregoing conclusions that I examine below the question of the availability of the two books by Zimmermann which form the subject of the present note.

3. I have examined the copies of both the foregoing works in the Library of the Zoological Society of London, and this examination shows :

(1) that Zimmermann’s Specimen Zoologiae geographicae (a work written in Latin), published in 1777 does not satisfy the requirements of Article 25, for in it Zimmermann did not apply the principles of binominal nomenclature;

(2) that the work by Zimmermann in the German language entitled Geographische Geschichte des Menschens, und der allgemein verbreiteten vierfüßigen Thiere, which was published in the period 1778—1783, is a work similar in general plan to the slightly earlier Specimen Zoologiae geographicae but is a quite distinct work differing from the Specimen in a number of respects, of which the most important from the present point of view is that in the Geographische Geschichte Zimmermann clearly applied the principles of binominal nomenclature,

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1 The Draft Report here referred to was submitted to the International Commission at its Session held in Paris in 1948 under cover of a note numbered I.C.(48)5 (1950, Bull. zool. Nomencl., 3 : 20—21). This draft was approved by the Commission at the Fourth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Thursday, 22nd July 1948 at 0900 hours (1950, Bull. zool. Nomencl., 4 : 63—66) and was later approved, first, by the Section on Nomenclature, and, finally, by the Thirteenth International Congress of Zoology in Concilium Plenum. The Report, so approved and adopted (1950, Bull. zool. Nomencl., 5 : 152—167), completely removes all the doubts which formerly existed as to the interpretation of Proviso (b) to Article 25 by providing for the substitution of the expression “nomenclature binominale” for the ambiguous expression “nomenclature binaire”, the use of which had been the cause of all the difficulties which had previously been encountered in interpreting this provision in the Règles.
thereby giving this work a status of availability under the Règles*.

4. In addition to the question of the availability of the foregoing works, it will be necessary for the Commission to consider whether, having regard to the established nomenclatorial practice of mammalogists, the acceptance of either or both of these works would be acceptable or whether it would be better in the interests of nomenclatorial stability for the Commission to use its Plenary Powers to suppress one or other or both of these works. This was the first aspect of the question to which, after the re-opening of the London Secretariat in the middle of the war, I addressed myself in the hope that I might thereby make some progress with the ancient application relating to the name Dama virginiana Zimmermann, 1780, referred to in paragraph 2 of the present note.

5. With the foregoing object in view I wrote a letter on 6th August 1944 to Dr. Wilfred H. Osgood (Chicago Natural History Museum, Chicago, Illinois, U.S.A.), asking for his views on the question of the correct name for the Virginia Deer. In his reply dated 12th October 1944, given below, Dr. Osgood gave his grounds (a) for rejecting Zimmermann’s Specimen Zoologiae geographicæ and (b) for accepting that author’s Geographische Geschichte: —

Allen in 1902 (Bull. Amer. Mus. Nat. Hist., 16, pp. 12—22) attempted to validate the names of Zimmermann’s Zoologiae geographicæ 1777, but he has had only a very small following. He says: “Zimmermann’s two works are constructed on nearly the same general plan. . . . The latter, however, is not merely a

* By way of explanation of the conclusions here reached it may be noted that in the Latin work entitled Specimen Zoologiae geographicæ of 1777, Zimmermann was quite inconsistent in the kind of nomenclature which he employed. For example, in the case of the alleged, but, as I consider non-existent, generic name Dama Zimmermann, 1777, what he did was to place a considerable number of species in the genus Cervus and to apply to those species names which were sometimes binominal and sometimes not. Where those names were binominal, this was often due to his using binominal names published by previous authors. If we look at page 532, the page where the generic name Dama Zimmermann is alleged to have been published, we find that there Zimmermann dealt with Species Nos. 4 to 7 of the genus Cervus and that he applied to those species the following names: — (4) Dama; (5) Cervus elaphus; (6) Cervus Porcinus; (7) Dama virginiana. It will be seen at once that in using these names Zimmermann was following no logical system at all and certainly was not employing the binominal system of Linnaeus.

When we turn to the Geographische Geschichte, we find however that he was consistently binominal. Each species was introduced under a vernacular name, which was followed by a binominal scientific name, accompanied either by a diagnosis or by a bibliographical reference. Moreover, he gave at the end of this works checklists of the species of the different faunas of the world, the entries in these checklists consisting (i) of the number assigned by him to the species concerned, (ii) of the vernacular name of the species concerned, and (iii) of its scientific name in due binominal form.

8 This page is reproduced in facsimile on page 238 of the present Opinion.

9 See facsimile of page 129 of volume 2 of the Geographische Geschichte reproduced on page 239 of the present Opinion.
German translation of the first, but an \textit{essentially different work}. Later on he says: "while the \textit{Geographische Geschichte} has been cited by many subsequent writers ... the \textit{Zoologiae Geographicae} has been uniformly neglected". To this he adds that "careful scrutiny shows that both are equally entitled to recognition". I cannot agree to this and believe the uniform neglect of the \textit{Zoologiae Geographicae} was justified. At least two good authorities have expressed the opinion that this work is non-nominal, namely Sherborn (\textit{Index Animalium}, Sect. Prima, p. Ivi, 1902) and Palmer (\textit{Index Gen. Mam.}, p. 400, under \textit{Marmota}, 1904). Allen went so far as to list all species of American deer under \textit{Dama}, but so far as I am aware, no American mammalogist has followed him. It has been the practice to accept the \textit{Geographische Geschichte}, but not the \textit{Zoologiae Geographicae} ...

6. During my recent visit to the United States (December 1947), I discussed this matter, first, at Washington, with Dr. Remington Kellogg (\textit{United States National Museum}) and later, at Chicago with Dr. Philip Hershkovitz (\textit{Chicago Natural History Museum}), both of whom are in agreement with the view expressed by Dr. Osgood in the letter quoted in the immediately preceding paragraph.

7. In the circumstances, it appears to me to be clear (1) that the Zimmermann's \textit{Specimen Zoologiae geographicae} of 1777 is not an available work for the purposes of zoological nomenclature, but that the same author's \textit{Geographische Geschichte} of 1778—1783, is an available work, (2) that, having regard to the practice of mammalogists, as now ascertained, the rejection of the \textit{Specimen Zoologiae geographicae} will not only not cause any undesirable name-changing, but will actively promote stability in the nomenclature of the mammals.

8. I recommend that the International Commission should, first, take a decision on the question of principle involved, namely whether, in the case of each of the works discussed above, Zimmermann complied with the requirements of Proviso (b) to Article 25 of the \textit{Règles}, and, having done so, should take a decision on the individual problem submitted to it by Dr. Lyon thirty-three years ago, namely whether the generic name \textit{Dama} Zimmermann, 1780, is an available name and whether the trivial name \textit{virginiana} Zimmermann, 1780 as published in the combination \textit{Dama virginiana}, is an available name for the Virginia Deer\footnote{When the Commission came to consider the case of the name \textit{virginiana} Zimmermann, 1780, as published in the combination \textit{Dama virginiana} (Paris Session, 14th Meeting, Conclusion 43) (1950, \textit{Bull. zool. Nomencl.} 4: 549—551), it decided (i) to seek further views from mammalogists before it took a decision, but (ii) to advise mammalogists, pending the outcome of the proposed consultations, not to transfer the name \textit{Dama} from the Fallow Deer of Europe to the Virginia Deer of America. An application for a substantive decision in favour of the retention of the above name for the European species has since been received from Dr. T. C. S. Morrison-Scott (\textit{British Museum (Natural History)}, London) and will, it is proposed, be published in an early Part of the \textit{Bulletin of Zoological Nomenclature}.}.
Facsimile of page 532 of Zimmermann, 1777, "Specimen Zoologicae geographicae Quadrupedum, Domicilia et Migrationes sistens"

532 SPECIMEN ZOOLOGIAE

via Kalkassensi sub quinquagesimo circiter latitudinis gradu, sub Oronis appellatione (x) reperiri. Quum regiones istae magis ad meridiem vergant, quam quae in Europa macbles nutriunt: hine meo quidem judicio fluit, illas majori frigoris vi premi. Fines itaque quos inter macbles vivunt, si ab Europa numerandi initium feceris, semper oblique magis meridiem versus ad America decurrunt ejusque quadragesimum quinimum circiter gradum attingunt. Quodsi America septemtrionalis pluribus sucesi temporis incolis frequentabitur; fines isti Europam versus magis ascendent.

3.) Dama Linn. Num. 5. Vid. Cap. II.

b. Cornibus teretibus.

4.) Cervus Elaphus Linn. Num. 3. Vid. Cap. II.


Facsimile of page 129 of volume 2 of Zimmermann, 1780, "Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüßigen Thiere"

Der Hirsch.

so groß, als der Hirsch. Zweiten Theils zweyte Ab- theil. 16ter Abschnitt.


43) Der Hirsch.


44) Der Virginische Hirsch.

Dama Virginiana. Raji synops. quadr. p. 86.


45) Der

w) Buffon Suppl. III. p. 124.

v) Lawlon a. a. O.


x) Alla Reis. XVI. S. 324.

Zimmerm. 2. B.
9. In considering the general question of the availability of the works by Zimmermann discussed in the present note, the Commission will, I think, find it helpful to have before it a facsimile reproduction of a representative page of each of these books. The pages which I have selected are page 532 of the *Specimen Zoologiae geographicae* and page 129 of volume 2 of the *Geographische Geschichte*, published in 1780, since, as these are the pages on which the name *Dama* appears in these two works, facsimiles of them will be useful when the Commission comes to consider this individual name. For these facsimiles the Commission is indebted to the Zoological Society of London from whose copies of these works were taken the photostats from which these facsimiles have been prepared.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Issue of Public Notices: As has been explained in the preceding paragraph, Mr. Hemming's note of 31st March 1948, there quoted, not only constitutes the application submitted in this case, but contains also full particulars of the subsequent consultations up to that date. It is only necessary at this point to add that in the autumn of 1947 it was considered prudent to provide for the contingency that the International Commission might decide in favour of the availability, under the *Règles*, of Zimmermann's *Specimen Zoologiae geographicae* of 1777, but might at the same time reach the conclusion that in the interests of stability in zoological nomenclature, that work ought to be suppressed under its Plenary Powers. Accordingly, on 20th November 1947 a notice of the possible use by the International Commission of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the use of the Commission's Plenary Powers for the purpose of suppressing the *Specimen Zoologiae geographicae* for nomenclatorial purposes.

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

3. The question of the interpretation of Proviso (b) to Article 25 was the first of the problems connected with the wording of the
Regles to be considered by the International Commission on Zoological Nomenclature at its Paris Session in 1948. The Commission, after examining the draft Report submitted to it by the Secretary, decided to approve and adopt the recommendations so laid before it. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression "nomenclature binaire" as used in the foregoing Proviso had the same meaning as the expression "nomenclature binominales", and (2) to recommend the substitution of the latter expression for the equivocal expression "nomenclature binaire" (Paris Session, 4th Meeting, Conclusion 3) (1950, Bull. zool. Nomencl. 4: 63—66). It was in the light of the decision so taken that the International Commission considered the question of the availability of Zimmermann's Specimen Zoologiae geographicae of 1777 and of the same author's Geographische Geschichte of 1778—1783 at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 41) (1950, Bull. zool. Nomencl. 4: 545—548):—

THE COMMISSION agreed:—

(1) that the book by Zimmermann (A.E.W. von) published in 1777 under the title Specimen Zoologiae geographicae, Quadrupedum Domicilia et Migrationes sistens was not available for nomenclatorial purposes under the Regles, Zimmermann not having applied therein the principles of binominal nomenclature as prescribed by Proviso (b) to Article 25, and therefore that the names attributed to Zimmermann as from the foregoing work possessed no nomenclatorial status therefrom;

(2) that in the book entitled Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen
Thiere, nebst einer hieher gehörigen zoologischen Weltcharte, published in the period 1778—1783, Zimmermann (A.E.W. von) had complied with the requirements of Article 25, that, in consequence, the foregoing work was available for nomenclatorial purposes, and that any new name, accompanied by an indication, published in it, possessed status under the Règles as from the date of being so published;

(3) to render an Opinion recording the decisions specified in (1) and (2) above.

4. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 118).

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

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

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

7. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the Règles establishing an “Official Index” to be styled the Official Index of Rejected and Invalid Works in
Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, Copenhagen Decisions zool. Nomencl. : 23—24). The Congress decided also to insert in the Règles a provision establishing an “Official List” to be styled the Official List of Works Approved as Available in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either validate under its Plenary Powers or declare to be an available work, together with any supplementary decisions which the International Commission might take in regard to any aspect of that work (1953, Copenhagen Decisions zool. Nomencl. : 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 (a) in the foregoing Official Index of the title of Zimmermann’s Specimen Zoologiae geographicae of 1777, and (b) in the foregoing Official List of the same author’s Geographische Geschichte published in the period 1778—1783.

8. 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.

9. The present Opinion shall be known as Opinion Two Hundred and Fifty-Seven (257) of the International Commission on Zoological Nomenclature.

DONE in London, this Eighteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 258
Rejection for nomenclatorial purposes of the work by Frisch (J.L.) published in 1775 under the title Das Natur-System der vierfüßigen Thiere

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 258

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949
Senor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952
Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955
Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veteriner- og Landbohojskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamil Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straalen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 258

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK BY FRISCH (J.L.) PUBLISHED IN 1775 UNDER THE TITLE "DAS NATUR-SYSTEM DER VIERFÜSSIGEN THIERE"

RULING:—(1) In the work entitled *Das Natur-System der vierfüssigen Thiere* published in 1775 Frisch (J.L.) did not apply the principles of binomial nomenclature, as required by Proviso (b) to Article 25, and accordingly the above work is not available for nomenclatorial purposes.

(2) The work Frisch, 1775, *Das Natur-System der vierfüssigen Thiere* is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 8.

I.—THE STATEMENT OF THE CASE

The present application (Registered Number Z.N.(S.) 254) arose incidentally out of correspondence in 1944 between Mr. Francis Hemming, Secretary to the International Commission, and Dr. Wilfred H. Osgood (*Chicago Natural History Museum, Chicago, Illinois, U.S.A.*) in regard to the question of the availability of the generic name *Dama* as published by Zimmermann
in 1777 in the work entitled *Specimen Zoologiae geographicae*, for, even it had been decided that this generic name was available as from Zimmermann, 1777, it would still have been necessary to determine whether the same name as published by Frisch in 1775 in his work *Das Natur-System der vierfüßigen Thiere* was an available name and therefore possessed priority over *Dama* Zimmermann. After completing the survey\(^1\) of the considerations relevant to the determination of the acceptability, under Proviso (b) to Article 25, of Zimmermann's *Specimen Zoologiae geographicae* which has been reproduced in Opinion 257, Mr. Hemming prepared a similar note in regard to Frisch’s *Das Natur-System*. This note, which was dated 2nd April 1948, was as follows:—

**The nomenclatorial status of the work by Frisch (J.L.) published in 1775 under the title “Das Natur-System der vierfüßigen Thiere”**

Note by FRANCIS HEMMING

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

The purpose of the present note is to examine the question of the availability under the *Règles* of the work by Frisch (J.L.) published in 1775 under the title *Das Natur-System der vierfüßigen Thiere*. This work is of considerable importance to mammalogists in the sense that, if it were to be accepted, a number of generic names would date therefrom. In consequence, it is desirable that an authoritative ruling should be provided in regard to the availability of this book in order to put a stop to the opportunities for name-changing which it provides.

2. So far as the International Commission is concerned, the problem presented by the *Natur-System* of Frisch arose incidentally in 1944 in the course of correspondence between myself and Dr. Wilfred H. Osgood (*Chicago Natural History Museum, Chicago, Illinois, U.S.A.*), on the subject of the acceptability of the work by Zimmermann (A.E.W.von) published in 1777 under the title *Specimen Zoologiae geographicae*, a matter with which I was then concerned in an effort which I was making to advance the consideration of a long-outstanding application regarding the availability of the generic name *Dama* Zimmermann, 1780, the papers regarding which had been transferred to my custody in 1939 just before the outbreak of the recent war.

3. In a letter dated 12th October 1944, Dr. Osgood, after expressing his views on the subject of the availability of Zimmermann’s *Specimen*...
Zoologicae geographicae, raised the question of the availability of the work entitled *Das Natur-System* by Frisch as follows:—

The name *Dama* was used by Frisch in 1775, antedating any use by Zimmermann, but opinion seems fairly general that the names of Frisch should not be accepted. Since he was cited by Palmer (*Index*, 1904), however, his names are occasionally brought forward and a general ruling in regard to them also [i.e. in addition to the names in Zimmermann’s *Specimen Zoologicae geographicae*] would seem desirable.

4. The status of Frisch’s *Das Natur-System* was considered by Dr. Charles Davies Sherborn, when compiling his *Index Animalium*, and he then rejected this work as non-binominal (Sherborn, 1902, *Index Anim. Pars prim.*: xxi). Not long afterwards Dr. Sherborn lent a copy of this very rare book to Oldfield Thomas for critical study. The results of this examination were embodied in a joint paper by Oldfield Thomas and Gerrit S. Miller, Jr. in a paper published in 1905 (*Ann. Mag. nat. Hist. (7) 16*: 461—465). The evidence so brought forward demonstrates beyond possibility of question that in the *Das Natur-System* Frisch did not apply the principles of binominal nomenclature. Thomas and Miller gave a specimen of the lay-out adopted by Frisch in this work; this was of a semi-tabular character, the information provided being arranged in three columns on each page, the first column headed “Societas”, the second, “Genus”, the third, “Species”. Thomas and Miller pointed out that, unlike most of the early non-binominal but so-called “binary” authors, Frisch did not even recognise consistently the need for employing a single word to denote the concept of the genus and they cited the following examples of cases where Frisch used two or more words for this purpose: *Ovis communis; Ovis auribus pendentibus; Tragus moschatus; Mus araneus; Phoca ursus*.

5. During my recent visit to the United States (December 1947), I discussed this case, first at Washington, with Dr. Remington Kellogg (*United States National Museum*) and later, at Chicago with Dr. Philip Herschkowitz (*Chicago Natural History Museum*), both of whom agree that Frisch’s *Das Natur-System* is not an available work and ought to be rejected.

6. In the light of the foregoing considerations, I recommend that the International Commission should give a ruling that in the work entitled *Das Natur-System der vierfüssigen Thiere* Frisch did not comply with the requirements of Proviso (b) to Article 25 and therefore that names published in this work acquired no status of availability in virtue of having been so published. It is clear that a decision in this sense is calculated to promote stability in the nomenclature of the mammals, as Frisch’s names are not in general use. An authoritative ruling against the availability of his *Natur-System* should serve to put a stop to efforts to inject life into these names.
II.—THE SUBSEQUENT HISTORY OF THE CASE

2. As has been explained in the preceding paragraph, the problem dealt with in the present Opinion emerged incidentally in the course of an investigation into another problem (that of the availability of names published in Zimmermann’s *Specimen Zoologiae geographicae* of 1777), with the result that no formal application of the ordinary type was submitted in this case. In its place there was the note dated 2nd April 1948 in which Mr. Hemming not only set out the issues involved but, in addition, gave particulars of the consultations which he had held before submitting the present case for decision.

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

3. The question of the interpretation of Proviso (b) to Article 25 was the first of the problems connected with the wording of the *Règles* to be considered by the International Commission on Zoological Nomenclature at its Paris Session in 1948. The Commission, after examining the draft Report submitted to it by the Secretary, decided to approve and adopt the recommendations so laid before it. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression “nomenclature binaire” as used in the foregoing Proviso had the same meaning as the expression “nomenclature binominale”, and (2) to recommend the substitution of the latter expression for the equivocal expression “nomenclature binaire.” (Paris Session, 4th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4: 63—66). It was in the light of the decision so taken that the International Commission considered the question of the availability of Frisch’s *Das Natur-System der vierfüssigen Thiere* at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the
foregoing meeting (Paris Session, 14th Meeting, Conclusion 42) (1950, Bull. zool. Nomencl. 4 : 548—549) :

THE COMMISSION agreed :

(1) that the book by Frisch (J.L.) published in 1775 under the title Das Natur-System der vierfüßigen Thiere was not available for nomenclatorial purposes under the Règles, Frisch not having applied therein the principles of binominal nomenclature, as prescribed by Proviso (b) to Article 25, and therefore that the names attributed to Frisch as from the foregoing work possessed no nomenclatorial status therefrom ;

(2) to render an Opinion recording the decision specified in (1) above.

4. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 118).

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

Beltrán vice Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle vice Jordan ; Jorge vice do Amaral ; Kirby vice Stoll ; Lemche vice Dymond ; Mansour vice Hankó ; Metcalfe vice Peters ; Riley vice Calman ; Rode ; Spärck vice Mortensen ; van Straelen vice Richter ; Usinger vice Vokes.
6. The Ruling given in the present opinion was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

7. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the Règles establishing an "Official Index" to be styled the Official Index of Rejected and Invalid Works in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, Copenhagen Decisions zool. Nomencl.: 23—24). Since the foregoing decision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present opinion has been taken to record the insertion in the foregoing Official Index of the title of Frisch's Das Natur-System der vierfüßigen Thiere of 1775.

8. 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.

9. The present opinion shall be known as Opinion Two Hundred and Fifty-Eight (258) of the International Commission on Zoological Nomenclature.

Done in London, this Nineteenth day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS
RENDERED BY THE INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 259
Rejection of the names used by Mark Catesby in the
Natural History of Carolina, as republished by Edwards
in the edition of 1771, but acceptance of names formed
in accordance with the Linnean system inserted by
Edwards in that edition

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Issued 10th August, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 259

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetsets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinar- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Særck (Universitetsets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 259

REJECTION OF THE NAMES USED BY MARK CATESBY IN THE “NATURAL HISTORY OF CAROLINA”, AS REPUBLISHED BY EDWARDS IN THE EDITION OF 1771, BUT ACCEPTANCE OF NAMES FORMED IN ACCORDANCE WITH THE LINNEAN SYSTEM INSERTED BY EDWARDS IN THAT EDITION

RULING:—(1) The decision taken in Opinion 89 to use the Plenary Powers, in so far as that might be necessary, to suppress for nomenclatorial purposes the names which appear in the edition of Mark Catesby’s pre-1758 work The Natural History of Carolina edited by George Edwards and published in 1771 does not apply to the names employed in accordance with the Linnean system in the Concordance of the Linnean nomenclature of the species concerned with the nomenclature used therefor by Catesby in the original edition of the foregoing work, given by Edwards in volume 2 of the edition issued in 1771 under the title A Catalogue of the Animals and Plants represented in Catesby’s “Natural History of Carolina”. With the Linnean Names.

(2) In view of (1) above, the names employed by Edwards in accordance with the Linnean system in the Concordance referred to above but not the names used by Catesby in the original pre-1758 edition of The Natural History of Carolina given in the second column of the same Concordance, are available under the Règles as from 1771, the year in which the volume containing Edwards’ Concordance was published.

(3) The Edwards (1771) edition of Catesby (M.), The Natural History of Carolina, exclusive of the portion of the Concordance referred to in (2) above containing the names employed by Edwards in accordance with the Linnean system, is hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature as Work No. 9.

(4) The Catalogue of the Animals and Plants in Catesby’s “Natural History of Carolina” inserted by Edwards...
in volume 2 of his (1771) edition of Catesby's work is hereby placed, to the extent indicated in (2) above, on the Official List of Works Approved as Available in Zoological Nomenclature as Work No. 6.

I.—THE STATEMENT OF THE CASE

The problem dealt with in the present Opinion came to light in the course of an examination, by Mr. Francis Hemming, Secretary to the International Commission, of the Commission’s Opinion 13 ("The Specific Name of the Sand Crab") (1910, Smithson. Publ. 1938 : 22—24) carried out in 1944 in connection with the re-issue of that Opinion then in preparation. This examination showed a partial inconsistency between this Opinion and the Commission’s later Opinion 89 (1925, Smithson. misc. Coll. 73 (No. 3) : 27—23) which called for clarification. Mr. Hemming’s Report on this subject was embodied in Note 3 attached to the re-issue of Opinion 13. Up to this point this question had been dealt with on the Commission’s Registered File Z.N.(G.) 24 (re-issue of old Opinions), but at this stage it was judged desirable to open a separate File for the present case which was thereupon given the Registered Number Z.N.(S.) 269. The Report submitted by Mr. Hemming, which bore the date 29th April 1945, was as follows :

On the relation of "Opinion" 89 to "Opinion" 13 as respects the edition of Catesby (M.), "Natural History of Carolina", published by Edwards (G.) in 1771

By FRANCIS HEMMING (Secretary to the International Commission on Zoological Nomenclature)

The status of names originally published in or before 1757 and republished in or after 1758 is discussed in Opinion 5, where it is pointed out that, in order “to become eligible under the Code, such names must be reinforced by adoption or acceptance by the author publishing” the reprint or other later work containing the names in question.

2. In considering the status of the name Cancer arenarius as used in the edition of Catesby’s Natural History of Carolina, etc., published
by George Edwards in 1771, the International Commission on Zoological Nomenclature accordingly applied (in Opinion 13) the criteria laid down in Opinion 5. As the result of this consideration, the Commission reached the conclusion (paragraph 5) that the names in the Edwards edition of Catesby did not comply with the conditions laid down in Opinion 5 and in consequence were not available under the Code.

3. It should be noted that the question of the status of names published in 1771 by Edwards in his edition of Catesby's Natural History of Carolina was again brought before the International Commission in 1922,* when Commissioner David Starr Jordan included it in a list of zoological works, which he suggested should be suppressed by the Commission under its Plenary Powers, on the ground that the strict application of the rules in their case would clearly result in greater confusion than uniformity. This proposal was adopted by the Commission as regards the Edwards edition of Catesby, except for the Concordance of the names used by Catesby with those applicable to the species concerned according to the Linnean system given by Edwards in volume 2 under the title: "A Catalogue of the Animals and Plants represented in Catesby's Natural History of Carolina: With the Linnean Names." This decision was embodied in Opinion 89 published on 16th December 1925.†

4. The Concordance of names referred to above is the document from which an extract relating to the Class Crustacea was quoted by Miss Rathbun in her petition to the Commission in regard to the case dealt with in Opinion 13.‡

5. So far as concerns the Edwards edition of Catesby, the effect of Opinion 89 is:

(i) to suppress nomenclatorially all new names included in the Edwards edition, in so far as such names were used by Catesby in the original (pre-1758) edition of his Natural History of Carolina; and

(ii) to leave unaffected the status of names formed in accordance with the Linnean system and used by Edwards in the Concordance given by him in volume 2 of his edition of Catesby.

6. Reference to the extract from Edwards' Concordance quoted by Miss Rathbun‡ shows that the name formed in accordance with the Linnean system which Edwards applied to the "Sand Crab" was Cancer vocans Linnaeus, 1758. In the opposite column, he cited

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* The original of Commissioner D. S. Jordan's application is dated 7th July 1922. It is included among the papers relating to Opinion 89 in Volume 3 of bound correspondence relating to Opinions preserved in the archives of the International Commission.
† See 1925, Smithsonian. misc. Coll. 73 (No. 3) : 27—33.
‡ See paragraph 1 of Opinion 13.
the name *Cancer arenarius* but he did this merely to show that this was
the name applied to that species by Catesby. Accordingly, the name
*Cancer arenarius* of Catesby, as reprinted by Edwards in 1771, is
suppressed for nomenclatorial purposes by *Opinion* 89.

7. To sum up: The Commission in *Opinion* 13 declared that new
names published by Edwards in 1771 in his edition of Catesby’s
*Natural History of Carolina* were ineligible for consideration under the
Code because those names did not satisfy the requirements of Article 25
as defined by *Opinion* 5; later in *Opinion* 89, the Commission went
further and under its Plenary Powers suppressed for nomenclatorial
purposes the whole of the Edwards edition of Catesby, with the
exception of the names formed in accordance with the Linnean system
added by Edwards in the Concordance. In view of *Opinion* 13,
*Opinion* 89 was unnecessary so far as concerns the Edwards edition
of Catesby, and, if the petition on which the last-named *Opinion* was
based had been solely concerned with the Edwards edition, the
Commission would have thought it sufficient, in *Opinion* 89,
to refer the petitioner to *Opinion* 13. In fact, however, the Edwards
dition of Catesby was only one of a number of works which the
Commission was then asked to suppress under its Plenary Powers
and it accordingly took the line that the simplest course was to accept
the proposal submitted to it in regard to this work, since in effect it did
no more than reaffirm the decision which it had already taken in
*Opinion* 13.

2. In Note 8 attached to the foregoing re-issue of *Opinion* 13
Mr. Hemming summarised his conclusions in paragraphs 2 and
6(1), and in paragraph 9(2) he submitted the following recommend-
amination as to the action to be taken to rectify the inconsistency
between *Opinions* 13 and 89, namely (a) that *Opinion* 13 should
be cancelled and (b) that, so far as concerns the availability of
names used by Edwards in his edition of Catesby’s *Natural History of Carolina* published in 1771, that *Opinion* should be
replaced by an *Opinion* in the following terms:—

2. The preliminary decision referred to in paragraph 1(1) above
is important, since it provides an authoritative guide to the nomen-
clatorial status of names first published in 1771 in Edwards’ edition of
Catesby’s *Natural History of Carolina*, but this decision is irrelevant
to the problem of the name of the Sand Crab, since, even if the names
first published by Edwards in Catesby, 1771, were available nomen-
clatorially, the name *Cancer arenarius* Edwards, 1771 (the only one of
those names which is involved in the problem of the name of the Sand
Crab) would nevertheless be unavailable for the Sand Crab, for (as
shown in Note 6 above) the name *Cancer arenarius* Edwards, 1771, would have been a homonym of the name *Cancer arenarius* Toreen, 1765, previously given to an entirely different species.  

6. In the light of the evidence summarised above, the position as regards the conclusions embodied in Opinion 13 is seen to be as follows:—

(1) The first sentence in the “summary” (“Catesby’s (1743) pre-Linnaean name *Cancer arenarius* is not available under the Code, although ‘reprinted’ in 1771”) contains an important ruling by the International Commission on the nomenclatorial status of the edition of Catesby, 1743, *Natural History of Carolina*, published by Edwards in 1771. This decision has no bearing, however, upon the question of the correct scientific name of the Sand Crab, since even if the Edwards edition of Catesby was a nomenclatorially available work, the name *Cancer arenarius* Edwards, 1771, would not be available as the name of the Sand Crab, since it would be a homonym of the older name *Cancer arenarius* Toreen, 1765 (see paragraph 2).

9. The action now proposed is, therefore, that the International Commission should:—

(2) render an *Opinion* confirming as follows the question of principle dealt with in the first sentence of *Opinion 13*;  

“The names published by Mark Catesby in 1743 in his *Natural History of Carolina* possess no status under the Law of Priority as from that date, since it is prior to 1758, the starting point of zoological nomenclature and the Law of Priority (Article 25 of the *Règles Internationales*); nor do those names acquire any rights under the Law of Priority as from 1771, the date on which they were re-published by George Edwards in his edition of Catesby’s *Natural History of Carolina*, since Catesby’s names were not then ‘re-inforced by adoption or acceptance’ by Edwards and in consequence do not qualify for availability under the provisions of *Opinion 5*.”

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. The re-issue of *Opinion 13* and the accompanying notes were sent to printer in May 1945, but, owing to difficulties arising

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from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947, (Ops. Decls. int. Comm. zool. Nomencl. 1 : 207—234). Mr. Hemming’s Note 3 quoted in paragraph 1 of the present Opinion appeared on pp. 213—215 of the re-issue of Opinion 13; the conclusions quoted in paragraph 2 above appeared on pp. 228 and 229 respectively; the recommendation quoted in the same paragraph appeared on p. 231.

4. The publication of the present application in the re-issue of Opinion 13 elicited no objection to the action proposed, and it was accordingly placed on the Agenda for the meeting of the International Commission arranged to be held in Paris in July 1948.

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

5. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the Commission, giving a summary of the introductory statement made by the Acting President (Mr. Francis Hemming) and of the ensuing discussion (1950, Bull. zool. Nomencl. 4 : 570) :

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that, since the time when, as Secretary to the Commission, he had prepared for the consideration of the Commission the “Editorial Notes” now under examination, he had come to the conclusion that, in view of the decision taken by the Commission in Opinion 89 to use its Plenary Powers to suppress for nomenclatorial purposes names used by Catesby in his pre-1758 Natural History of Carolina, as republished by Edwards in 1771, the position, as it had existed before that decision, had become a matter
of academic interest only, and therefore that there was no need now for the Commission to render an Opinion restating the decision on this subject given implicitly in Opinion 13. It was desirable, however, in his view, that the Commission should render an Opinion clarifying the decision in regard to Edwards (1771) edition of Catesby's book given in Opinion 89, for it was misleading in the highest degree that there should be no express mention in that decision of the material limitation imposed thereon by the reservation attached to Commissioner Stejneger's vote. It was essential that by one means or another such a clarification should be made before the decision in that Opinion was recorded in the Schedule which was now to be added to the Règles recording decisions taken by the Commission under its Plenary Powers.

IN DISCUSSION, it was generally agreed that it was necessary that the decision in Opinion 89 should be clarified in the manner proposed.

6. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case (Paris Session, 14th Meeting, Conclusion 51) (1950, Bull. zool. Nomencl. 4 : 568—571) :

THE COMMISSION agreed :—

to render an Opinion supplementary to Opinion 89, making it clear :—

(a) that the decision taken in Opinion 89 to use the Plenary Powers, in so far as that might be necessary, to suppress for nomenclatorial purposes the names

2 At the time of the adoption of Opinion 89 involving, as it did, the use by the Commission of its Plenary Powers, absolute unanimity among the Members of the Commissioners voting was required in order to secure adoption. Dr. Stejneger qualified his vote by attaching a reservation in favour of any names in the "Concordance" at the end of volume 2, used by Edwards in accordance with the Linnean system, and this involved a similar reservation in the decision of the Commission as a whole.
which appeared in the edition of Mark Catesby's pre-1758 work *The Natural History of Carolina*, edited by George Edwards and published in 1771, did not apply to the names employed in accordance with the Linnean system in the Concordance of the Linnean nomenclature of the species concerned with the nomenclature used therefor by Catesby in the original edition of the foregoing work, given by Edwards in Volume 2 of the edition issued in 1771 under the title "A Catalogue of the Animals and Plants represented in Catesby's *Natural History of Carolina* : With the Linnean Names".

(b) that, in view of (a) above, the names employed by Edwards in accordance with the Linnean system in the Concordance referred to above, but not the names used by Catesby in the original pre-1758 edition of *The Natural History of Carolina* given in a second column in the same Concordance, were available under the *Règles* as from 1771, the year in which the volume containing Edwards' Concordance was published.

7. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 120).

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

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.
9. The Ruling given in the present Opinion was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

10. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the Règles establishing an "Official Index" to be styled the Official Index of Rejected and Invalid Works in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, Copenhagen Decisions zool. Nomencl. : 23—24). The Congress decided also to insert in the Règles a provision establishing an "Official List" to be styled the Official List of Works Approved as Available in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either validate under its Plenary Powers or declare to be an available work, together with any supplementary decisions which the International Commission might take in regard to any aspect of that work (1953, Copenhagen Decisions zool. Nomencl. : 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 (a) in the foregoing Official Index of the title of the Edwards (1771) edition of the work by Catesby (M.) entitled The Natural History of Carolina originally published before the starting point of zoological nomenclature (1758), subject to the qualification specified in Section (1) of the Ruling given in the present Opinion, and (b) in the foregoing Official List of the title of the Concordance by Edwards entitled A Catalogue of the Animals and Plants in Catesby's "Natural History of Carolina" published in volume 2 of the edition of Catesby's book edited by Edwards and published in 1771, subject to the qualification specified in Section (2) of the Ruling given in the present Opinion.

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

12. The present Opinion shall be known as Opinion Two Hundred and Fifty-Nine (259) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-First day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINION 260

Rejection for nomenclatorial purposes of the work by Meuschen (F.C.) issued in 1778 under the title *Museum Gronovianum*

LONDON:

Printed by Order of the International Trust for Zoological Nomenclature
and
Sold on behalf of the International Commission on Zoological Nomenclature by the International Trust at its Publications Office
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1954

Price Nine Shillings

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INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULED GIVEN IN OPINION 260

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senior Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanietcs Zoologiske Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiho Esaki (Kyushu University, Fukuoka, Japan).
Professor Bela Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 260

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK BY MEUSCHEN (F.C.) ISSUED IN 1778 UNDER THE TITLE "MUSEUM GRONOVIANUM"

RULING:—(1) The work by Meuschen (F.C.) issued in 1778 under the title Museum Gronovianum is not available for nomenclatorial purposes (a) because it was not "published" within the meaning of Article 25 of the Règles and (b) because in it Meuschen did not apply the principles of binominal nomenclature as prescribed in Proviso (b) to the foregoing Article.

(2) The above work is hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature as Work No. 10.

I.—THE STATEMENT OF THE CASE

The problem dealt with in the present Opinion came to light in the course of an examination, by Mr. Francis Hemming, Secretary to the International Commission, of the Commission's Opinion 13 ("The Specific Name of the Sand Crab") (1910, Smithsonian. Publ. 1938: 22—24) carried out in 1944 in connection with the re-issue of that Opinion then in preparation. This examination showed that one of the assumptions adopted
implicitly in the conclusion reached regarding the specific name of the Sand Crab was that the name *Cancer quadratus* Fabricius, 1793, is invalid by reason of being a junior homonym of *Cancer quadrata* Meuschen, 1778. The status of Meuschen’s *Museum Gronovianum*, the book in which the foregoing name was first published, appeared so questionable that Mr. Hemming took the view that it was a matter on which it was essential that an authoritative ruling should be obtained from the International Commission. Mr. Hemming accordingly prepared a Report on this subject which was thereupon annexed to the re-issue of *Opinion* 13, as Note 7. Up to this point this question had been dealt with on the Commission’s Registered File Z.N.(G.) 24 (re-issue of old *Opinions*), but at this stage it was judged desirable to open a separate File for the present case which was thereupon given the Registered Number Z.N.(S.) 270. The Report submitted by Mr. Hemming, which bore the date 29th April 1945, was as follows:

On the nomenclatorial status of scientific names first appearing in print in Meuschen (F.C.), 1778, “*Museum Gronovianum*”

By FRANCIS HEMMING

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

One of the assumptions made in the statement of the case on which *Opinion* 13 was based was the assumption that *Cancer quadratus* Fabricius, 1793, was invalid because it was pre-occupied, *i.e.* because it was invalid as a homonym under Article 35 of the *Règles Internationales*. The petitioner did not specify the name of the author by whom, it was alleged, the binominal combination “*Cancer quadratus*” had been published as a new specific name for some species of the Class Crustacea prior to its being published in 1793 as the specific name for the Sand Crab. Leaving aside the fact that both the “statement of the case” and *Opinion* 13 itself were in error in attributing the name *Cancer quadratus* to Fabricius as from 1793, since that name was in fact first published by Fabricius as the name of the Sand Crab in 1787, the position, as disclosed by Sherborn, 1902, *Index Anim.* Pars Prima : 805 (published eight years before *Opinion* 13), is that the binominal combination *Cancer quadrata* appeared in print on one occasion prior to 1787 (the date on which Fabricius first published the name *Cancer quadratus* as the specific name of the Sand Crab). The author by whom the name *Cancer quadrata* was so used was Friedrich Christian Meuschen, by whom it was introduced in 1778 on page 84 of a booklet usually known by the abbreviated title “*Museum Gronovianum*.”
2. Meuschen’s *Museum Gronovianum* is an extremely scarce work, the only copy of which that is known to me being that in the library of the British Museum (Bloomsbury). Through the courtesy of the Trustees of the Museum, it is possible to give on plates 1 and 2 of the present edition of *Opinion* 13 facsimiles of pages 84 and 94 of this rare booklet. Page 84 is the page on which the name *Cancer quadrata* appears and the two pages taken together illustrate very well the character of Meuschen’s *Museum Gronovianum* and the system of nomenclature used in it.

3. The full title of Meuschen’s *Museum Gronovianum* is as follows:

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4. Meuschen’s *Museum Gronovianum* is a small quarto volume, the collation of which is as follows:

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I-VI, 1-231-[232]-1 unnumbered page (recto advertisements, verso blank).
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5. As the title shows, Meuschen’s *Museum Gronovianum* is a Catalogue of the zoological, botanical and mineral collections formed by Laurentius Theodorus Gronovius prepared for sale by auction (subhasta) in October 1778, the year following Gronovius’s death.

6. In Meuschen’s Catalogue the Gronovius collection is arranged in 2861 lots. These lots are arranged in a rough systematic order, the first lots consisting of specimens of the Class Mammalia (“Quadrupedia”). At the end of the description of each lot, the number of specimens comprised in the lot is indicated. This is done
by means of such expressions as "2 stuks" (as in lots 786 and 787*), "Een doublet" (as in lot 867†) and "Twee doubletten" (as in lots 874 and 877†).

7. In some cases the first word in the description of the lot is the generic name (in small capitals) (for example, the name "Cancer" in lots 786 to 791*) of the one or more species included in that lot. In other cases, the first word in the description of the lot is the specific trivial name (not necessarily binomial in form) of the species (one or more in number) included in the lot. In the latter class of case the name of the genus to which the species concerned were attributed is ascertainable only from the generic names—cited in the nominative plural—placed as a cross-heading above the description of the first lot comprising species attributed to that genus. For example, lots 868 to 874† comprise species attributed to the genus Solen, as is indicated by the word "Solenes" (in capitals) which appears as a cross-heading above the description of lot 868,† the first of the lots concerned.

8. Certain of the lots contained specimens of only one species, as [Solen] Siliqua (lot 869†) and [Solen] Anatinus (lot 873). In other cases, specimens of the same species were included in two successive lots. For example, both lot 870 and lot 871 contained only specimens of the species referred to under the (non-binomial) name [Solen] Radiatus violaceus.†

9. In a considerable number of cases specimens of several distinct species were included in a single lot. For example, in the portion of the Catalogue containing specimens of the Order Lepidoptera (Class Insecta) lot 699 contained specimens of four common and very distinct species of the Family Pieridae, namely:—Papilio rapae Linnaeus, 1758 (Pieris rapae (Linnaeus, 1758)), (ii) Papilio crataegi Linnaeus, 1758 (Aporia crataegi (Linnaeus, 1758)), (iii) Papilio brassicae Linnaeus, 1758 (Pieris brassicae (Linnaeus, 1758)), and (iv) Papilio napi Linnaeus, 1758 (Pieris napi (Linnaeus, 1758)). The method adopted by Meuschen in lot 699 for enumerating the specimens of these four species in the Gronovius collection was as follows:—


10. The lot in which the specific trivial name "quadrata" was applied to a species of the genus "Cancer" is lot 789, which is described on page 84 of Meuschen's Museum Gronovianum.* The

* See plate 1.
† See plate 2.
first name cited is "Cancer granulatus" and this is followed by three other names, separated from one another by commas. These names are (i) "Arenaria," (ii) "minutus? Quadrata," (iii) "Variolata." Next come four vernacular names, referring (presumably) to the four species for which Latin names had just been given. These are followed by short Latin diagnoses for the species already referred to as "Arenaria" and "Quadrata" respectively. Each of these diagnoses is preceded by a number (in the first case "960" and in the second "963"), which refer to the non-binominal work published by Gronovius under the title Zoophylacium Gronovianum, a work which has been suppressed for all nomenclatorial purposes by the International Commission on Zoological Nomenclature acting under its plenary powers (Opinion 89, published in 1925). The entry for lot 789 concludes with further references to the Zoophylacium Gronovianum and an indication of the number of specimens to be sold as "6 stuks".

11. The examples cited in the preceding paragraphs show that Meuschen's Museum Gronovianum displays a complete lack of consistency in the presentation of the names of the species enumerated in that Catalogue. In some cases the trivial names of species are preceded by a generic name in the nominative singular; in others no generic name is cited for the species concerned, the only indication of the name of the group or genus to which the species are referred being given by occasional cross-headings consisting either of a single word in the nominative plural (as Quadrupedia, Solenes, etc.) or of two words also in the nominative plural (as "Canceri Monoculi" on page 83). Again, some lots are confined to a single species, while others include two or more specific trivial names, no indication being given to show whether Meuschen regarded each name cited as being the name of one of the species comprised in the lot (as he certainly did in the case of lot 699) or whether he considered some of these names as synonyms of other names previously enumerated in the description of the contents of the lot concerned.

12. The system of nomenclature followed by Meuschen in the Museum Gronovianum is naturally the system of nomenclature employed by Gronovius, since Meuschen's booklet is no more than a sale Catalogue of the Gronovius collection. It is probable indeed that the names, diagnoses, and references given by Meuschen in his Catalogue represent no more than the transcription of the labels written by Gronovius himself for the explanation and display of his collection. Accordingly, as was to be expected, the system of nomenclature employed by Meuschen in his Museum Gronovianum is identical with that employed fifteen years earlier by Gronovius in his Zoophylacium Gronovianum, that is to say: Meuschen, like Gronovius, recognised the concept of the genus (for example, Cancer, Papilio, etc.) and grouped in each genus those species which he regarded as falling within the generic definition. Within each genus Meuschen (like Gronovius) cited species sometimes under a single specific trivial
name (in most cases specific trivial names given by Linnaeus in the
Syst. Nat.), sometimes under polyverbal specific trivial names of the
type habitually used in zoological works prior to the introduction of
the binominal system of nomenclature by Linnaeus in 1758.

13. In the period 1907–10 the International Commission on
Zoological Nomenclature gave express consideration to the status of
new names published by Gronovius in 1763 in his Zoophylacium
Gronovianum. In the Opinion (Opinion 20), in which the Commission
delivered its conclusions in this matter, it stated that new generic
names published by Gronovius in the Zoophylacium Gronovianum
were available under the International Code, because the following
two conditions were satisfied in that work:—(i) Gronovius applied
the principles of binary nomenclature¹ as required by proviso (b) to
Article 25, because in the Zoophylacium Gronovianum Gronovius
named "two units or things, genera and species"; (ii) Gronovius
used a uninominal (i.e. univerbal) system of nomenclature for genera
as required by Article 2 of the International Code. Nothing was
said in Opinion 20 regarding the status of new specific trivial names
published by Gronovius in the Zoophylacium Gronovianum, but the
criteria applied by the Commission in that Opinion in determining the
question whether the generic names first published in that work are
available under the Règles Internationales must apply also to the
question whether new specific trivial names first published on that
occasion are so available. In the case of generic names, the Commis-
sion guided itself by Article 25 (as regards the nature of the system
of nomenclature employed) and Article 2 (as regards the application
by Gronovius of that system to a particular class of name, i.e. to
generic names). Accordingly, these two criteria apply also to the new
specific trivial names published by Gronovius in the Zoophylacium
Gronovianum. Gronovius’s specific trivial names clearly satisfy
proviso (b) to Article 25 to precisely the same extent as do his generic
names. When, however, his specific trivial names are examined in
relation to Article, 2 it is found that some are binominal combinations
as required by that Article, while others are of the polyverbal type
prevalent prior to 1758. Both types of name were regarded by
Gronovius as equally proper. While, therefore, Gronovius applied
the principles of binary nomenclature as defined by Opinion 20, he did

¹ The discussion in the foregoing passage of the ruling given in Opinion 20 in
relation to the meaning of the expression “nomenclature binaire” (binary
nomenclature), as used in Proviso (b) to Article 25 of the Règles has been
rendered irrelevant by the decision of the Thirteenth International Congress
of Zoology, Paris, 1948 (a) that the expression “nomenclature binaire”
possesses the same meaning as the expression “nomenclature binomiale”
and (b) to substitute the latter expression for the ambiguous expression
“nomenclature binaire”, wherever that expression occurred in the Règles
(1950, Bull. zool. Nomencl. 4 : 64–66). At the same time the International
Commission on Zoological Nomenclature cancelled Opinion 20 for all except
historical purposes.
not follow for species a binominal system of nomenclature as required by Article 2. Accordingly, new specific trivial names published by Gronovius in the *Zoophylacium Gronovianum*, unlike new generic names published in that work, are not available under the *Règles Internationales* and have, therefore, no status under the Law of Priority as from the date of being so published. Since, as already pointed out, the system of nomenclature employed by Meuschen in 1778 in the *Museum Gronovianum* is identical with that employed by Gronovius himself in 1763 in his *Zoophylacium Gronovianum*, no new specific trivial name used by Meuschen in the first-named work has any status under the Law of Priority as from the date (1778), on which it was so used.

14. Quite apart from the question whether in the *Museum Gronovianum* Meuschen applied the principles of binary nomenclature, it is necessary to consider whether that work was ever published ("divulgué dans une publication") within the meaning of Article 25 of the *Règles Internationales*. The exact meaning to be attached to the expression "divulgué dans une publication" as used in Article 25 has never been clearly defined, although the question has been under consideration by the International Commission on Zoological Nomenclature for some years and clearly should be taken up again by the Commission after the end of the war². In the meanwhile, it must be noted that a start was made in the clarification of this problem in *Opinion* 15 of the Commission, published in 1910. In that *Opinion* the Commission laid it down that "Publication, in the sense of the Code, consists in the public issue of printed matter". This decision was re-affirmed in *Opinion* 51 (published in 1912), when the Commission added the explanation that "the qualifying word ‘public’ in this definition [i.e. in the definition given in *Opinion* 15] indicates that the printed matter in question is not intended for special persons only or for a limited time, but that it is given to the world, or used in the nature of a permanent scientific record".

15. On the basis of the foregoing definition of the meaning to be applied to the expression "divulgué dans une publication", the International Commission decided (in *Opinion* 51) that the sale catalogue of the collection of shells made by de Calonne, usually known as the *Museum Calonnianum*, was not published within the meaning of Article 25 of the *Règles Internationales* and therefore that new names included in it possessed no rights under the Law of Priority. Meuschen’s *Museum Gronovianum* resembles the *Museum

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² At the time when the above paper was written, the only substantive text of the *Règles Internationales* (the International Code) was the French text, the English, German and Italian texts being no more than translations of the substantive (French) text. The expression here quoted is the expression used in the French text of Article 25.

Calonnianum in all relevant respects: it is a sale catalogue of the collection of the deceased collector; the nomenclature used in it is based upon the nomenclature used by the deceased collector; it was intended for special persons only (i.e. prospective purchasers of portions of the collection); it was intended for use only during a limited time (i.e. during the period immediately preceding the sale of the collection and during the actual period of the sale); it was not "given to the world as a permanent scientific record". In view, therefore, of Opinion 51, it is clear that Meuschen's Museum Gronovianum (like the Museum Calonnianum) was not "divulgué dans une publication" in the sense in which that expression is used in Article 25 of the Règles Internationales. It follows that no new name (whether a generic name or a specific trivial name), which first appeared in the Museum Gronovianum possesses any rights under the Law of Priority as from the date (1778) of such appearance.

16. The position as regards Meuschen's Museum Gronovianum may be summarised as follows:—

(1) Whichever may ultimately be found to be the correct meaning of the expression " nomenclature binaire " 4 as used in proviso (b) to Article 25 of the Règles Internationales, no specific trivial name which first appeared in Meuschen's Museum Gronovianum possesses any rights under the Law of Priority as from the date (1778) of such appearance, since even under the wider of the two possible interpretations of the above expression (i.e. the interpretation embodied in Opinion 20), those names do not satisfy the requirements of Articles 2 and 25 of the Règles Internationales, when read together as required by Opinion 20.

(2) Even if the specific trivial names used by Meuschen in the Museum Gronovianum had throughout been formed in the strictest binominal form, they would nevertheless have possessed no rights under the Law of Priority, since Meuschen's Museum Gronovianum was not published (" divulgué dans une publication") in the manner required by Article 25 of the Règles Internationales.

2. Recommendation submitted to the Commission: At the same time Mr. Hemming submitted in a note annexed to the re-issue of Opinion 13 as Note 8 (paragraph 9(3)), the following

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4 At the time when the above paper was written, the only substantive text of the Règles Internationales (the International Code) was the French text, the English, German and Italian texts being no more than translations of the substantive (French) text. The expression here quoted is the expression used in the French text of Article 25.
recommendation for consideration by the International Commission, namely that it should:

(3) render an Opinion as follows on the nomenclatorial status of Meuschen, 1778, *Museum Gronovianum*:

The Museum *Gronovianum* by Friedrich Christian Meuschen issued in 1778 is a sale catalogue of the zoological, botanical and mineral collections formed by Laurentius Theodorus Gronovius, who died in 1777. It was intended for special persons only (i.e. prospective purchasers) and was intended for use for only a limited time (i.e. during the period immediately preceding and during the sale); it was not given to the world as, or used in the nature of, a permanent scientific record. None of the tests laid down in Opinion 51 as the criteria for determining whether a zoological work has been published within the meaning of Article 25 of the *Règles Internationales* is, therefore, satisfied by Meuschen’s *Museum Gronovianum*. Accordingly, no name which first appeared in Meuschen’s *Museum Gronovianum* possesses any rights under the Law of Priority as from the date of such appearance.

II.—THE SUBSEQUENT HISTORY OF THE CASE

3. The re-issue of *Opinion* 13 and the accompanying notes were sent to the printer in May 1945, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes publication did not actually take place until 28th February 1947 (*Ops. Decls. int. Comm. zool. Nomencl*. 1: 207—234). Mr. Hemming’s Note 7, quoted in paragraph 1 of the present *Opinion*, which was accompanied by two plates giving facsimiles of pages of Meuschen’s *Museum Gronovianum*, appeared on pp. 219—227 of the re-issue of *Opinion* 13; the recommendation quoted in paragraph 2 above appeared on page 231.
4. On 27th February 1948, Dr. Fenner A. Chace, Jr. (Curator, Division of Marine Invertebrates, United States National Museum, Washington, D.C., U.S.A.) in a letter mainly concerned with the question of the availability of the name Cancer quadratus Fabricius, 1787, referred as follows to the application by Mr. Hemming for a ruling that Meuschen's Museum Gronovianum is not an available work for the purposes of zoological nomenclature:—

"I am in complete agreement with you that this publication has no nomenclatorial standing".

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

5. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the discussion which then ensued:—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that, in view of the decision taken during the present Session that the expression "nomenclature binaire" used up till then in the Règles had a meaning identical with the expression "nomenclature binominale" (by which it was now to be replaced), it was evident from this point of view also that the Museum Gronovianum of Meuschen failed to satisfy the requirements of the Règles and must therefore be rejected for nomenclatorial purposes.

IT WAS GENERALLY AGREED in discussion that the reproduction in facsimile of pages of the Museum Gronovianum contained in Secretary Hemming's paper on this subject made it
absolutely clear that in that work Meuschen had not applied the principles of binominal nomenclature (as required by Proviso (b) to Article 25) and therefore that the above work was not available under the Règles. It was evident also that it had never been published in the sense of Article 25 and that for this reason also the Museum Gronovianum was not an available work, and that names, as appearing in it, possessed no status in zoological nomenclature.

6. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case (Paris Session, 14th Meeting, Conclusion 52) (1950, Bull. zool. Nomencl. 4: 571—573):

THE COMMISSION agreed:

(1) that the work by Meuschen (F.C.) issued in 1778 under the title Museum Gronovianum, was not available for nomenclatorial purposes under the Règles (a) because (by having been printed for special persons only and for a special occasion only, and not having been issued as a document to be used in the nature of a permanent scientific record) it could not be regarded as having been duly published within the meaning of Article 25, and (b) because in this work Meuschen had not applied the principles of binominal nomenclature, as prescribed in Proviso (b) to the aforesaid Article, and therefore that no name acquired any rights under the Règles by reason of having appeared in the above work;

(2) to render an Opinion recording the decision specified in (1) above.

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

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

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

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

10. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the Règles establishing an "Official Index" to be styled the Official Index of Rejected and Invalid Works in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, Copenhagen Decisions zool. Nomencl. : 23—24). Since the foregoing decision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present Opinion has been taken to record the insertion in the foregoing Official Index of the title of Meuschen's Museum Gronovianum of 1778.

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present Opinion is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary
Facsimile of page 84 of Meuschen, 1778, "Museum Gronovianum"

<table>
<thead>
<tr>
<th>Plate 1</th>
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</table>

**Insecta.**

Gr. Z. II. n. 958; L. g. 271. fp. 1, n. 953. 954; L. g. 270. fp. 23. I. en E. 5 stvks.


787 **Cancer Pelagicus, Pagurus; Strand-krab, Zee-krab. Gr. Z. II. n. 955. 956, L. fp. 19. 27. E. 2 stvks.**

788 **Cancer Articulatus, Porcellina, Orbicularis; Ruggeleede Krab, gencepe Krab, gewelde Krab; (957. Orbicularis: thorace laevi latif nucleo subconvexo, marginibus anticus utrinque serratis; pedibus natatorio- carforiis. (Articulatus: thorace lateribus spinois, ebolis supra muriaticis, spinis apice rugosis. Gr. Z. II. n. 958. 957, L. fp. 23? &c. 5 stvks.**


Facsimile of page 94 of Meuschen, 1778, "Museum Gronovianum"

94 Testacea.


866 Anatinus, Eenden-Mossel, speciei varietas n. 864. Twee doubleten; vry groot.


Solenes.


869 Siliqua, Melificaecht; Entra Suiker-Peulje. Gr. Z. III. n. 1097, 1098, L. fp. 34. 35. Twee doubleten.


Tellinae.

875 Lingua felis, Katte-Tong. Gr. Z. III. n. 1002, L. fp. 45. Een doublet.

876 Scobinata, Robbe-Tong, of Sagryne Tyger-Tong. L. fp. 64. Een doublet.

877 Virgata, Roode Zonnestraal, gevoorend; Glabra, gladde Tong. Gr. Z. III. n. 1103 1104, L. fp. 46 &c. Twee doubleten.

878 Fragens, Kraakende; Fucata, Geblankette; Glabra, Gladde Tong. G. Z. III. n. 1105. 1106. 1104, L. fp.
to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Two Hundred and Sixty (260) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Second day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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

VOLUME 5. Part 22. Pp. 281—296, 1 facsimile

OPINION 261
Rejection for nomenclatorial purposes of the Index to the Zoophylacium Gronovianum of Gronovius prepared by Meuschen (F.C.) and published in 1781

LONDON:
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Issued 10th August, 1954
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 261

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senor Dr. Angel Carrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardor Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veteriner- og Landbohojskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 261

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE INDEX TO THE "ZOOPHYLACIUM GRONOVIANUM" OF GRONOVIUS PREPARED BY MEUSCHEN (F.C.) AND PUBLISHED IN 1781

RULING:—(1) In the Index, published in 1781, to Gronovius, 1763—1781, Zoophylacium Gronovianum of Gronovius, Meuschen (F.C.) did not consistently apply the principles of binominal nomenclature, as required by Proviso (b) to Article 25, and this Index is therefore to be rejected for nomenclatorial purposes as well as the main text of the Zoophylacium itself.

(2) The following works or parts of works are hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature as Works Nos. 11 and 12 respectively: (a) Gronovius 1763—1781, Zoophylacium Gronovianum; (b) the Index to Gronovius, 1763—1781, Zoophylacium Gronovianum prepared by Meuschen and published in 1781.

I.—THE STATEMENT OF THE CASE

On 28th July 1937, Mr. Francis Hemming, Secretary to the International Commission, prepared a paper drawing attention to the ambiguity in the wording of the Commission’s Opinion 89, as to the extent to which the Plenary Powers were then used to suppress the Zoophylacium Gronovianum for nomenclatorial purposes, and raising the question of the availability of names published in the Index to the Zoophylacium prepared by Meuschen (F.C.) and published in 1781. Mr. Hemming did not at that time submit his paper to the Commission as an application for a decision, taking the view that it would be premature to do so, having regard to the fact that the question involved could not be settled until after a decision had been reached by the next
International Congress of Zoology on the question whether names published by authors who did not apply the principles of binominal nomenclature but who did recognise that the name of a species must be so constructed as to recognise the twofold concept represented (i) by the species itself and (ii) by the next higher category (i.e. the genus) were acceptable under Proviso (b) to Article 25. At that time the International Commission was under instructions from the last previous Congress—the Twelfth International Congress of Zoology, Lisbon, 1935—to prepare a considered report on the availability of names published by so-called “binary” but non-binominal authors (Lisbon Session, 5th Meeting, Conclusion 3) (1943, Bull. zool. Nomencl. 1: 45). In 1948 a question arose in connection with another case—that of the specific name of the Sand Crab—the answer to be given to which depended, in part, on the availability of names published in Meuschen’s Index to Gronovius’ Zoophylacium Gronovianum. As it was desired to obtain a decision on this latter question from the International Commission at the Session which was then shortly to be held in Paris, Mr. Hemming decided to include the question of the availability of Meuschen’s Index to the Zoophylacium in the Agenda to be presented to the Commission at that Session, and for this purpose submitted, as the application in this case, the paper which he had prepared in July 1937. That paper, to which the Registered Number Z.N.(S.) 311 had been given, was as follows:

Meuschen’s Index to the “Zoophylacium Gronovianum” of Gronovius published in the period 1763—1781

By FRANCIS HEMMING
(Secretary to the International Commission on Zoological Nomenclature)

In the course of my study of the old literature for the purpose of compiling the completest possible Catalogue of the butterflies of the Holarctic Region, I have recently had occasion to study carefully the Zoophylacium Gronovianum of Gronovius published in the period 1763—1781. This book and its index—the latter compiled by F. C. Meuschen—are of importance, for there are new names in the latter, which have been completely neglected. In consequence, the acceptance of these names would lead to most undesirable and quite pointless

Figure on opposite page

The figure given on the opposite page is a fascimile reproduction on a reduced scale of a page of the Index to the Zoophylacium gronovianum of Gronovius prepared by Meuschen (F.C.) and published in 1781.
name-changing, which it would be desirable to prevent by asking the International Commission to intervene with its Plenary Powers.

2. The *Zoophylacium Gronovianum* has twice been considered by the International Commission, but in spite of this—and, to some extent, because of this—the status of this work is by no means clear. The first occasion on which the Commission considered this book was on an application submitted in the period 1907—1910 by Dr. David Starr Jordan. The Commission's decision on this application was embodied in its *Opinion 20*, published in 1910 (*Smithson. Publ. 1938* : 48—50). This was the famous *Opinion* in which the Commission propounded, and gave official recognition to, the view that two classes of author are to be recognised as having published available works for the purposes of Proviso (b) to Article 25, namely (i) binominal authors; (ii) authors, who, though not binominal, nevertheless recognised that the name of a species should be so constructed as to give clear recognition of the principle that such a name should express two concepts, namely that of the species itself and that of the next higher grouping (i.e. the genus). This latter class was made up of the so-called “binary” authors. Under this decision it followed that the generic names in the *Zoophylacium* were available names. It did not follow—but it has sometimes been claimed—that, where Gronovius applied to any given species a name which happened to consist of a binominal combination, the specific trivial name so used as well as the generic name was also available for nomenclatorial purposes.

3. The second occasion on which the Commission considered the *Zoophylacium* was on a further application by Dr. David Starr Jordan, who, appalled by what he called the “stumbling blocks” represented by the so-called “binary” but non-binominal authors, now sought to cut the knot, so far as the literature of ichthyology was concerned, by appealing to the International Commission to use its Plenary Powers to suppress the works in question. One of the works included in this application was the *Zoophylacium* of Gronovius. In Dr. Jordan's application this work was incorrectly cited as “Gronow, 1763, Museum Ichthyologicum, 1763”, but this was later corrected (apparently by Dr. Stiles, as Secretary to the Commission) by the substitution of the word “Zoophylacium” for the word “Ichthyologicum”. So far as the foregoing work was concerned, Dr. Jordan's request was granted by the Commission in its *Opinion 89*, published in 1925 (*Smithson. misc. Coll. 73* (No. 3) : 27—33), under which the *Zoophylacium* was suppressed for nomenclatorial purposes by the use of the Plenary Powers.

4. The question which has next to be considered is the scope of the decision taken by the Commission in regard to the *Zoophylacium* in the foregoing *Opinion*. Did that decision cover only the portion of the above work published in 1763 (the date cited in Dr. Jordan's application)? Or did it cover the whole work? If so, did it cover also
the index to the *Zoophylacium* prepared after the death of Gronovius by F. C. Meuschen? The whole of the *Zoophylacium* prepared by Gronovius himself is on the same plan, and it would be difficult to make out an argument in favour of the view that the decision by the Commission covered only the first of the volumes of this work, though it is no doubt true that, in submitting his application, Dr. Jordan, as an ichthyologist, was interested personally only in securing the suppression of the portion relating to the Class Pisces. The ambiguity on this point in the wording of the Commission's Opinion 89 is an unfortunate defect and one which at some convenient time the Commission should be asked to remedy.

5. In view of the fact that, as explained above, the lack of clarity in the decision given in Opinion 89 leaves it open to argument whether in that Opinion the whole, or only the 1763 portion, of the *Zoophylacium* was then suppressed under the Commission's Plenary Powers means also that it is a matter of doubt whether the Index to the *Zoophylacium* prepared by Meuschen was covered by that decision. This is the more arguable, having regard to the fact that at first sight Meuschen's Index appears to have been prepared on a plan differing from that adopted by Gronovius in the main text, and one more closely resembling the binomial method. A careful inspection of Meuschen's index shows, however, that this appearance is deceptive and that, in fact he used, in compiling this Index, a system of nomenclature which was indistinguishable from that used by Gronovius and many other authors of that period, that is, that he used a system of nomenclature which was not binomial, though it was of the so-called "binary" type. This is brought out particularly clearly in that part of the Index which bears the title *Index Zoophytorum*, where species are listed under such non-binominal names as the following:—Corallina Angelica erecta; Corallina caule angulato rigido.

6. It is not possible at the present time to form any definite conclusion on the availability either (a) of such portion, if any, of the main text of the *Zoophylacium* which may remain unsuppressed under the decision given in Opinion 89, or (b) of Meuschen's Index to that work, since this must depend upon the decision to be taken by the next International Congress of Zoology on the question of the acceptability or otherwise, under Proviso (b) to Article 25, of names published by authors who used the so-called "binary" but non-binominal type of nomenclature, as to which the International Commission were instructed at Lisbon in 1935 to prepare a special report. If the

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1 The Report on the question of the meaning of the expression "nomenclature binaire," as used in Proviso (b) to Article 25 (1950, *Bull. zool. Nomencl. 5*: 152—167) submitted by the Commission in July 1948 was approved by the Thirteenth International Congress of Zoology, Paris, 1948. The decision so taken completely removed all the former doubts regarding the meaning to be attached to the foregoing expression and led to the decision by the Paris Congress to substitute for that ambiguous expression the perfectly clear expression "nomenclature binomiale" (1950, *Bull. zool. Nomencl. 4*: 63—66.)
next Congress decides against the acceptance of these "binary" authors, then the whole of the text of the *Zoophylacium*, together with Meuschen's Index to that work, will be automatically rejected. If, however, the Congress were to decide to uphold the availability of names published by "binary" but non-binominal authors—a contingency which I regard as unlikely in view of the extreme hostility to such a decision displayed in 1930 by the majority of the members of the Section on Nomenclature at the Eleventh (Padua) Congress of Zoology—it will be necessary to consider the submission to the Commission of an application both (i) for a declaration that the decision in *Opinion* 89 is to be read as meaning that the whole of the *Zoophylacium* was then suppressed (or, alternatively, if that was not the intention of that *Opinion*, to apply for the use of the Plenary Powers to suppress the portion not suppressed under that *Opinion*), and also (ii) for the suppression of Meuschen's Index.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. In the period 1944—1945, Mr. Hemming, as Secretary to the International Commission, carried out a detailed examination of the Commission's *Opinion* 13 (1910, *Smithson. Publ.* 1938 : 22—24), an annotated re-issue of which was then in preparation. In the course of this examination, Mr. Hemming took the view that the assumption adopted in the foregoing *Opinion* that the name *Cancer quadratus* Fabricius, 1793, was invalid as a junior homonym was extremely questionable. The applicant in the case dealt with in *Opinion* 13 did not cite any reference in support of the foregoing contention, but an examination of the available literature suggested to Mr. Hemming that the earlier name which the applicant must have had in mind was *Cancer quadrata* Meuschen, 1778, *Mus. gronov.* : 84, which ante-dated by nine years the first publication of the name *Cancer quadratus* Fabricius, which, contrary to the statement in *Opinion* 13, occurred not in 1793 (*Ent. syst.*) but in 1787 (*Mantissa* 1 : 315). There followed an examination by Mr. Hemming of Meuschen's *Museum Gronovianum*, which led to the conclusion that that work had not been duly published within the meaning of Article 25 and further that in it Meuschen had applied a system of nomenclature which was not only not binominal but was not even consistently
“binary” in the sense in which that expression was used at that time. Mr. Hemming accordingly decided to ask the International Commission, inter alia, to render an Opinion rejecting Meuschen’s Museum Gronovianum for nomenclatorial purposes. At the same time he concluded that for the reasons explained above, the oldest available name for the Sand Crab was Cancer quadratus Fabricius, 1787. This conclusion, together with the recommendation regarding Meuschen’s Museum Gronovianum, was embodied in Notes annexed by Mr. Hemming to the re-issue of Opinion 13. That re-issue was sent to the printer in May 1945, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 28th February 1947 (Ops. Decls, int. Comm. zool. Nomencl. 1 : 207—234).

3. View expressed by Dr. Fenner A. Chace, Jr. (United States National Museum, Washington, D.C., U.S.A.): On 27th February 1948, Dr. Fenner A. Chace, Jr. (Curator, Division of Marine Invertebrates, United States National Museum, Washington, D.C., U.S.A.) wrote the following letter, in which he suggested that consideration should be given to the status of the name Cancer quadratus Meuschen, 1781, as published in the Index to the Zoophylicium gronovianum of Gronovius, a name which, if found to be available, would have priority over Cancer quadratus Fabricius, 1787:

It has recently come to my attention that certain workers in the United States are following the recommendations outlined in your revised version of Opinion 13 (Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature, vol. 1, pt. 22, February 28 1947, pp. 207—234).

With the assistance of Dr. L. B. Holthuis of the Leiden Museum who is visiting us at present, I have gone over this question in some detail. As you state, there is no indication in the original version of this Opinion where Cancer quadratus was used prior to Fabricius’ use of the name in 1787. You apparently base your argument for the validation of Ocypode quadrata on the assumption that this name appeared prior to 1787 only in Meuschen’s Museum Gronovianum of 1778. I am in complete agreement with you that this publication has no nomenclatural standing. You will notice, however, that Miss Rathbun in her monograph on the Grapsoid Crabs of America (Bulletin 97, U.S. National Museum, 1918, p. 367) mentions C.
quadratus Meuschen, 1781, as the earliest post-Linnaean valid use of this name.

I have been unable to find the original correspondence relating to this case, but I feel reasonably certain that Miss Rathbun refers to Meuschen's index to Gronovius' *Zoophylacium Gronovianum*. Although this work as a whole, which appeared in 1763, cannot be considered binominal, Meuschen's index, which came out in 1781, is based on Linnean principles according to the preface (cf. W. H. Dall, 1923, "F. C. Meuschen in the Zoophylacium Gronovianum. Explanatory Note", *Nautilus*, vol. 37, pp. 44—52). This index is apparently a rare publication, but I have been able to examine a microfilm copy of it and find that the name quadratus is there employed. If we accept Dall's conclusion that Meuschen’s index is acceptable nomenclaturally, this must be considered a valid use of the name quadratus, and it follows that Fabricius’ *Cancer quadratus* of 1787 is preoccupied.

It has not been possible for me to cover this question as thoroughly as should be done because of the lack of some of these rare publications, but I thought that you should be advised about the use of the name in this publication before your amended opinion is finally acted upon by the Commission.

I would appreciate it if you would let me know what further action is contemplated.

4. Statement furnished by Mr. N. D. Riley (British Museum (Natural History)), London: On receipt of Dr. Fenner Chace's letter of 27th February 1948, Mr. Hemming invited Mr. N. D. Riley (Keeper, Department of Entomology, British Museum (Natural History), London), with whom he had discussed the problem of Gronovius' *Zoophylacium Gronovianum* before the war, to re-examine that work and Meuschen's Index to it, and to furnish a report for the consideration of the Commission. Mr. Riley kindly consented to undertake this investigation, and on 15th July 1948 he furnished the following Report:—

Note on the Nomenclature used by Gronovius in "Zoophylacium Gronovianum", in 1763—1781

By N. D. RILEY
(British Museum (Natural History), London)

The Text is completely consistent throughout. Genera are set out and given single names (e.g. *Papilio*, *Patella*, *Murex*, etc.) and defined either by reference to a previous description, or by the author's own description.
Species are consistently defined by the pre-Linnean system, that is, by a descriptive phrase or diagnosis (e.g. *Serpula tests irregulariter contorta, striata, intus concamerata*).

References are consistently given to the work of previous authors.

The author is consistently binary in taxonomic concept. If the unimomial generic names on the one hand, and the descriptive specific phrases on the other, be taken as two terms of a single nomenclatorial concept, then the author is also binary in respect of his nomenclature. Nowhere in the text does the author use a binominal specific name; such names do occur, but only as cited synonyms.

The *Index* (1781) contains alphabetically (i) the generic names given in the text (ii) other names which, on analysis, prove to be for the most part the trivial names given by Linné (*Syst. Nat.* Eds. 10 and 12) and some other authors to the species (referred to by number) in the text. The great majority of the latter names occur only in the *Index* and not at all in the *Text*, or, if they are in the text they appear there only as synonyms and are italicised in the *Index* to indicate that fact. However, there also occur other trivial names which clearly are introduced by Gronovius himself and are new as of that date (1781), e.g. *Abrotonites* and *Themirias* in Lepidoptera. The application of these names is not open to doubt either as to genus or species as they refer to the numbered descriptions in the text. Nowhere, however, are these generic and trivial names directly associated as binominals.

Also in the *Index*, but especially in the section headed *Zoophyta*, there occur many apparent binominals. These are with very few exceptions (which appear to be misprints) printed in italics thus indicating that the author regarded them as synonyms. On analysis these names prove to be (i) real binominals of other authors, quoted as synonyms (ii) two words taken out of the descriptive definitions used by Gronovius (and other quoted authors) to define the species (iii) combinations which may be new or traceable to some source not at the moment identifiable. Very frequently the name which in these apparent binominals would seem to be generic in character, appears nowhere else in *Text* or *Index* as a generic name, but only as some part of a descriptive diagnosis.

It is abundantly clear that the apparent binominals found in the *Index* to Gronovius are not true binominals, but only incidental to the compiler's system of indexing.

5. At the same time Mr. Riley supplied photostat copies of a number of pages from Meuschen's *Index* to the *Zoophylacium*. One of these—the page relating to the names of zoophytes, to
which Mr. Hemming had referred in paragraph 5 of his paper of 28th July 1937—is annexed to the present Opinion in facsimile in order to illustrate the type of nomenclature used by Meuschen in this Index.

6. On receipt of Mr. Riley's Report and the accompanying photostat copies of pages of Meuschen's Index to the Zoophylacium, Mr. Hemming placed the following note on the File (Z.N.(S.) 311) relating to this case:—

Meuschen's Index to the "Zoophylacium Gronovianum" of Gronovius, 1763—1781

By FRANCIS HEMMING
(Secretary to the International Commission on Zoological Nomenclature)

It is clearly desirable that the opportunity presented by the forthcoming Session of the International Commission should be taken to obtain decisions on the various questions raised in the Notes annexed to the re-issues of the older Opinions so far published. If the Commission is to take the decisions necessary to correct the erroneous portions of Opinion 13 ("The Specific Name of the Sand Crab") and to clarify those parts which are at present obscure, it will be necessary, in view of Dr. Fenner A. Chace's letter of 27th February 1948, to obtain, first, a decision on the question of the availability of names published in Meuschen's Index to the Zoophylacium Gronovianum, a preliminary which I had not realised would be necessary when in 1944—1945 I studied the issues raised in Opinion 13.

2. In the circumstances I propose to treat my note of 28th July 1936 as constituting the "statement of the case" and to bring forward with it Mr. Riley's report of 15th July 1948 and the photostat copies of pages of Meuschen's Index furnished by Mr. Riley at the same time.

3. The proposal that I intend to put to the Commission is that it should reject as not available for nomenclatorial purposes Meuschen's Index to the Zoophylacium, provided that by the time that the Commission reaches this item on its Agenda, it has already approved and adopted the recommendation that I am submitting in Paper I.C.(48)2 that it should advise the Paris Congress that the expression "nomenclature binaire", as used in the Règles, has the same meaning as the expression "nomenclature binominale" and should recommend
the Congress to put an end to argument on this subject by substituting the latter expression for the expression "nomenclature binaire", wherever the latter expression appears in the *Règles* (i.e. in Articles 25 and 26).

4. The adoption of a decision in the foregoing sense in regard to the status of names in the *Index* to the *Zoophylacium* prepared by Meuschen will serve the further useful purpose of making it clear that the whole of the text of the *Zoophylacium* so indexed by Meuschen is unavailable for nomenclatorial purposes, since as the Commission made clear in its *Opinion* 20 in 1910 Gronovius did not apply the principles of binomial nomenclature in that work. Thus, a decision in the sense suggested would clear the air completely by rejecting *in toto* both the *Zoophylacium* of Gronovius published in the period 1763—1781, and also the Index of that work prepared by Meuschen and published in 1781. (It will be noted that, if the Paris Congress takes the line recommended as regards the interpretation of the expression "nomenclature binaire", one of the effects of its decision will be to render unnecessary the action taken by the Commission under the Plenary Powers in *Opinion* 89, for all the works there suppressed are non-binominal works which would automatically be invalid under the interpretation of the foregoing expression referred to above. In such circumstances, it would be a waste of time to investigate the extent to which the Plenary Powers were used to suppress Gronovius' *Zoophylacium*, since that would be a matter of historical interest only, without any practical significance).

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

7. The question of the interpretation of Proviso (b) to Article 25 was the first of the problems connected with the wording of the *Règles* to be considered by the International Commission on Zoological Nomenclature at its Paris Session in 1948. The Commission, after examining the draft Report submitted to it by the Secretary, decided to approve and adopt the recommendations so laid before it. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression "nomenclature binaire" as used in the foregoing Proviso had the same meaning as the expression "nomenclature binominale",
and (2) to recommend the substitution of the latter expression for the equivocal expression "nomenclature binaire" (Paris Session, 4th Meeting, Conclusion 3) (1950, Bull. zool. Nomencl. 4: 63—66). It was in the light of the decision so taken that the International Commission considered the question of the availability for nomenclatorial purposes of the Index to the work by Gronovius published in the period 1763—1781 under the title *Zoophylacium Gronovianum* prepared by Meuschen and published in 1781, at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 29) (1950, Bull. zool. Nomencl. 4: 502—504):

**THE COMMISSION** agreed:—

(1) that in his Index to Gronovius, 1763—1781, *Zoophylacium Gronovianum*, Meuschen (F.C.) had not consistently applied the principles of binominal nomenclature, as required by Proviso (b) to Article 25;

(2) that, in view of (1) above, no new name published in the foregoing Index prepared by Meuschen possessed any availability under the *Règles* in virtue of having been so published;

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

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

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

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

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

11. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the Règles establishing an "Official Index" to be styled the Official Index of Rejected and Invalid Works in Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, Copenhagen Decisions zool. Nomencl. : 23—24). Since the foregoing decision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present Opinion has been taken to record the insertion in the foregoing Official Index of the title of Gronovius' Zoophylacium Gronovianum, 1763—1781, and of the Index to that work prepared by Meuschen and published in 1781.

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

13. The present Opinion shall be known as Opinion Two Hundred and Sixty-One (261) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Third day of December, Nineteen Hundred and Fifty-Three.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINION 262

Determination of the specific name of the Sand Crab
(Opinion in replacement of Opinion 13)
INTERNATIONAL COMMISSION ON
ZOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 262

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History),
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology,
Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949
Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiocco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge,
Massachusetts, U.S.A.) (Vice-President of the Commission).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952
Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie,
Leiden, The Netherlands).
Professor William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Professor Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton,
New Jersey, U.S.A.).

Class 1955
Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landboholjskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Professor Z. P. Metcalf (North Carolina State College of Agriculture and
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California,
U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landboholjskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Professor Z. P. Metcalf (North Carolina State College of Agriculture and
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California,
U.S.A.).
OPINION 262

DETERMINATION OF THE SPECIFIC NAME OF THE SAND CRAB ("OPINION" IN REPLACEMENT OF "OPINION" 13)

RULING:—(1) The Ruling in regard to the Specific Name of the Sand Crab (Class Crustacea, Order Decapoda) given conditionally in Opinion 13 was incomplete and, in part, incorrect; accordingly that Opinion is hereby cancelled and the Ruling given in it is hereby replaced by that set out in (2) to (5) below.

(2) Contrary to the statement made in Opinion 13, the specific name arenarius Catesby in Edwards, 1771, as published in the combination Cancer arenarius, would not have been the oldest available name for the Sand Crab, even if the names in Catesby’s pre-1758 work The Natural History of Carolina, as re-published in 1771 by George Edwards had not been rejected for nomenclatorial purposes (by Opinion 259, re-enacting the relevant portion of Opinion 13), for the above name would have been invalid as a junior homonym of the same specific name arenarius Toreen, 1765, as published in the combination Cancer arenarius, a name applied to an entirely different species found at Queda in the Straits of Malacca, an area far removed from that in which the Sand Crab occurs.

(3) The oldest name for the Sand Crab duly published in accordance with the provisions of Article 25 is the name quadratus Fabricius, 1781, as published in the combination Cancer quadratus.
(4) The foregoing binomen had been published twice prior to its publication by Fabricius in 1781: first, by Meuschen in 1778 in the *Museum Gronovianum*, second, also by Meuschen, in 1781 in the Index to the work by Gronovius published in the period 1763—1781 under the title *Zoophylacium Gronovianum*, but both these works have been rejected as not being available for nomenclatorial purposes, the *Museum Gronovianum* in Opinion 260, the Index to the *Zoophylacium Gronovianum* in Opinion 261.

(5) In view of (4) above, the specific name *quadratus* Fabricius, 1781, as published in the combination *Cancer quadratus*, is the oldest available name for the Sand Crab, and is accordingly hereby placed on the *Official List of Specific Names in Zoology* as Name No. 76.

(6) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Names Nos. 18 to 20 respectively: (a) *arenarius* Edwards, 1771, as published in the combination *Cancer arenarius* (published in a work rejected for nomenclatorial purposes under Opinion 259); (b) *quadratus* Meuschen, 1778, as published in the combination *Cancer quadratus* (published in a work rejected for nomenclatorial purposes under Opinion 260); (c) *quadratus* Meuschen, 1781, as published in the combination *Cancer quadratus* (published in a work rejected for nomenclatorial purposes under Opinion 261).

### I.—THE STATEMENT OF THE CASE

The problems relating to the specific name of the Sand Crab (Class Crustacea, Order Decapoda) dealt with in the present
Opinion came to light in the course of an examination, by Mr. Francis Hemming, Secretary to the International Commission, of the Commission’s Opinion 13 (“The Specific Name of the Sand Crab”) (1910, Smithson. Publ. 1938: 22—24) carried out in 1944 in connection with the re-issue of that Opinion then in preparation. Mr. Hemming submitted his conclusions and recommendations on this case in the form of four Notes which were annexed to the re-issue of Opinion 13. These notes which were numbered 5, 6, 7, and 8, bore the following titles: (i) “On the limited and, in part, conditional character of the decision given by the International Commission on Zoological Nomenclature in Opinion 13” (title of Note 5); (ii) “On the earliest use of the binominal combination Cancer arenarius as a specific name for a species belonging to the Class Crustacea” (title of Note 6); (iii) “On the nomenclatorial status of scientific names first appearing in print in Meuschen (F.C.), 1778, Museum Gronovianum” (title of Note 7); (iv) “On certain errors in the conclusions embodied in Opinion 13, consequent upon the conditional acceptance for the purposes thereof of the premises submitted by the petitioner now found to be erroneous and incomplete” (title of Note 8). Up to this point this question had been dealt with on the Commission’s Registered File Z.N.(G.) 24 (re-issue of Opinions) but at this stage it was judged desirable to open a separate File for the present case which was thereupon given the Registered Number Z.N.(S.) 271. Of the four Notes referred to above, the third (Note 7), which was concerned with the status of Meuschen’s work Museum Gronovianum of 1778, has been reproduced in extenso in Opinion 260¹; the three remaining Notes, each of which bears the date 29th April 1945, were as follows:—

Note 5

On the limited and, in part, conditional character of the decision given by the International Commission on Zoological Nomenclature in “Opinion” 13

By FRANCIS HEMMING
(Secretary to the International Commission on Zoological Nomenclature)

Opinion 13 is only the second of the Opinions in which the International Commission on Zoological Nomenclature gave a decision in

¹ See pp. 268—274 of the present volume.
regard to the status of a particular name. This Opinion differs from Opinion 12, the only previous Opinion dealing with a particular name, by reason of the fact that, unlike the question discussed in Opinion 12 (where only one issue was involved and only one of two answers could have been given), the problem dealt with in Opinion 13 is a complex of independent questions. Accordingly with the limited resources then at its disposal, the International Commission decided to deal expressly in Opinion 13 only with the one problem which had been specifically submitted to it for decision, namely: "Is the name Cancer arenarius Catesby, 1771, Natural History of Carolina (Edwards’ edition), a nomenclatorially available name?" After giving a definite answer to this question, the Commission did, however, add certain observations regarding the correct scientific name of the Sand Crab. These observations, the Commission expressly stated, were not based upon a first-hand examination of the facts of the case but were merely conclusions drawn from the premises submitted by the petitioner in this case. These observations by the Commission represent, therefore, no more than hypothetical conclusions, the validity of which rests entirely upon the accuracy of the premises which were submitted by the petitioner but which were not verified by the Commission. The conclusions embodied in this part of Opinion 13 are, therefore, purely conditional in character.

2. It must be noted, therefore, that in Opinion 13 the International Commission on Zoological Nomenclature did no more, as regards the name of the Sand Crab, than :—

(i) decide that the name Cancer arenarius as published in 1771 in Edwards’ edition of Catesby’s Natural History of Carolina is not a nomenclatorially available name ;

(ii) take note that, according to the premises submitted by the petitioner, the next name for the Sand Crab was Cancer quadratus, Fabricius, 1793 ;*

(iii) take note that, according to the premises submitted by the petitioner, the name Cancer quadratus Fabricius, 1793,* was not available nomenclatorially, owing to the fact that the name Cancer quadratus had previously been published by some other author as the specific name of some other species ;

(iv) take note that, according to the premises submitted by the petitioner, the next published scientific name for the Sand Crab after Cancer quadratus Fabricius, 1793,* was Ocypoda albicans Bosc, 1802 ;†
(v) draw the conclusion that, if the premises submitted by the petitioner as set out in (ii), (iii) and (iv) above were correct, the oldest available scientific name for the Sand Crab would be *Ocypoda albicans* Bosc, 1802.†

**Note 6**

On the earliest use of the binominal combination "Cancer arenarius" as the specific name of a species belonging to the Class Crustacea

The object of the petition dealt with in *Opinion* 13 was to obtain from the International Commission on Zoological Nomenclature a ruling on the correct specific name of the Sand Crab. The problem in regard to the question on which the petitioner was in doubt (and on which a specific ruling was therefore asked for) was whether the name *Cancer arenarius* applied to this species by Mark Catesby in his *Natural History of Carolina* in 1743 (i.e. prior to the starting-point of zoological nomenclature and the coming into operation of the Law of Priority) acquired any rights under the Law of Priority when republished by George Edwards in 1771 in his edition of Catesby's work.

2. This method of approach to the problem led to an important decision by the International Commission in regard to the status of names originally published by Catesby in 1743, when those names were republished by Edwards in 1771.

3. As a contribution to the problem of the correct name of the Sand Crab, the problem so submitted to, and answered by, the International Commission in *Opinion* 13 is wholly irrelevant, since even if the names originally published by Catesby in 1743 had acquired rights under the Law of Priority on being republished by Edwards in 1771, the name *Cancer arenarius* Edwards in Catesby, 1771, would nevertheless have been invalid since it would have been a homonym of the prior name *Cancer arenarius* Toreen, 1765, *in* Osbeck (P.), *Reise Ost-Ind. China* : 469.

* The name *Cancer quadratus* was first published by Fabricius in 1787 (in vol. 1 of the *Mantissa Ins.*) and not in 1793 (the date assigned to this name in the petition in *Opinion* 13).
† The correct date for the name *Ocypoda albicans* Bosc is [1801—1802] and not 1802 (the date assigned to this name in *Opinion* 13).
4. Reference to Osbeck’s *Reise* shows that the matter printed on pp. 431—514 was not written by Osbeck but consists of an appendix containing the text of letters written by Olof Toreen to Linnaeus. The full title of this Appendix is: “Eine ostindische Reise nach Suratte, China, etc. von 1750 den 1 April 1752 den 26 Jun. verrichtet von Olof Toreen Schiffsprediger der ostindischen Compagnie. In Briefen an den Herrn Archiater von Linné”. Toreen, as these letters show, was a strictly binominal author. This is as might be expected in view of the fact that his letters were actually addressed to Linnaeus.

5. The following is the passage on page 479 in which Toreen introduced the name *Cancer arenarius*:


6. The heading of the page on which the above passage is printed is “Queda, 1751”. On a previous page the locality so indicated is given more fully as “Queda in der Strasse von Malacca”.

7. The locality cited by Toreen as the place where he obtained the specimens of the species to which he applied the name *Cancer arenarius* is important as proving conclusively (quite apart from the evidence supplied by the brief description) that the species *Cancer arenarius* Toreen is not the Sand Crab, since that species “is restricted in its range to the Atlantic shores of the American Continent (from Rhode Island to Santa Catharina, Brazil)” (Dr. I. Gordon, Assistant Keeper, Department of Zoology, British Museum (Natural History) *in litt.*, dated 15th March 1945).

8. The question whether the descriptive matter given by Toreen in respect of the species *Cancer arenarius* Toreen is sufficient to permit of the identification of that species is a systematic and not a nomenclatorial problem. From the nomenclatorial point of view, it is a matter of complete indifference whether the species *Cancer arenarius* Toreen can be identified or not. In the latter case the name *Cancer arenarius* Toreen, 1765, becomes a *nomen dubium*, but in either case the name *Cancer arenarius* Toreen possesses rights under the Law of Priority as from 1765, the date on which it was published. Accordingly, any binominal combination consisting of the words “*Cancer arenarius*” published after 1765 as the name of any other species is automatically invalid, by reason of being a junior homonym, under Article 35 of the *Règles Internationales*. 
Note 8

On certain errors in the conclusions embodied in "Opinion" 13, consequent upon the conditional acceptance for the purposes thereof of the premises submitted by the petitioner now found to be erroneous and incomplete

By FRANCIS HEMMING

(Secretary to the International Commission on Zoological Nomenclature)

As has been shown in Note 5 above,* the conclusion that the name *Ocypoda albicans* Bosc, [1801—1802], is the oldest available name for the Sand Crab, which was conditionally accepted in the latter part of the "summary" of (i.e. the decision in) *Opinion* 13 was based upon:

(1) the decision then taken by the International Commission that the name *Cancer arenarius†* as published in 1771 by Edwards in his edition of Catesby's *Natural History of Carolina* is not a nomenclatorially available name;

(2) the unverified assumption that each of the following propositions contained in the petitioner's "statement of the case" was correct and in accordance with the facts in all respects:

(a) that the next name bestowed upon the Sand Crab after the publication in 1771 of the name *Cancer arenarius* by Edwards in Catesby was *Cancer quadratus* Fabricius, 1793;‡

(b) that the name *Cancer quadratus* Fabricius, 1793, was not available for the Sand Crab, because that binominal combination had previously been published by some other (unspecified) author for some other species;

(c) that, if both the name *Cancer arenarius* Edwards, 1771, and the name *Cancer quadratus* Fabricius, 1793, were unavailable nomenclatorially, the first available name bestowed upon the Sand Crab was *Ocypoda albicans* Bosc, 1802.§

* See pp. 301—303 above.
† The component of the specific name *Cancer arenarius* consisting of the generic name *Cancer* was omitted from the summary when *Opinion* 13 was first published.
‡ The component of the specific name *Cancer quadratus* consisting of the generic name *Cancer* was omitted from the summary when *Opinion* 13 was first published. The correct date of this name is 1787.
§ The component of the specific name *Ocypoda albicans* consisting of the generic name *Ocypoda* was omitted from the summary when *Opinion* 13 was first published. The correct date of this name is [1801—1802].
2. The preliminary decision referred to in paragraph 1(1) above is important, since it provides an authoritative guide to the nomenclatorial status of names first published in 1771 in Edwards' edition of Catesby's *Natural History of Carolina*, but this decision is irrelevant to the problem of the name of the Sand Crab, since, even if the names first published by Edwards in Catesby, 1771, were available nomenclatorially, the name *Cancer arenarius* Edwards, 1771 (the only one of those names which is involved in the problem of the name of the Sand Crab) would nevertheless be unavailable for the Sand Crab, for (as shown in Note 6 above*) the name *Cancer arenarius* Edwards, 1771, would have been a homonym of the name *Cancer arenarius* Toreen, 1765, previously given to an entirely different species.

3. Proposition (a) (enumerated in paragraph 1(2) above) is correct, except that it was in 1787 in volume I of the *Mantissa Insectorum* and not in 1793 in the *Entomologia systematica* that Fabricius first published the name *Cancer quadratus* as the specific name for the Sand Crab.

4. Proposition (b) (enumerated in paragraph 1(2) above) is incorrect, since (as shown in Note 7†) *Cancer quadrata* Meuschen, 1778, the only known name consisting of this binominal combination which is of older date than *Cancer quadratus* Fabricius, 1787, is a name which possesses no rights under the Law of Priority and cannot, therefore, pre-occupy (and invalidate) the name *Cancer quadratus* Fabricius, 1787, as the name of the Sand Crab. The name given by Fabricius to the Sand Crab is, therefore, the oldest available name for that species.

5. Proposition (c) (enumerated in paragraph 1(2) above) remains true, but, in view of the fact that, contrary to the statement in proposition (b), the name *Cancer quadratus* Fabricius, 1787, is the oldest available name for the Sand Crab, proposition (c) is now seen to be completely irrelevant to the consideration of the name of that species.

6. In the light of the evidence summarised above, the position as regards the conclusions embodied in *Opinion 13* is seen to be as follows:—

(1) The first sentence in the "summary" ("Catesby's (1743) pre-Linnean name *Cancer arenarius* is not available under the Code, although 'reprinted' in 1771;") contains an important ruling by the International Commission on the nomenclatorial status of the edition of Catesby, 1743, *Natural History of Carolina*, published by Edwards

* See pp. 303—304 above.
† See *Opinion* 260 (pp. 265—280).
in 1771. This decision has no bearing, however, upon the question of the correct scientific name of the Sand Crab, since even if the Edwards edition of Catesby was a nomenclatorially available work, the name Cancer arenarius Edwards, 1771, would not be available as the name of the Sand Crab, since it would be a homonym of the older name Cancer arenarius Toreen, 1765 (see paragraph 2).

(2) The second sentence in the "summary" ("Cancer quadratus Fabricius, 1793,* is stated to be pre-occupied;") is based upon a statement in the premises submitted by the petitioner, which is now seen to be incorrect (see paragraphs 3 and 4).

(3) The third sentence in the "summary" ("Ocypoda albicans Bosc, 1802,† being the next specific name in the list, becomes valid, under the premises submitted.") remains true as a deduction from the premises submitted by the petitioner, but, in view of the fact that (as shown in (2) above) these premises were fallacious, the statement in the third sentence of the "summary" is now seen to be completely misleading as a guide to the nomenclature of the Sand Crab. The name Ocypoda albicans Bosc [1801—1802], is not the oldest available name for the Sand Crab; it is only a junior subjective synonym of the available name Cancer quadratus Fabricius, 1787 (see paragraphs 4 and 5).

7. In view of the fact that the statements in the second and third sentences of the "summary" of Opinion 13 are completely misleading, based upon incorrect premises submitted by the petitioner, it is clearly impossible for the International Commission to leave matters where they now stand. The question dealt with in Opinion 13 is, therefore, at once being submitted to the International Commission for further consideration.

8. The decision by the Commission in Opinion 13 regarding the nomenclatorial status of the edition of Catesby's Natural History of Carolina has been shown (paragraphs 2 and 6(1) above) to be completely irrelevant to the problem of the name of the Sand Crab. It can, therefore, logically find no place in the revised Opinion regarding the name of the Sand Crab. It represents, however, a decision by the International Commission on an important question of principle and clearly should be retained on permanent record in some suitable form. In this connection, it should be recalled that at its Session held at

* The date of this name is 1787 not 1793, the date cited in the "summary" of Opinion 13 when originally published.
† This name was published in "An X" and should therefore be dated 1801—1802 and cited in square brackets. The date was incorrectly given as 1802 in the "summary" of Opinion 13 when originally published.
Lisbon in 1935 the International Commission on Zoological Nomenclature unanimously agreed that, "when the Commission reached a decision of interest to the general body of zoologists, it was of the greatest importance that that decision should be presented in such a way as to ensure that it was most readily available to all concerned." (Lisbon Session, 4th Meeting, Conclusion 15).* It is accordingly proposed that in the action now to be taken by the International Commission the problem of the status of the Edwards edition of Catesby's *Natural History of Carolina* and the problem of the name of the Sand Crab should be dealt with in different *Opinions*. In order to deal with the question of the name of the Sand Crab, it will be necessary for the International Commission formally to deal with the status of Meuschen's *Museum Gronovianum* of 1778 discussed in Note 7 above. As this, like the status of Catesby's names when republished by Edwards in 1771, raises a question of general interest and is not concerned only with the name of the Sand Crab, it is proposed that in accordance with the decision taken by the Commission at Lisbon as to the procedure to be followed in such cases, a separate *Opinion* should be rendered by the Commission in regard to the status of Meuschen's *Museum Gronovianum* of 1778.

9. The action now proposed is, therefore, that the International Commission should:—

(1) cancel *Opinion* 13;

(2) render an *Opinion* confirming as follows the question of principle dealt with in the first sentence of *Opinion* 13*:

"The names published by Mark Catesby in 1743 in his *Natural History of Carolina* possess no status under the Law of Priority as from that date, since it is prior to 1758, the starting point of zoological nomenclature and the Law of Priority (Article 25 of the *Règles Internationales*); nor do those names acquire any rights under the Law of Priority as from 1771, the date on which they were republished by George Edwards in his edition of Catesby's *Natural History of Carolina*, since Catesby's names were not then 're-inforced by adoption or acceptance' by Edwards and in consequence do not qualify for availability under the provisions of *Opinion* 5."

(3) render an *Opinion* as follows on the nomenclatorial status of Meuschen, 1778, *Museum Gronovianum*:

"The *Museum Gronovianum* by Friedrich Christian Meuschen issued in 1778 is a sale catalogue of the zoological, botanical and mineral collections formed

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* For the decision taken on this proposal see *Opinion* 259 (pp. 253—264 of the present volume).

* For the decision taken on this proposal see *Opinion* 260 (pp. 265—280 of the present volume).
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by Laurentius Theodorus Gronovius, who had died in 1777. It was drawn up for special persons only (i.e. prospective purchasers) and was intended for use for only a limited time (i.e. during the period immediately preceding and during the sale); it was not given to the world or used in the nature of a permanent scientific record. None of the tests laid down in Opinion 51 as the criteria for determining whether a zoological work has been published ('divulgué dans une publication') within the meaning of Article 25 of the Règles Internationales is, therefore, satisfied by Meuschen's Museum Gronovianum. Accordingly, no name which first appeared in 1778 in Meuschen's Museum Gronovianum possesses any rights under the Law of Priority as from the date of such appearance."

(4) render an Opinion as follows in regard to the name of the Sand Crab:

"The name Cancer arenarius Edwards, 1771, in Catesby, Natural History of Carolina, is not available for the Sand Crab as from that date, (i) because, as has been decided in Opinion — * Catesby's pre-1758 names acquired no rights under the Law of Priority on being re-published by Edwards in 1771, and (ii) because, even if Catesby's names had been available as from 1771, the name Cancer arenarius Edwards, 1771, would have been a homonym of the name Cancer arenarius Toreen, 1765. The oldest available name for the Sand Crab is Cancer quadratus Fabricius, 1787, of which name Ocypoda albicans Bosc, [1801—1802], is a synonym."

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The re-issue of Opinion 13, with accompanying Notes, was sent to the printer in May 1945. When these notes were in proof Mr. Hemming sent copies to Dr. Isobel Gordon (British Museum (Natural History), London) for observations. In her reply dated 15th May 1946 Dr. Gordon stated that she had nothing which she desired to add and that she was in agreement with the action proposed.

3. Owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, Opinion 13 was not actually published until 28th February 1947 (Ops.

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* The Opinion here referred to is the projected Opinion which it is suggested in paragraph 9(2) should be issued for the purpose of re-stating and confirming the decision embodied in the first sentence of the "summary" of Opinion 13. [This Opinion has since been adopted as Opinion 259.]

4. View expressed by Dr. Fenner A. Chace, Jr. (United States National Museum, Washington, D.C., U.S.A.): The publication of the present application in the Notes annexed to the re-issue of Opinion 13 elicited no opposition to the action proposed, but it brought to light a further problem, the existence of which had been unknown to Mr. Hemming when he prepared the present case for the consideration of the Commission. This problem was raised in a letter dated 27th February 1948 from Dr. Fenner A. Chace, Jr. (Curator, Division of Marine Invertebrates, United States National Museum, Washington, D.C., U.S.A.), who, after drawing attention to the fact that certain workers in the United States had already adopted the conclusion reached by Mr. Hemming that Cancer quadratus Fabricius, 1781, was the oldest available name for the Sand Crab, drew attention to the fact that Meuschen had not only used the name Cancer quadrata in 1778 in his Museum Gronovianum (a work which Dr. Fenner Chace agreed possessed no nomenclatorial standing), but, in addition had used the name Cancer quadratus in 1781 in the Index which he had prepared to the work by Gronovius published in the period 1763—1781 under the title Zoophylacium Gronovianum. Dr. Fenner Chace accordingly suggested that the status of Meuschen's Index to the Zoophylacium should be studied as part of the problem involved in the determination of the oldest available specific name for the Sand Crab, since if the foregoing work were found to be available for nomenclatorial purposes, the name Cancer quadratus Fabricius, 1781, would fall as an invalid junior homonym and the way would be cleared for the use, for the Sand Crab, of the name Ocypoda albicans Bosc, [1801—1802]. The text of Dr. Fenner Chace's letter has been quoted in full in Opinion 261, relating to the nomenclatorial status of Meuschen's Index to the Zoophylacium of Gronovius.4

5. The receipt of Dr. Fenner Chace's letter showed that, in addition to the questions raised by Mr. Hemming in the Notes attached to the re-issue of Opinion 13, it would be necessary to

4 See pp. 289—290 of the present volume.
take into account also the question of the availability of names as published in 1781 in Meuschen's Index to the *Zoophylacium*, before it reached a decision on the question of the name to be accepted as the oldest available name for the Sand Crab. Fortunately, a considerable amount of work had already been done in the Office of the Commission on Meuschen's Index, and it was immediately decided to complete the work on this subject as quickly as possible, so that it might be brought before the International Commission for decision at its then forthcoming meeting in Paris as a preliminary to the consideration of the oldest available name for the Sand Crab.

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

6. The first of the problems connected with the wording of the *Règles* to be considered by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948 was that involved in the interpretation of Proviso (b) to Article 25. On this subject the Commission decided to approve and adopt the recommendations which were then submitted to it by the Secretary. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression "nomenclature binaire" as used in the foregoing Proviso had the same meaning as the expression "nomenclature binominale", and (2) to recommend the substitution of the latter expression for the equivocal expression "nomenclature binaire" (Paris Session, 4th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4: 63—66). The settlement of this long-outstanding problem was an indispensable preliminary for the taking of decisions as to the nomenclatorial status both of Meuschen’s *Museum Gronovianum* of 1778 and of the Index prepared by the same author and published in 1781 for the work by Gronovius published in the period 1763—1781 under the title *Zoophylacium Gronovianum*, each of which, as has already been shown, had an important bearing upon the question of the oldest available name for the Sand Crab.
7. The question of the nomenclatorial status of Meuschen’s Index to the *Zoophylacium* of Gronovius was dealt with by the International Commission as the twenty-ninth item at the Fourteenth Meeting of its Paris Session and the decision then reached has been embodied in its *Opinion* 261. The parallel question of the nomenclatorial availability of Meuschen’s *Museum Gronovianum* was dealt with as the fifty-second item at the same meeting, and the decision reached has been embodied in the Commission’s *Opinion* 260. Finally, the status of names published in 1771 in Edwards’ edition of Catesby’s pre-1757 work, *The Natural History of Carolina*, was dealt with by the Commission as the fifty-first item at the same meeting, and the conclusion reached has been embodied in *Opinion* 259. This last-named question had no direct bearing on the question of the oldest available name for the Sand Crab, but a decision on it was required as a preliminary to the cancellation of *Opinion* 13, a course which would be necessary as part of any decision on the question of the name to be used for the Sand Crab.

8. The question of the specific name to be used for the Sand Crab was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement by the Acting President (Mr. Francis Hemming) and the discussion which then ensued (1950, *Bull. zool. Nomencl*. 4 : 575—578) :

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that he had received two communications in regard to this application: the first, from Dr. I Gordon (British Museum (Natural History), London, the second, from Dr. Fenner A. Chace, Jr. (United States National Museum, Washington, D.C.). Dr. Gordon had stated that she was in agreement both with the line of argument adopted in the application as set out in Notes 5 and 8 of the “Editorial Notes” attached to the re-issue of *Opinion* 13, and with the action there recommended to the Commission for approval. Dr. Fenner Chace, while reporting
that some zoologists in America were already giving effect in their work to the recommendations now before the Commission, had suggested that, before those proposals were approved, the Commission should consider also the question of the availability of names published by Meuschen in the index to the *Zoophylacium Gronovianum* of Gronovius which had been published in 1781, for that index contained the trivial name *quadratus* (in connection with the generic name *Cancer*). If, therefore, the Index of the *Zoophylacium* were held to be an available work for nomenclatorial purposes, the name *Cancer quadratus* Fabricius, 1787, for the Sand Crab would be a homonym of *Cancer quadratus* Meuschen, 1781, and in consequence the trivial name *quadratus* would not be available for the Sand Crab, unless it were found that it was to that species also that Meuschen had applied that name in 1781. In that case the name *quadratus* would still be the oldest available name for the Sand Crab, but would have to be attributed not to Fabricius, 1787, but to Meuschen, 1781. As he (the Acting President) had explained earlier during the present meeting, the question of the availability of the names published in the index to the *Zoophylacium* had been studied by himself before the war in connection with his review of the older literature relating to the Order Lepidoptera (Class Insecta). He had then formed the conclusion that the author of that index could not be regarded as a binominal author, though he was what was then called a "binary author"; in consequence this was not a matter on which a decision could be taken until the present Congress had decided what meaning was properly to be attached to the expression "nomenclature binaire" as used in Article 25 of the *Règles*. That matter having now been settled, he had accordingly (earlier during the present meeting) brought before the Commission the question of the availability of apparent new names in the index to the *Zoophylacium*, and the Commission, after examining the evidence, had decided that the above index was not available for nomenclatorial purposes and therefore that new names in it had no status under the *Règles* as from the date of being so published.

Continuing the Acting President said that, although it was clearly necessary to correct the errors contained in *Opinion* 13, he now felt that the question of the decision to be taken in regard to the trivial name of the Sand Crab in place of that recorded in
that *Opinion* should be governed, as in other cases of errors detected in earlier *Opinions*, by the principle of adopting whatever course would best promote stability and uniformity in the nomenclature of the group concerned. Where (as in the case of the name *Schistosoma* Weinland, 1858, erroneously placed on the *Official List* in *Opinion* 77), the name in question had passed into general use, the Commission had used its Plenary Powers to validate the erroneous decision made in the earlier *Opinion*, believing that it would be wrong to disturb existing practice for technical nomenclatorial reasons, particularly where (as in the case referred to) that practice owed its origin to an error made by the Commission itself\(^5\). On the other hand in another case (regarding the type species of the genus *Mabuya* Fitzinger, 1826, about which a mistake had been made in *Opinion* 92), specialists in the group concerned had realised that the decision given by the Commission was erroneous and had accordingly ignored that decision. In this case the Commission had considered it sufficient to correct the previous error\(^6\). In the present instance it was not so clear what was the best course to take. In the first place the Commission had not given in *Opinion* 13 an absolute ruling on the question of what was the oldest available trivial name for the Sand Crab; all that it had done was to state that on the basis of the premises submitted (which it had not itself verified) the oldest available trivial name for that species was *albicans* Bosc [1801—1802] (as published in the binominal combination *Ocypoda albicans*). This form of decision had been adopted in this and other early *Opinions* not because the Commission wished to impugn the accuracy of the premises submitted to it but because at that time (which was several years prior to the establishment of the first of the *Official Lists*) it did not regard it as part of its functions to give an absolute ruling in such a case. Nevertheless, this form of decision inevitably detracted from the authority of the ruling given and might therefore influence workers in deciding what name to apply to the species in question (in this case, the Sand Crab). So far, however, as he had been able to ascertain, this species, as the result, presumably, of *Opinion* 13, was now generally known by the trivial name *albicans* Bosc. If this was in fact the general practice, the consistent course for the Commission to adopt would

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\(^6\) See *Opinion* 240 (pp. 1—12 of the present volume).
be to use its Plenary Powers to validate the name *albicans* Bosc by suppressing the earlier available trivial name *quadricaudatus* Fabricius, 1787 (as published in the binomial combination *Cancer quadricaudatus*). The species in question was, he understood, confined to the Atlantic shores of the American Continent from Rhode Island to Santa Catharina in Brazil. It was therefore desirable that the Commission should be in possession of the views of American specialists before they decided what action to take in this matter. In the circumstances, he (the Acting President) suggested that the Commission should now agree that its Plenary Powers should be used to validate the trivial name *albicans* Bosc as the trivial name of the Sand Crab, if after the close of the present Session specialists indicated that they considered that confusion would arise if, consequent upon the discovery of the error in the premises on which *Opinion* 13 had been based, it were necessary to replace the trivial name *albicans* Bosc by the trivial name *quadricaudatus* Fabricius as the trivial name of the Sand Crab. This would not involve any delay in the publication of the *Opinion* recording the decisions taken on the present application, for some time would necessarily elapse before it would be possible to publish all the *Opinions* recording the decisions taken during the present Session, and the *Opinions* relating to the present matter could readily be left as one of the last to be so published. It would, however, be reasonable to fix some time limit, for the reception of comments. He suggested a period of six months from the date of the publication of the Minutes recording the present decision. At the same time he would take steps to bring the matter to the attention of specialists in the group concerned, particularly workers on the American Continent.

**IN THE SUBSEQUENT DISCUSSION**, it was generally agreed that it was essential that the errors in *Opinion* 13 should be corrected. It was felt, however, that this question was quite independent of the question of whether or not the Plenary Powers should be used to validate the name *albicans* Bosc [1801—1802], as the trivial name of the Sand Crab. On this, the general view was that, as it was the Commission itself which was mainly responsible for the acceptance of the foregoing name as the trivial name of this species, through their action in adopting *Opinion* 13 thirty-eight
years earlier, it should certainly agree now that its Plenary Powers should be used if on enquiry it were to be found that specialists considered that confusion would ensue if it were necessary to adopt the name *quadratus* Fabricius as the trivial name of the Sand Crab.


THE COMMISSION agreed:—

(1) to cancel *Opinion* 13, relating to the trivial name of the Sand Crab (Class Crustacea, Order Decapoda), the decision set forth in that *Opinion* being incomplete, in part incorrect, and the whole entirely misleading;

(2) that, even if the names published in 1771 by Edwards (G.) in his edition of Mark Catesby’s *Natural History of Carolina*, had been available under the *Règles* the trivial name *arenarius* as so published by Edwards in 1771 in the binominal combination *Cancer arenarius*, though the first such name given to the Sand Crab subsequent to the starting point of zoological nomenclature (1758), would have been invalid, since that name would in any case have been a homonym of the earlier trivial name *arenarius* Toreen, 1765 (as published in the binominal combination *Cancer arenarius*), a name bestowed by Toreen upon an entirely different species found at a place named Queda in the Straits of Malacca, an area far removed from that in which the Sand Crab occurred; and that the trivial name *arenarius* as published by Edwards in 1771 should now be placed on the *Official Index*;
(3) that the first trivial name bestowed upon the Sand Crab after the name *arenarius* had been cited in connection therewith by Edwards in 1771 was the trivial name *quadratus* Fabricius, 1787 (as published in Vol. 1 of the *Mantissa Insectorum* in the binominal combination *Cancer quadratus*);

(4) that the trivial name *quadratus* Fabricius, 1787, was an available name, not being invalidated by the prior use of the same trivial name in combination (or association) with the generic name *Cancer* (a) by Meuschen in 1781 in his index to the *Zoophylacium Gronovianum* of Gronovius, and (b) by Meuschen in 1778 in his own work, the *Museum Gronovianum*, both of which the Commission had ruled to have failed to comply with the requirements of the *Règles*, names published in these works, in consequence, possessing no status in zoological nomenclature;

(5) before deciding what action should be taken in regard to the trivial name of the Sand Crab, consequent upon the discovery of the error in regard thereto contained in the Commission’s *Opinion* 13, to ascertain from interested specialists whether, in their opinion, confusion and instability would ensue, if it were now necessary to rectify the erroneous decision published as far back as 1910 in the *Opinion* referred to above, and if, in consequence, it were now necessary to use the trivial name *quadratus* Fabricius for the foregoing species; and for this purpose to request the Secretary to the Commission to seek the views on this question held by interested specialists by the publication of a notice in the *Bulletin of Zoological Nomenclature* or otherwise;

(6) that, on the expiry of a period of six months from the date of publication of the present decision in the *Bulletin of Zoological Nomenclature*, the following action should be taken in the light of the comments received from specialists in response to the consultation referred to in (5) above:

(a) if specialists were of the opinion that confusion and instability would result from the adoption of the
trivial name quadratus Fabricius for the Sand Crab: to use the Commission's Plenary Powers (i) to suppress the trivial name quadratus Fabricius, 1787 (as published in the binominal combination Cancer quadratus) and to validate the trivial name albicans Bosc [1801—1802] (as published in the binominal combination Ocypoda albicans), at the same time placing the first of these trivial names on the Official Index of Invalid and Rejected Specific Trivial Names in Zoology and the second on the Official List of Specific Trivial Names in Zoology;

(b) if specialists were of the opinion that confusion and instability would not result from the adoption of the trivial name quadratus Fabricius for the Sand Crab: to place the trivial name quadratus Fabricius, 1787 (as published in the binominal combination Cancer quadratus) on the Official List of Specific Trivial Names in Zoology;

(7) on a decision being taken either in the sense indicated in (6) (a) above or in that indicated in (6) (b) above, to render an Opinion recording the decisions specified in (1) to (4) above, and setting out, as the case may be, either the decision specified in (6) (a) above or that specified in (6) (b) above.

10. The decision taken in this case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 120).

11. The decision quoted in paragraph 9 above was concurred in by the sixteen (16) Commissioners and Alternate Commissioners
present at the Paris Session of the International Commission, namely:—

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

12. The decision referred to above was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. The Part (Triple-Part 19/21) of volume 4 of the Bulletin of Zoological Nomenclature containing the Official Record of the decision reached in the present case was published on 9th June 1950, from which date therefore the six-month period referred to in Sub-Conclusion 6 quoted in paragraph 9 above began to run. At the close of that period no representations had been received as to the possibility of confusion arising if the specific name of the Sand Crab were to be changed from albicans Bosc, [1801—1802] to the older name quadratus Fabricius, 1787. In view, however, of the fact that in 1948 Dr. Fenner Chace had expressed doubts as to the desirability of making this change (paragraph 4 above), Mr. Hemming, as Secretary to the Commission, wrote to Dr. Chace on 9th December 1950, asking him to furnish a statement of his views on this question and, if possible, an indication of the views of other American carcinologists. On 18th January 1951 Dr. Chace replied that it was unlikely that he would submit any recommendations on this matter. Somewhat later, however (on 21st March 1951), Dr. Fenner Chace wrote: "If it is the considered opinion of the Commission that the Meuschen index to the 'Zoophylacium Gronovianum' is not available and that the name quadratus Fabricius then becomes the earliest available name for the Sand Crab, I favor the acceptance of that name".
14. On 17th April 1951 an attempt to obtain further views on this question from interested specialists was made by the issue to the serial publications *Nature* and *Science* (the two publications currently nominated as those to which notices regarding the possible use of the Commission's Plenary Powers should be despatched) of a notice drawing attention to a note by the Secretary to the Commission regarding the options embodied in the decision taken in Paris and soliciting the views thereon of interested specialists, which was then on the point of being published in the *Bulletin of Zoological Nomenclature*. This note by Mr. Hemming, which was published three days later, was as follows (Hemming, 20th April 1951, *Bull. zool. Nomencl.* 2 : 105):

Request for views of specialists on the question whether the substitution, as required by the "Règles", of the name "quadratus" Fabricius, 1787, for the name "albicans" Bosc [1801—1802], as the trivial name of the Sand Crab (Class Crustacea, Order Decapoda) would give rise to confusion or instability

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

(Secretary to the International Commission on Zoological Nomenclature)

At its Session held in Paris in 1948, the International Commission on Zoological Nomenclature, after reviewing the information available, decided to cancel its earlier Opinion 13 as being "incomplete and, in part, incorrect". At the same time the Commission agreed upon the adoption of Opinions on all the issues raised in Opinion 13, except that regarding the trivial name to be used for the Sand Crab, which, as explained below, was reserved for further consideration.

2. On this question the Commission gave a ruling that, under the Règles, the correct trivial name for this species was *quadratus* Fabricius, 1787 (as published in the binominal combination *Cancer quadratus*) and not the name *albicans* Bosc [1801—1802], (as published in the binominal combination *Ocypoda albicans*), as had incorrectly been stated in Opinion 13. The Commission decided, however, before finally rendering an Opinion in this sense, to ascertain from interested specialists whether the substitution of the name *quadratus* Fabricius for the name *albicans* Bosc as the trivial name of the Sand Crab would
be likely to give rise to "confusion and instability". The Commission placed on record that, if specialists were to consider that the adoption for this species of the trivial name _quadratus_ Fabricius would lead to these results, it would forthwith use its Plenary Powers for the purpose of suppressing the foregoing name, thus validating the name _albicans_ Bosc.


4. In accordance with the procedure described above, specialists in this group are particularly requested to send to the International Commission as soon as possible, statements describing current nomenclatorial practice in this matter and setting out their views on the question of the possible use of the Plenary Powers in this case. Such statements should be addressed to the Secretary to the International Commission on Zoological Nomenclature at the Secretariat of the Commission (28 Park Village East, Regent’s Park, London, N.W.1, England).

15. On 24th February 1952 the progress reached in dealing with the present case was reviewed by Mr. Hemming, as Secretary to the International Commission, who then placed the following Minute on the Commission’s File Z.N.(S.) 271 :

Option given to specialists in the decision taken by the International Commission in Paris in 1948 in the case of the specific trivial name of the Sand Crab

By FRANCIS HEMMING

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

A period of about ten months has now elapsed since the publication (on 20th April 1951) in the *Bulletin of Zoological Nomenclature* (vol.
2. A period of over twenty months has now elapsed since the publication (on 9th June 1950) of the decision taken by the International Commission in Paris in 1948, and in view of this fact and of the non-receipt during the whole of that period of any request for action under the Plenary Powers, although the time-limit set by the Commission for the submission of such applications was a period of six months calculated from the publication of the Paris decision, it would be possible now to make a formal declaration that the option given in the Paris decision has expired and that the conditional decision set out in Sub-Conclusion (6) (b) in the group of decisions which together constitute the Fifty-Third Conclusion of the Fourteenth Meeting of the Paris Session of the International Commission has now come into full operation.

3. In view, however, of the fact that the pressure of work connected with the preparations for the Session of the Commission to be held at Copenhagen in 1953 makes it impossible at present, and is likely to make it impossible for some time, to render a formal Opinion in the present case, I propose to include one further notice in regard to this case in the collection of notices in regard to individual cases left over at Paris for further consideration shortly to be published in the concluding Double-Part (Double-Part 7/8) of volume 7 of the Bulletin of Zoological Nomenclature. This notice has been sent to the printer today.

16. The note by Mr. Hemming referred to in the concluding paragraph of his Minute of 24th February 1952 was published on 15th April 1952 (Hemming, 1952, Bull. zool. Nomencl. 7: 209—210), and at the same time a further notice on this subject was
sent to the serial publications *Nature* and *Science*. The note so published in the *Bulletin* was as follows:—

**Case 17**: Question of the trivial name to be accepted as the trivial name of the Sand Crab (Class Crustacea, Order Decapoda)


39. In Paris in 1948 the International Commission on Zoological Nomenclature reviewed the subjects dealt with in its *Opinion* 13 (1910, *Smithson. Publ.* 1938: 22—24), an *Opinion* in which (in accordance with the practice of that day) no definite decision was given, the decision reached being expressly recorded as being given "under the premises submitted". In the light of the information before it at the time of this review the International Commission cancelled *Opinion* 13 and, so far as concerns the portion of that *Opinion* which related to the question of the trivial name of the Sand Crab, ruled (1) that the trivial name *quadratus* Fabricius, 1787 (as published in the binominal combination *Cancer quadratus*), a name given to the Sand Crab, was an available name, (2) that, before it decided whether or not to correct the error in regard to this matter contained in *Opinion* 13, *i.e.*, before deciding whether to render an *Opinion* ruling that the name *quadratus* Fabricius, 1787, was the oldest available such name and was therefore to be used in preference to the name *albicans* Bosc [1801—1802], (as published in the binominal combination *Ocypoda albicans*) (the name incorrectly stated in *Opinion* 13 to be the oldest trivial name for the Sand Crab), interested specialists should be consulted on the question whether instability and confusion would be likely to ensue if the decision taken in 1910 in the foregoing *Opinion* were now to be reversed by the adoption of the name *quadratus* Fabricius, 1787, as the name for the Sand Crab. The Commission further decided that, if specialists were of the opinion that the foregoing results would accrue, the Plenary Powers should be used to suppress the trivial name *quadratus* Fabricius and to validate the trivial name *albicans* Bosc, but that, if specialists were of the opinion that the foregoing adverse results were not to be expected, the trivial name *quadratus* Fabricius, 1787, should be placed on the *Official List of Specific Trivial Names in Zoology*.

40. The views of interested carcinologists are particularly requested as to the relative advantages of the two courses set out above, in order that, this aspect of the question having been settled, an *Opinion* may be rendered in accordance with the decision taken by the International Commission at its Paris Session.

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17. The question as to which of the alternative decisions taken by the International Commission in regard to the name to be accepted as the specific name of the Sand Crab should become the substantive decision by the Commission in this matter was brought to a conclusion on 16th October 1952, when Mr. Hemming, as Secretary to the International Commission, signed the following Minute of Determination:

Decision by the International Commission on Zoological Nomenclature
as to the Specific Trivial Name to be used for the species of the
Order Decapoda (Class Crustacea) commonly known as
the Sand Crab

MINUTE dated 16th October 1952 by FRANCIS HEMMING
(Secretary to the International Commission on Zoological Nomenclature)

At the Fourteenth of its meetings held in Paris in 1948, the International Commission on Zoological Nomenclature, after reaching the conclusion that, contrary to the statement contained in Opinion 13 published in 1910, the oldest available specific trivial name for the Sand Crab was quadratus Fabricius, 1787, as published in the combination Cancer quadratus, decided to provide an opportunity for any zoologist who might so desire, to submit an application for the use, in the interests of nomenclatorial stability, of the Commission's Plenary Powers, for the purpose of suppressing the foregoing trivial name, thus rendering the trivial name albicans Bosc [1801—1802], as published in the combination Ocypoda albicans, the oldest available name for the Sand Crab, as it was erroneously stated so to be in Opinion 13. For this purpose the Commission (a) instructed me to seek out the views of interested specialists on the foregoing subject, and (b) set, as the time limit for the receipt of applications in the foregoing sense, a period of six months calculated from the date of the publication in the Bulletin of Zoological Nomenclature of the portion of the Official Record of the Proceedings of the International Commission at its Paris (1948) Session containing the decision referred to above (Paris Session, 14th Meeting, Conclusion 53).

2. The portion of the Official Record of the Proceedings of the International Commission in Paris referred to above was published on 9th June 1950, and in consequence the six-month period prescribed by the International Commission expired on 9th December 1950. No comments on the present case were received during that period, and, in an effort to obtain expressions of opinion on this case, two notes
on it have since been published in the *Bulletin*, the first, in volume 2 on 20th April 1951 and the second, in volume 7, on 15th April 1952, the time limit having been extended to permit of the receipt of communica-
tions in response to the appeals so made. In addition, attempts have
been made to elicit the views of carcinologists, both by correspondence
and by the issue of notices to the serial publications *Nature* and *Science.*
These efforts have proved entirely fruitless, and it is evident that there
is no desire—or no articulate desire—among carcinologists to conserve
the trivial name *albicans* Bosc, [1801—1802], at the expense of the older
name *quadra tus* Fabricius, 1787, as the specific trivial name of the
Sand Crab.

3. Having regard to the fact that no application has been received
for the conservation under the Plenary Powers of the trivial name
*albicus * Bosc for the Sand Crab, notwithstanding the fact that, to
permit of the submission of such applications, if such were desired, the
time limit of six months set by the Commission in Paris has been
extended on several occasions until a period of over twenty-eight
months has been allowed for this purpose, I now, as Secretary to the
International Commission on Zoological Nomenclature, declare as
follows: (1) The option set out in Points (a) and (b) of Sub-Conclusion
(6) of the group of such Sub-Conclusions which, taken together,
constitute the Fifty-Third Conclusion reached by the International
Commission at the Fourteenth Meeting of its Session held in Paris
in 1948, which provides for the use, on the application of interested
specialists, of the Plenary Powers for the purpose of suppressing the
trivial name *quadra tus* Fabricius, 1787, as published in the combination
*Cancer quadra tus,* thus rendering the trivial name *albicus * Bosc, [1801—
1802], as published in the combination *Ocypoda albicus,* has expired,
no application in the foregoing sense having been received by the
International Commission, notwithstanding the fact that the time limit
for the receipt of any application in this sense has been extended from
time to time, until now, instead of six months, the period prescribed
in Paris, a period of over twenty-eight months has been provided for this
purpose. (2) In the light of (1) above, the decision set out conditionally
in the Sub-Conclusion numbered (6) (b) referred to in (1) above has
now entered formally into force, and, in consequence, the following
decisions have been taken by the International Commission, namely:
(a) that the trivial name *quadra tus* Fabricius, 1787, as published in the
combination *Cancer quadra tus,* is to be accepted as the oldest available
trivial name of the Sand Crab; (b) the foregoing trivial name is now
to be placed on the *Official List of Specific Trivial Names in Zoology* ;
(c) the following trivial names published in works which were rejected
for nomenclatorial purposes by the Commission at its Session held in
Paris in 1948 are now to be placed on the *Official Index of Specific
Trivial Names in Zoology* :—(i) *arenarius* Catesby in Edwards, 1771,
as published in the combination *Cancer arenarius* ; (ii) *quadra tus*
Meuschen, 1778, as published in the combination *Cancer quadra tus*
(published in the *Museum gronovianum* ); (iii) *quadra tus* Meuschen,
1781, as published in the same combination (published in the Index to Gronovius' Zoophylacium gronovianum).

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

arenarius, Cancer, Catesby, 1771, Natural History of Carolina (Edwards' ed.) 2: pl. 35; Linn. Index, no. 35
quadratus, Cancer, Meuschen, 1778, Mus. gronov.: 84
quadratus, Cancer, Meuschen, 1781, Index to Gronovius' Zoophylac. gronov.
quadratus, Cancer, Fabricius, 1787, Mantissa Ins. 1: 315

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 Sixty-Two (262) of the International Commission on Zoological Nomenclature.

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

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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


OPINION 263
Designation, under the Plenary Powers, of a description to represent the lectotype of the nominal species Papilio podalirius Linnaeus, 1758 (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 263

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

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

Class 1952

Senhor Dr. Afranio do AMARAL (S. Paulo, Brazil).
Professor J. Chester BRADLEY (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di CAPORIACCO (University of Parma, Italy).
Professor J. R. DYMOND (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

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

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

Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).
Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
Dr. Henning LEMCHE (Kgl. Veteriner- og Landbohojskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel MANSOUR (King Foud University, Cairo, Egypt).
Professor Z. P. METCALF (North Carolina State College of Agriculture and Engineering, University of North Carolina, Raleigh, North Carolina, U.S.A.).
Mr. N. D. RILEY (British Museum (Natural History), London, England).
Professor Ragnar SPÄRCK (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van STRAELEN (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. USINGER (University of California, Berkeley, California, U.S.A.).
DESIGNATION, UNDER THE PLENARY POWERS, OF A DESCRIPTION TO REPRESENT THE LECTOTYPE OF THE NOMINAL SPECIES "PAPILIO PODALIRIUS" LINNAEUS, 1758 (CLASS INSECTA, ORDER LEPIDOPTERA)

RULING :—(1) Under the Plenary Powers, the first of the three references cited by Linnaeus when publishing the name Papilio podalirius (Class Insecta, Order Lepidoptera), namely the reference cited as "Raj. ins. iii. n.3" (i.e. Ray (J.), 1710, Hist. Ins. : III, n. 3), is hereby designated to represent the lectotype of the foregoing nominal species.

(2) In view of the fact that in the passage cited above Ray stated that the specimens there referred to were taken "prope Liburnum, portum in Etruria" (i.e. at the port of Livorno in Tuscany), this locality becomes, under (1) above, the restricted locality for the nominal species Papilio podalirius Linnaeus, 1758.

(3) The undermentioned specific names are hereby placed on the Official List of Specific Names in Zoology as Names Nos. 77 and 78 : (a) podalirius Linnaeus, 1758, as published in the combination Papilio podalirius and as defined in (1) and (2) above ; (b) feisthamelii Duponchel 1832, as published in the combination Papilio feisthamelii, this entry on the Official List to be without prejudice to the prior rights of the specific name podalirius Linnaeus, 1758, as published in the combination Papilio podalirius, from the standpoint of those specialists who regard these as the names of subspecies of a single collective species.

I.—THE STATEMENT OF THE CASE

On 18th March 1945, Dr. A. Steven Corbet (British Museum (Natural History), London) submitted to the International
Commission the following preliminary note foreshadowing an application for a ruling as to which of two allied species is that to which the name *Papilio podalirius* Linnaeus, 1758 (Class Insecta, Order Lepidoptera) should be held to apply, i.e. whether it applied to the Common Central European species commonly known by that name or, alternatively, to the North African and Spanish species or subspecies universally known by the specific name *feisthamelii* Duponchel, 1832:

Request for a Ruling on the question of the species to which the name “podalirius” Linnaeus, 1758, as published in the combination “Papilio podalirius” should be applied

By A. STEVEN CORBET
(British Museum (Natural History), London)

Extract from a letter dated 18th March 1945

I enclose a draft of some notes on *Papilio podalirius* L. . . . , which contains all the relevant information, although I feel sure that it could be put together in a more logical manner. . . . Regarding *P. podalirius*, it looks as if the type selection by Aurivillius ought to be taken into consideration, although it should not be overlooked that Aurivillius was concerned primarily with the Lepidoptera described in the *Mus. Lud. Ulr.* and not those in the *Syst. Nat.* ed. 10.

Enclosure to Dr. A. Steven Corbet’s letter of 18th March 1945

“*Papilio podalirius*” Linnaeus, 1758

This name was first introduced by Linnaeus in a footnote to *Papilio protesilaus* on page 463 of Edition 10 of the *Systema Naturae* (1758). No description was given but reference was made to descriptions by Ray, Rösel and Réaumur and there were added “Habitat in Europae australis & Africae Brassica”. Of the authors cited by Linnaeus, only Ray gave a locality: “Prope Liburnum portum in Etruria invenimis, atque etiam, ni male memini, in Anglia”. There is a female specimen of the North African butterfly *P. feisthamelii* Dup.,* summer brood lotteri* Aust. in the Linnean Collection which bears the name “podalirius” in Linnaeus’ handwriting. Had this specimen been in the Linnean Collection at the time Edition 10 was written

* Spelling checked: Verity incorrect.
it would have been regarded as the type but, as Verity suggests, there are reasons for believing that this specimen reached Linnaeus after Edition 10 had been completed and that Linnaeus had no first-hand knowledge of the butterfly at the time that he wrote the description.

Linnaeus published a detailed description of *P. podalirius* in *Mus. Lud. Ulr.* in 1764 (p. 208), citing further references but giving “Habitat in Brassica Europae australioris”. When he examined the Queen’s collection, Aurivillius found no specimen corresponding to *podalirius*, but he selected Rösel’s figure as typical.

In 1767, Edition 12 of *Systema Naturae* (p. 751), Linnaeus gave an abbreviated description of *P. podalirius*, adding three more citations and amending the provenance to “Habitat in Brassica Europae australis Africæque borealis”.

2. The question as to which species,† *P. podalirius* auctt. or *P. feisthamelii* Dup., the name “podalirius” should be applied appears to turn on whether or not Linnaeus possessed the specimen of the African species (now in his collection) at the time he wrote Edition 10.

3. Linnaeus received material from North Africa from Erik Brander, who was Swedish Consul at Algiers, 1753—1765. Verity believes that the Linnean specimen of *P. feisthamelii* was obtained in this way. It is known that Brander sent specimens to Queen Ludovica Ulrica also (see letter from Brander to Linnaeus dated 23. viii. 1756) although, be it noted, there is no reference to Africa in the habitat given for *P. podalirius* in *Mus. Lud. Ulr.* In Linnaeus’ own marked copy of Edition 10, *P. podalirius* is not marked as being in his own collection, although it is so marked in the Linnean copy of Edition 12. There is no mention of Brander in Edition 10, although he is mentioned several times in Edition 12 in the descriptions of Lepidoptera and some of the insects (but not all) attributed to Brander are marked in the Linnean copy of Edition 12 as being in Linnaeus’ collection, where, in fact, they have been found. There is, then, much justification for Verity’s view that neither *P. podalirius* auctt. nor *P. feisthamelii* Dup. were known to Linnaeus at the time he wrote Edition 10, except from figures.

4. If the type of *P. podalirius* Linnaeus, 1758, is not a specimen in the Linnean Collection it can only be one of the specimens on which the descriptions of Ray, Rösel, or Réaumur were based. As only the first-named author gave localities, it may seem reasonable to take one of these and thus finally establish the identity of “podalirius”. If the choice lies between Etruria and England, the former is preferable because it accords with the Linnean habitat of South Europe and it

† According to Verity, *P. podalirius* and *P. feisthamelii* Dup. fly together in Spain and Portugal and even down to Tangiers in Morocco.
is doubtful if the butterfly occurred in England within historic times. On the other hand, can Aurivillius' selection (Rec. Crit. Lep. Mus. Lud. Ulr., p. 28) be lightly set aside?

Why Linnaeus added "Africa" to the habitat in Editions 10 and 12 is not known but it must not be overlooked that this mention is a point in favour of the specimen of *P. feisthamelii* being in Linnaeus' possession at the time he wrote Edition 10.

5. The balance of the evidence suggests that there was no specimen before Linnaeus when he first introduced the name "podalirius" and so the type locality must be fixed from the data given by Ray, Rösel or Réaumur. Aurivillius' selection of Rösel's figures fixed "podalirius" as the European species (presumably the German form) and it is suggested that this should be followed.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On the receipt of Dr. Corbet's letter, the problem dealt with in the present Opinion was given the Registered Number Z.N.(S.) 183. As soon as practicable thereafter, discussions were started with Dr. Corbet, by Mr. Francis Hemming, Secretary to the Commission, who, as a lepidopterist, was already familiar with the problem involved, the object of these discussions being to settle the precise nature of the request to be submitted to the International Commission and, generally, to finalise Dr. Corbet's application which, as it will have been seen (paragraph 1) was submitted only in draft form. These discussions were completed in the summer of 1946, and on 15th August of that year, the outcome was formally placed on record by Mr. Hemming in the following paper which was then placed in the Commission's File Z.N.(S.) 183:—

On the need for action by the International Commission on Zoological Nomenclature to put an end to the confusion arising from the present doubts as to the identity of the species to which the name "Papilio podalirius" Linnaeus, 1758 (Class Insecta, Order Lepidoptera) is applicable

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

My old friend Dr. Roger Verity of Florence performed a valuable service when just before the First World War he carried out a critical
examination of the butterflies preserved in the Linnean collection at Burlington House ("Revision of the Linnaean Types of Palaearctic Rhopalocera", Verity, 1913, *J. Ninn. Soc. Lond. (Zool.)* 32 : 173—191). It was unfortunate, however, that this paper was published before the grant to the International Commission on Zoological Nomenclature, by the Ninth International Congress of Zoology, Monaco, 1913, of Plenary Powers to suspend the application of the *Règles* in cases where strict application would lead to serious confusion, especially where under the *Règles* it is necessary to transfer some well-known name from one species to another. For some of the conclusions reached by Dr. Verity in the light of his study of the Linnean material led—or, if generally adopted, would have led—to the most serious confusion. The fact that in a number of cases these conclusions have not been widely adopted in no way detracts from the threat to nomenclatorial stability represented by them. It has long been evident that the restoration of stability in the nomenclature of the species concerned can be secured only by action by the International Commission under its Plenary Powers. No doubt, applications for the use of the Plenary Powers in those cases would have been submitted to the Commission long ago, had it not been for the marked reluctance which unfortunately the Commission for long showed in the use of those Powers. The much more liberal policy adopted by the Commission at Lisbon in 1935 under pressure from the International Congress of Entomology which had just met at Madrid gives grounds for hoping that in future applications of this type submitted by responsible specialists will receive more sympathetic treatment.

2. Few, if any, of the conclusions reached by Dr. Verity were calculated to cause greater nomenclatorial confusion than that in regard to the nominal species *Papilio podalirius* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 463, *nota*. For the benefit of those zoologists who may be called upon to consider this case but who are not personally acquainted with the details, it may be explained that there are two species (as many specialists, including myself, consider)—or (as other specialists consider) two very strongly differentiated subspecies of a single species—of Swallow-Tail Butterfly belonging to the genus *Iphiclides* Hübner [1819], found in the Western Palaearctic Region. These may be distinguished for the present purposes by their area of distribution which are substantially distinct: Species "A", to which the trivial name *podalirius* Linnaeus has been almost universally applied for nearly two hundred years, which is widely distributed in Central and Southern Europe; Species (or subspecies) "B", which occurs in North Africa and enters Europe in the Iberian Peninsula, which was originally described from Barcelona and which has been known consistently by the trivial name *feistamalii* Duponchel, ever since that name was published in 1832. The need for action by the International Commission in the present case arises from the fact that Dr. Verity found only one Linnean specimen labelled *podalirius* and that specimen is referable not to species "A" (the species universally
known by the trivial name *podalirius* Linneus) but to species (or subspecies) "B", i.e. the Spanish and North African insect habitually known by the trivial name *feisthamelii* Du Ponchel. Thus, if the *Règles* were to be strictly applied in the present case, it would be necessary (a) to transfer the name *podalirius* Linnaeus from the common Central and South European Species "A" to the Spanish and North African Species "B", a transfer which would give rise to great confusion, and (b) to apply some other name—actually, the name *sinon* Poda, 1761 (*Papilio sinon* Poda, 1761, *Ins. Mus. graec.* : 62, pl. 2, fig. 2)—to the Central and South European species, a change which would cause great inconvenience and at least initially considerable confusion.

3. I have long had in mind that at some stage a request must be made to the International Commission for action under the Plenary Powers to prevent the confusion inevitable under a strict application of the *Règles* in this case, but I felt that, before such an application was submitted, it would be helpful if the Linnean material were to be re-examined, so that the Commission, when considering the proposed application, might have before it an up-to-date appraisal of that material by way of supplement to that made by Dr. Verity some thirty years ago. When therefore early in the war I learnt that Dr. A. Steven Corbet (*British Museum (Natural History)*), in conjunction with his colleague Mr. W. H. T. Tams, was carrying out a fresh examination of the Linnean Lepidoptera, I asked Dr. Corbet to give special consideration to the problem represented by the name *Papilio podalirius* and, having done so, to furnish a statement of his conclusions which could form the basis of an application to the International Commission for remedial action. I was therefore very pleased when I received Dr. Corbet's letter, with enclosure, of 18th March 1945², setting out the conclusions which he had reached.

4. I have since discussed this matter in some detail with Dr. Corbet, whose paper of this case was, it will be recalled, expressly marked as being a "draft" and contained no concrete proposal for submission to the Commission. In that paper Dr. Corbet marshalled the available evidence and advanced the view that it might be possible to claim that Linnaeus described *Papilio podalirius* in 1758 only from previously published descriptions and without any actual specimens before him, and therefore, that the undoubted Linnean specimen of *feisthamelii* Du Ponchel preserved in his collection under the name *podalirius* may not have been received by Linnaeus until after the publication of the Tenth Edition of the *Systema Naturae* in 1758. While I agree that the method adopted by Linnaeus in describing this species—that is, the fact that he described it in a footnote instead of in the main text—lends some colour to the theory that in 1758 he was not personally acquainted either with Species "A" (the Central and Southern European species) or with Species "B" (the Spanish and North African species), that theory is, I am convinced quite

² Reproduced in the first paragraph of the present Opinion.
untenable. For, if (as this theory requires) Linnaeus in 1758 knew nothing of either species except what he could glean from the works of the three authors (Ray; Rösel; Réaumur) whom he cited, all of whom were concerned only with European insects and only one of whom gave a locality for this species, it would be impossible to explain away the fact that, in addition to having in his collection an African specimen (belonging to Species “B”), he stated in the original description of this species that the species occurred in Africa “Habitat in Europae australis et Africæ Brassica”. The existence of the African specimen in the Linnean collection might be accounted for by claiming that that specimen was received by Linnaeus on some date subsequent to 1758, but it would be stretching credibility altogether too far, if in addition it were necessary to argue that the reference, in the original description, to Africa as part of the area in which this species occurs was no more than some extraordinary coincidence or an inexplicable piece of clairvoyance on the part of Linnaeus. I have put this view to Dr. Corbet who now agrees that his former theory can no longer be regarded as tenable and that it must be concluded that Linnaeus was acquainted with the African species (feisthamelli), of which very likely a specimen or specimens had been sent to Linnaeus by Erik Brander who was Swedish Consul at Algiers in the period 1753—1765, and who is known to have supplied Linnaeus at various times with specimens of North African butterflies.

5. In a case of this sort finality can be obtained only by the use by the International Commission of its Plenary Powers to direct that the name in question (in the present instance, the trivial name podalirius Linnaeus) shall be used in some particular way and in no other. It is necessary therefore to consider at this stage the precise form of the proposal which it is desirable should be submitted to the International Commission. It would, of course, be possible to select some modern figure or description which indisputably applies to Species “A” (the common Central and South European species) and to ask the Commission under its Plenary Powers to direct that the figure or description so selected shall constitute the unique standard of reference for identifying the taxonomic species represented by the nominal species Papilio podalirius Linnaeus, 1758. In many cases such a course would be the most advantageous, in that it would eliminate all possibility of doubt as to the identity of the species to which it is desired to tie a given name. It happens, however, that an equally satisfactory result can be secured by selecting for the foregoing purpose one of the bibliographical references used by Linnaeus in 1758 as the basis for his nominal species Papilio podalirius. Neither the reference to Rösel nor that to Réaumur would be satisfactory from this point of view, for, although there is no doubt that it was Species “A” (the common Central and South European species) with which those authors were dealing, the selection of either reference would give rise to fresh difficulties in the case of a polytypic species such as that with which we are here concerned, for the descriptions given by these authors are quite insufficient to provide a guide at the subspecies level and no
localities for this species were cited by either. The position is quite otherwise in the case of Ray, the first of the three authors cited by Linnaeus, for his description, coupled with the precise particulars which he gives as regards the locality in which his specimens were taken make the position at the subspecies level, as well as at the species level, absolutely clear. For of this species he wrote: "Prope Liburnum, portum in Etruria invenimus, atque etiam, ni male memini, in Anglia". The locality "Anglia" is incorrect for this species and is ineligible for consideration in the present context in view of the fact that it was a locus inquirendum from the standpoint of Ray. Accordingly the selection of the reference given by Linnaeus to Ray to be the standard by which the nominal species *Papilio podalirius* is to be interpreted would not only fix the identity of the taxonomic species represented by Linnaeus' nominal species beyond possibility of argument but would also in addition fix with equal precision the identity of the nominotypical subspecies of that nominal species, for that subspecies would automatically be that found in the neighbourhood of Livorno in Tuscany.

6. The foregoing is therefore the designation which I suggest the International Commission should be asked to make in this case. I have discussed this question both with Dr. Corbet and with Mr. N. D. Riley (Keeper, Department of Entomology, British Museum, London), each of whom is in agreement with the course suggested. Dr. Corbet has asked that his proposal to the International Commission should be interpreted in this sense.

3. Issue of Public Notices : On 14th November 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers for the purpose of determining the identity of the taxonomic species represented by the nominal species *Papilio podalirius* Linnaeus, 1758, was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

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

4. One of the first matters connected with the wording of the *Règles* to be considered by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948 was
the clarification and reform of Article 31, the Article concerned with the designation of holotypes and the selection of lectotypes (Paris Session, 4th Meeting, Conclusion 11) (1950, Bull. zool. Nomencl. 4 : 73—76). It was in the light of the conclusions so reached that the present application was considered by the International Commission at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 27) (1950, Bull. zool. Nomencl. 4 : 497—499) :

THE COMMISSION agreed :

(1) to use their Plenary Powers to direct that the reference to “ Raj. ins. iii n. 3” (i.e. Ray (J.), 1710, Hist, Ins. : 111 n. 3) cited by Linnaeus, when in 1758 he first published the name *Papilio podalirius* was to be treated as representing the type specimen of that species and therefore that the trivial name *podalirius* Linnaeus, 1758 (as published in the binominal combination cited above) was to be applied to the species there described by Ray from specimens taken at Livorno in Tuscany (“prope Liburnum, portum Etruriae’’);

(2) to place the undermentioned trivial names on the *Official List of Specific Trivial Names in Zoology* :

*podalirius* Linnaeus, 1758 (as published in the binominal combination *Papilio podalirius*), as defined in (1) above ;

*feisthameli*¹ Duponchel, 1832 (as published in the binominal combination *Papilio feisthameli*) (without prejudice to the prior rights of the trivial name

¹ For an explanation of the use of a single terminal “-i” for this name see paragraph 8 below.
340 OPINIONS AND DECLARATIONS

*podalirius* Linnaeus, 1758, from the standpoint of specialists who regard these as the names of sub-species of a single collective species);

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

5. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 116).

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

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

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

8. It must be noted also that, in view of the fact that it was decided by the Paris Congress in 1948 that infringements of the provision in the concluding portion of Article 14 of the *Règles* (which at that time required that, where a trivial name was based on the modern patronymic of a man, that name should be formed by the addition to that patronymic of the genitive termination
"-i" should be subject to automatic correction (1950, Bull. zool. Nomencl. 4: 67—68), the specific name *feisthamelii* Duponchel, 1832, as published in the combination *Papilio feisthamelii*, was automatically corrected to *feisthameli* before being cited in the Conclusion reached by the Commission in Paris, quoted in paragraph 4 of the present Opinion. At its meeting held at Copenhagen in 1953 the Fourteenth International Congress of Zoology reviewed the decision taken by the Paris Congress in this matter and agreed to amend Article 14 in such a way as to provide that in cases such as that referred to above the terminations "-i" and "-ii" shall be permissible variants, the differences between them to have no nomenclatorial significance (1953, Copenhagen Decisions zool. Nomencl. : 54). Accordingly, in the Ruling given in the present Opinion the "-ii" spelling for the specific name *feisthamelii* Duponchel, 1832, as published in the combination *Papilio feisthamelii*, has been restored.

9. The following are the original references for the names placed on the Official List of Specific Names in Zoology in the Ruling given in the present Opinion:—

*feisthamelii, Papilio, Duponchel, 1832, in* Godart, *Hist. nat. Lépid. France, Suppl. 1 (Diurnes) : 7, pl. 1, fig. 1♀ "Barcelone"

*podalirius, Papilio, Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 463, nota*

10. At the time of the adoption of the Ruling given in the present Opinion, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the Official List reserved for recording such names was styled the Official List of Specific Trivial Names in Zoology, the word "trivial" appearing also in the title of the Official Index reserved for recording rejected and invalid names of this category. Under a decision taken by the fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the Official List and Official Index of such names (1953, Copenhagen Decisions zool. Nomencl. : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present Opinion.
11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion Two Hundred and Sixty-Three (263)* of the International Commission on Zoological Nomenclature.

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

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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


OPINION 264
Designation, under the Plenary Powers, of a figure to represent the lectotype of the nominal species Papilio iris Linnaeus, 1758 (Class Insecta, Order Lepidoptera)

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Issued 10th August, 1954
INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 264

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio de Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporaiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Hindle (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinæ- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Foud University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Sparck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
DESIGNATION, UNDER THE PLENARY POWERS, OF A FIGURE TO REPRESENT THE LECTOTYPE OF THE NOMINAL SPECIES “PAPILIO IRIS” LINNAEUS, 1758 (CLASS INSECTA, ORDER LEPIDOPTERA)

RULING:—(1) Under the Plenary Powers, the illustration given as figure 1 on plate 29 of South (R.), 1906, *The Butterflies of the British Isles* is hereby designated to represent the lectotype of the nominal species *Papilio iris* Linnaeus, 1758, and the restricted locality of the nominate subspecies of the foregoing species is to be treated as being “England” (= “Anglia” of Linnaeus, 1758).

(2) A note of the foregoing determination of the above nominal species is to be inserted in the entry in the *Official List of Specific Names in Zoology* as Name No. 48 of the specific name *iris* Linnaeus, 1758, as published in the combination *Papilio iris*, made under the directions given in Opinion 232.

(3) The specific name *ilia* [Schiffermüller and Denis], 1775, as published in the combination *Papilio ilia*, is hereby placed on the foregoing *Official List* as Name No. 79.

I.—THE STATEMENT OF THE CASE

On 18th March 1945, Dr. A. Steven Corbet (*British Museum (Natural History), London*) submitted to the International Commission the following preliminary note foreshadowing an application for a ruling under the Plenary Powers that the trivial name *iris* Linnaeus, 1758, as published in the combination *Papilio iris*, should be held to apply to the “Purple Emperor” Butterfly which occurs in Europe, including England, and which is habitually known by the specific name *iris* Linnaeus, 1758, and not to the allied species which occurs in Continental Europe
but not in England and which is habitually known by the specific name *ilia* [Schiffermüller and Denis], 1775:\(^1\):

Request for the use of the Plenary Powers to secure the continued usage in its accustomed sense of the name "*iris*" Linnaeus, 1758, as published in the combination "*Papilio iris*"

By A. STEVEN CORBET
(British Museum (Natural History), London)

Extract from a letter dated 18th March 1945

I enclose a draft of some notes on *Papilio iris* L., which contains all the relevant information, although I feel sure that it could be put together in a more logical form.

*Enclosure to Dr. A. Steven Corbet’s letter of 18th March 1945*

"*Papilio iris*" Linnaeus, 1758

When the Linnean Collection was examined in detail by Mr. W. H. T. Tams and myself in 1941 we were impressed by the sound state of preservation of the specimens, by the absence of any evidence suggesting that label-changing had been carried out by Sir James Edward Smith, who acquired the collection after Linnaeus’ death, and by the presence of almost all the types which were known to be in the collection originally. To my mind, there is no doubt that the Linnaean names should be based on these specimens (to a large extent this is the position which obtains already), and should not rest on selections of "types" by later authors from among the figures and descriptions of previous authors cited by Linnaeus in his descriptions. At the same time, of course, it is necessary to ascertain that these specimens were actually in the Linnean Collection at the time that they were described.

2. In the description of *Papilio iris* in *Systema Naturae*, Edition 10, p. 476, Linnaeus cited references to four authors including two figures and gave a detailed description which may refer to *Apatura iris* auctt. or to *A. ilia* (Schiff.); "*Habitat in Quercu Germaniae, Angliae etc.* P. Forskål".

3. The Linnean Collection has two males labelled "*iris*" and "110 iris" in Linnean writing and both are *A. ilia*: there is, in addition, a male of *A. iris* auctt. without label and (according to Verity) a female of *A. ilia*, also without a label but both believed to be Linnean. The species was marked in the Linnean copy of Edition 10 as being in the Linnean collection and one of the males labelled

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\(^1\) Frequently, this name is incorrectly cited as having been first published in 1776, but in fact it first appeared in 1775.
"iris" should be regarded as the type. Although the description of *iris* in Edition 10 does not differentiate between *iris* auctt. and *ilia* there is a note added to Linnaeus' copy of Edition 10 which made it clear that he was describing *A. ilia* and not *A. iris* auctt. "Primorae supra maculis albis sparsi in media & exterius [et ocello nigro inde ferrugineo]."

4. In view of the confusion which must result from using the name *iris* in its correct sense, there is much to be said for the Commission fixing the name "iris" to *A. iris* auctt. with an arbitrarily selected type locality or designating the specimen of *iris* auctt. in the Linnean Collection as the type. I have no idea as to the provenance of this particular specimen.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On the receipt of Dr. Corbet's letter, the problem dealt with in the present Opinion was given the Registered Number Z.N.(S.) 184. As soon as practicable thereafter, discussions were started with Dr. Corbet, by Mr. Francis Hemming, Secretary to the Commission, who, as a lepidopterist, was already familiar with the problem involved, the object of these discussions being to settle the precise nature of the request to be submitted to the International Commission and, generally, to finalise Dr. Corbet's application which, as will have been noted (paragraph 1), was submitted only in draft form. These discussions were concluded in the summer of 1945, and on 23rd June of that year, the outcome was formally placed on record by Mr. Hemming in the following paper which was then placed in the Commission's File Z.N.(S.) 184:

Proposed use of the Plenary Powers to designate the species to be accepted as that represented by the nominal species "Papilio iris" Linnaeus, 1758

By FRANCIS HEMMING (London)

The purpose of the present note is to examine the question of the application of the name *Papilio iris* Linnaeus, 1758 (*Syst. Nat.* ed. 10: 476) and to put forward a proposal for the use by the International Commission of its Plenary Powers for the purpose of securing that this name shall be available for use in its universally accepted sense.
2. The present case is similar in its main outlines to that of the name *Papilio podalirius* Linnaeus, 1758, which has already been submitted to the International Commission by Dr. A. Steven Corbet and myself, in the sense that an examination of the material preserved in the Linnean collection at Burlington House carried out by Dr. Roger Verity in 1912—1913 showed that this name was correctly applicable not to the species to which it is habitually applied but to an allied species which has always been known by a different name (Verity, 1913, *J. linn. Soc. Lond. (Zool.*) 32 : 180—181). Before examining the present case, it may be convenient to set out the issue in simple terms for the convenience of those zoologists who may be called upon to consider this matter but who are not personnally acquainted with the two species involved. Briefly, the point to be noted is that in the West Palaearctic Region there are two widely distributed species of the genus *Apatura* Fabricius, 1807, which for the present purpose may be distinguished as Species "A" and Species "B". These species may be separated as follows:—

(1) *Species "A"*:

This species is most readily recognised by the presence on the upper side at the inner angle of the forewing of a black spot which, by reason of its being surrounded by the dark ground colour, is often barely visible.

This species is widely distributed in Western, Central and Southern Europe. It occurs in England but does not extend as far north as Scandinavia. It is doubtful how far east it occurs; the insect occurring in West China which was formerly regarded as a subspecies of Species "A" is now known to be structurally distinct. This species is known in England as the "Purple Emperor".

(2) *Species "B"*:

This species can at once be distinguished from Species "A" by the fact that the black spot at the inner angle of the forewing on the upperside is always surrounded by a circle of tawny scales. Moreover, unlike Species "A", Species "B" commonly exhibits marked dimorphism, there are frequently occurring specimens in which the white bands on the upperside are replaced by bands of a yellowish colour.

In Western Europe this species has a distribution not unlike that of Species "A", but it does not extend as far north and is not found in England. It extends, however, much further to the East.

3. Species "A" is habitually known as *Apatura iris* (Linnaeus, 1758), being identified with *Papilio iris* Linnaeus, 1758. Species "B" is habitually known as *Apatura ilia* [Schiffermüller and Denis], 1775, being identified with *Papilio ilia* ([Schiffermüller and Denis], 1775) (*Ankündung syst. Werk. Schmett. wien. Gegend* : 172, no. G.2).
4. The description given by Linnaeus (1758: 476) for his *Papilio iris* might apply to either Species "A" or to Species "B". Three of the four bibliographical references cited by Linnaeus are all to Species "A". The fourth (that to Richter) is indeterminate. The locality cited by Linnaeus ("Habitat in Quercu Germaniae, Angliae etc.") certainly applies to Species "A" (by reason of the reference to "Anglia") and may also apply to Species "B". Judged by the foregoing criteria, it would be reasonable to conclude (1) that the nominal species *Papilio iris* Linnaeus was certainly based upon Species "A" but (2) that, owing to the vagueness of the description and of one of the references cited, Linnaeus might also have had before him specimens of, or may have been referring to, Species "B" when establishing this nominal species but that there is no clear evidence that he did so. On this basis it would be reasonable to conclude that the current universal identification of *Papilio iris* Linnaeus with Species "A" (The Purple Emperor of England) was correct and to treat any elements of Species "B" which may have been included by Linnaeus in this nominal species as having been removed therefrom by Schiffermüller and Denis, the first authors to recognise the distinction between Species "A" and Species "B", when in 1775 they gave the name *Papilio ilia* to Species "B", thus leaving Species "A" in undisputed possession of the name *Papilio iris* Linnaeus.

5. Unfortunately, there are two pieces of evidence which clearly show that such a conclusion would be incorrect. These are: (1) In his own interleaved copy of the Tenth Edition of the *Syst. Nat.* (now preserved at Burlington House) Linnaeus, as noted by Verity (1913: 180—181), added at the end of the entry for *Papilio iris* the words "et ocello negro inde ferrugineo", thus unmistakably identifying *Papilio iris* with Species "B". (2) The examination of the Linnean collection at Burlington House, first by Verity (1913: 180) and again, recently, by Dr. Corbet shows conclusively that the Linnean syntypes of *Papilio iris* belong to Species "B" and not to Species "A".

6. Every lepidopterist will agree that the utmost confusion would arise if it were necessary to transfer the trivial name *iris* Linnaeus from Species "A", the species to which this name has been consistently applied for one hundred and eighty-seven years (i.e. ever since 1758), to the closely allied Species "B", which ever since 1775 has been known by the trivial name *ilia* [Schiffermüller and Denis]. This is a clear case of a transfer of the kind expressly mentioned by the Ninth International Congress of Zoology, Monaco, 1913, as being a peculiarly suitable subject for the use by the International Commission of the Plenary Powers granted to it by that Congress.

7. It remains to consider the form which action by the International Commission under its Plenary Powers might most suitably take in the present case. First, it will, I think, be generally agreed that ease of recognition will be promoted if the Commission, in giving directions as to how the nominal species *Papilio iris* Linnaeus, 1758,
is to be interpreted, were to secure that the standard specimen or figure to be used for identifying this species should be a specimen, or a figure of a specimen, obtained in England, for of the two localities cited by Linnaeus for his *Papilio iris* this could only refer to Species "A", since Species "B" does not occur in Great Britain. If we were concerned with a highly plastic species, it would probably be well to define the type locality of this species with greater precision than "England". In that event it might, other things being equal, be convenient to select either the locality given by Ray or that given by Wilkes in the passages cited by Linnaeus, when describing *Papilio iris*, both of which are quite precise. Ray said of this species: "Julio mense capta est circa Heveningham Castle in Essexia Anno 1695 A.D. Courtman"; Wilkes wrote: "... may be taken in Comb-Wood in Surrey, about Westram [sic] in Kent and in other places". Neither of these localities would, however, prove a very convenient selection at the present date, for the species has long been extinct both in Essex and in Kent. In the circumstances, it seems to me that the broader indication given by the word "England" will be quite sufficient.

8. It will certainly be desirable that, when prescribing the manner in which this nominal species should be interpreted, the International Commission should cite a good modern coloured figure, preferably one published in some inexpensive and easily accessible book. I suggest for consideration that the excellent figure of a male specimen given as figure 1 on plate 29 of Richard South’s well-known little book entitled *The Butterflies of the British Isles* published in 1906 would be very suitable for this purpose.

9. I accordingly suggest for consideration that the International Commission should use its Plenary Powers to direct that the trivial name *iris* Linnaeus, 1758, as published in the combination *Papilio iris*, shall be held to apply to the species represented by the specimen as figured in the work cited in the immediately preceding paragraph and that the type locality of the nominotypical subspecies of this species shall be held to be "England" (= "Anglia" of Linnaeus, 1758).

3. Support received from Mr. N. D. Riley (British Museum (National History), London): On 23rd June 1945, Mr. N. D. Riley (Keeper, Department of Entomology, British Museum (Natural History), London), with whom Mr. Hemming had been in correspondence when preparing the paper reproduced in the immediately preceding paragraph of the present Opinion, stated that he was in full agreement with the application submitted in the present case, adding that, in his view, any other course would inevitably lead to the most serious confusion.

4. Issue of Public Notices: On 14th November 1947 a notice of the possible use by the International Commission on
Zoological Nomenclature of its Plenary Powers for the purpose of determining the identity of the taxonomic species represented by the nominal species Papilio iris Linnaeus, 1758, was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

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

5. One of the first matters connected with the wording of the Règles to be considered by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948 was the clarification and reform of Article 31, the Article concerned with the designation of holotypes and the selection of lectotypes (Paris Session, 4th Meeting, Conclusion 11) (1950, Bull. zool. Nomencl. 4: 73—76). It was in the light of the conclusions so reached that the present application was considered by the International Commission at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 39) (1950, Bull. zool. Nomencl. 4: 540—542):

THE COMMISSION agreed:

(1) to use their Plenary Powers to direct that the trivial name iris Linnaeus, 1758, as published in the binominal combination Papilio iris, should be applied to the species figured as Apatura iris by South (R.), 1906, The Butterflies of the British Isles as figure 1 on plate 29 and that the type locality of this species, i.e. the type

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2 Article 31 was further amended by the Fourteenth International Congress of Zoology, Copenhagen, 1953, but the changes then made do not affect the decision taken in the present case. See 1953, Copenhagen Decisions zool. Nomencl.: 72—78.
locality of the nominotypical subspecies of this species, should be deemed to be "England" ("Anglia" of Linnaeus, 1758);

(2) that the foregoing definition of the meaning to be applied to the trivial name *iris* Linnaeus, 1758, should be entered against that trivial name, when, in accordance with the decision recorded in Conclusion 16 (6) of the present meeting that name was inscribed on the *Official List of Specific Trivial Names in Zoology*;

(3) to place the trivial name *ilia* [Schiffermüller and Denis], 1775, as published in the binominal combination *Papilio ilia*, on the *Official List of Specific Trivial Names in Zoology*;

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

6. It should be noted that the only reason why the specific name *iris* Linnaeus, 1758, as published in the combination *Papilio iris*, dealt with in the decision set out in the immediately preceding paragraph was not, in that decision, placed on the *Official List of Specific Names in Zoology* was that this name had already been placed on that *List* under a decision which has since been embodied in *Opinion* 232.

7. The following are the original references and localities for the names placed on the *Official List of Specific Names in Zoology* in the Ruling given in the present *Opinion*:


*iris*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 476 "England" (by designation in the present *Opinion*)

8. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5: 117).
9. The Ruling given in the present Opinion was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely:

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

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

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

12. It must be noted also that at the time when the Ruling given in the present Opinion was adopted by the International Commission, the expression prescribed to denote, in the case of polytypic species, the subspecies upon which the nominal species concerned was originally based was the expression "nomino-typical subspecies" (Paris Session, 7th Meeting, Conclusion 2) (1950, Bull. zool. Nomencl. 4 : 191), but that at its meeting held at Copenhagen in 1953 the Fourteenth International Congress of Zoology decided to substitute for the foregoing expression the
expression "nominate subspecies" (1953, Copenhagen Decisions zool. Nomencl. : 21). The change in terminology so adopted has been incorporated in the Ruling given in the present Opinion.

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

14. The present Opinion shall be known as Opinion Two Hundred and Sixty-Four (264) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourth day of January, Nineteen Hundred and Fifty-Four.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
ATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

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


OPINION 265
Validation, under the Plenary Powers, of the specific
names aristolochiae Fabricius, 1775, as published in the
combination Papilio aristolochiae and ascanius Cramer
[1775], as published in the combination Papilio ascanius
(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 265

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History),
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology,
Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949
Senor Dr. Angel CABRERA (La Plata, Argentina).
Mr. Francis HEMMING (London, England) (Secretary to the Commission).
Dr. Karl JORDAN (British Museum (Natural History), Zoological Museum,
Tring, Herts, England) (President of the Commission).
Dr. Th. MORTENSEN (Universitets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph PEARSON (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952
Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester BRADBURY (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di CAPORIACCO (University of Parma, Italy).
Professor J. R. DYMOND (University of Toronto, Canada).
Dr. James L. PETERS (Museum of Comparative Zoology, Cambridge,
Massachusetts, U.S.A.) (Vice-President of the Commission).
Dr. Harold E. VOKES (United States Geological Survey, Washington, D.C.,
U.S.A.).

Class 1955
Professor Dr. Hilbrand BOSCHMA (Rijksmuseum van Natuurlijke Historie,
Leiden, The Netherlands).
Dr. William Thomas CALMAN (Tayport, Fife, Scotland).
Professor Teiso ESAKI (Kyushu University, Fukuoka, Japan).
Professor Béla HANKÓ (University of Debrecen, Hungary).
Dr. Tadeusz JACZEWSKI (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. STOLL (Rockefeller Institute for Medical Research, Princeton,
New Jersey, U.S.A.).

C. Alternate Members of the Commission at the Session held in Paris
in 1948
Professor Enrique BELTRÁN (Instituto Mexicano de Recursos Naturales
Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo JORGE (Museu Bocage, Lisbon, Portugal).
Professor Harold KIRBY (University of California, Berkeley, California, U.S.A.).
Dr. Henning LEMCHE (Kgl. Veterinær- og Landbohøjskole, Zoologisk Labora-
torium, Copenhagen, Denmark).
Professor Kamel MANSOUR (King Fouad University, Cairo, Egypt).
Professor Z. P. METCALF (North Carolina State College of Agriculture and
Mr. N. D. RILEY (British Museum (Natural History), London, England).
Professor Ragnar SPÄRCK (Universitets Zoologiske Museum, Copenhagen,
Denmark).
Professor Victor van STRAÉLEN (Institut Royal des Sciences Naturelles de
Belgique, Bruxelles, Belgium).
Professor Robert L. USINGER (University of California, Berkeley, California,
U.S.A.).
VALIDATION, UNDER THE PLENARY POWERS, OF THE SPECIFIC NAMES "ARISTOLOCHIAE" FABRICIUS, 1775, AS PUBLISHED IN THE COMBINATION "PAPILIO ARISTOLOCHIAE" AND "ASCANIUS" CRAMER [1775], AS PUBLISHED IN THE COMBINATION "PAPILIO ASCANIUS" (CLASS INSECTA, ORDER LEPIDOPTERA)

RULING:—(1) Under the Plenary Powers, the undermentioned specific names (Class Insecta, Order Lepidoptera) are hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy:—(a) the name ascanius Linnaeus, 1768, as published in the combination Papilio ascanius; (b) the name aristolochiae Pallas, as used by that author in the combination Papilio aristolochiae on any date prior to the publication in 1775 of the name aristolochiae Fabricius in the same combination.

(2) The specific names suppressed under the Plenary Powers in (1) above are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology as Names Nos. 21 and 22.

(3) The undermentioned specific names are hereby placed on the Official List of Specific Names in Zoology as Names Nos. 80 and 81:—(a) the name ascanius Cramer [1775] as published in the combination Papilio ascanius; (b) the name aristolochiae Fabricius, 1775, as published in the combination Papilio aristolochiae.

I.—THE STATEMENT OF THE CASE

In the early part of the year 1945 Dr. A. Steven Corbet (British Museum (Natural History), London) recalled to Mr. Francis Hemming, Secretary to the International Commission, that in 1941 he had published a suggestion (Corbet, 1941, Proc. R. ent. Soc. Lond. (B) 10 : 27) that an application should be submitted to the International Commission asking for the use of the Plenary
Powers to suppress the specific name *ascanius* Linnaeus, 1768, as published in the combination *Papilio ascanius*, a long-overlooked name recently brought to light by Dr. Corbet’s survey of the writings of Linnaeus which, if re-introduced, would lead to the sinking in synonymy of the name *aristolochiae* Fabricius, 1775, as published in the combination *Papilio aristolochiae*, and to the rejection, as a junior homonym, of the name *ascanius* Cramer, 1775, as published in the combination *Papilio ascanius*. Dr. Corbet took the view that both these results would be highly objectionable, especially the former, having regard to the fact that either in its Latin form or in some vernacular form the name *aristolochiae* had been widely used to denote an important section of the genus *Papilio* Linnaeus, 1758, *sensu lat.*, a usage which would quickly become unintelligible if the name *aristolochiae* Fabricius were to be discarded as a junior (subjective) synonym. Dr. Corbet added that, now that the Commission was in a position to deal with new applications, he proposed formally to submit this case. In informing Dr. Corbet of his support for the submission to the International Commission of an application on the foregoing lines, Mr. Hemming added that, as lepidopterist, he hoped that Dr. Corbet would widen his application somewhat, in order to include a proposal that the Commission should suppress a usage of the name *aristolochiae* in the combination *Papilio aristolochiae* which it was known had been made by Pallas on some date prior to 1780 in a work which it had been impossible to trace; a lengthy description by Pallas of his *Papilio aristolochiae* had been quoted by Esper in 1780 and it might well be that that name had been published by Pallas before the appearance in print of the name *Papilio aristolochiae* Fabricius, 1775, the name which it was Dr. Corbet’s principal object to preserve. Mr. Hemming therefore suggested that he should include in his application to the Commission a request that the name *aristolochiae* as used by Pallas in the combination *Papilio aristolochiae* on some date prior to 1780 should be suppressed under the Plenary Powers. Dr. Corbet agreed to expand his application in this way, and on 26th March 1945 he submitted the following letter enclosing the draft of his projected application to the Commission. Dr. Corbet had not supplied the substantive application at the time of his premature death, and accordingly the document furnished by him in 1945 was adopted by the Commission as constituting the “Statement of the Case” in
Proposed use of the Plenary Powers to validate the names "Papilio aristolochiae" Fabricius, 1775, and "Papilio ascanius" Cramer [1775]

(a) Letter, dated 26th March 1945 from Dr. A. Steven Corbet to Mr. Francis Hemming

Enclosed is a draft of my proposed application to the International Commission on Zoological Nomenclature for suspension of the Rules in order to invalidate the names *Papilio ascanius* Linnaeus, 1768, and *Papilio aristolochiae* Pallas.

(b) Enclosure to Dr. A. Steven Corbet’s letter of 26th March 1945

1. *Papilio ascanius* Linnaeus, 1768

*Papilio ascanius* (Eques) Linnaeus, 1768, *Iter in Chinam* : 7, 8 (note d ; Hab. in Insula Nieuw Bay [Java].

This name was applied by Linnaeus to a butterfly taken by Anders Sparrman in Java during his voyage to China in 1765. The insect remained unidentified until recently when the opinion was expressed (Corbet, 1941, *Proc. R. ent. Soc. Lond.* (B) 10 : 25) that the name applies to the form *antiphus* Fabricius of *Atrophaneura aristolochiae* (Fabricius). The Sumatran race of the species is of this form, which also occurs occasionally in west Java, according to material in the British Museum.

2. *Papilio aristolochiae* Fabricius, 1775

*Papilio aristolochiae* Fabricius, 1775, *Syst. Ent.* : 443; “Hab. in Aristolochiis Indiae Orientalis”.

It is generally considered that Fabricius’s name was based on an Indian example of the common and widely distributed species of *Atrophaneura* to which it is currently applied. The name of *aristolochiae*, however, was not consistently applied to this species for, in the first half of the last century, it was incorrectly known as *P. polydorus* and later it passed under the name of *P. diphilus* Esper, which is now regarded as a synonym of *aristolochiae*. Butler re-established the Fabrician name for the species in 1869 and this name has been universally used for the collective species ever since.

3. *Papilio ascanius* Cramer [1775]


Although Cramer made no mention of the Linnean name *ascanus* there can be little doubt that he was aware of it, for the South American species to which he allotted the name bears a superficial resemblance to the Oriental species described as *P. ascanius* by Linnaeus and as *P. aristolochiae* by Fabricius. Cramer’s species, which is now known
as Battus ascanius ([Cramer]), appears to be confined to the neighbourhood of Rio de Janeiro and has been known by no other trivial name than that which Cramer applied to it.

4. Papilio aristoloehiae Esper [1780].

Papilio aristoloehiae Esper [1780], Die Schmetterlinge, 1 (Bd. 2) (Forts. Tag-schmett.) : 19 ; Südlich Russland.

In his description of Zerynthia rumina (Esper nec Linnaeus), for which the oldest valid name appears to be Z. hypermnestra Scopoli, 1763, Esper commented on the appropriateness of Pallas's name Papilio aristoloehiae for the species, since the larva feeds on Aristolochia. From Esper's remarks, it might appear that Pallas had previously published this name, but a search through his Reise Prov. Russ. Reichs. has not revealed any clue. For the present, therefore, the name must be attributed to Esper.

The name aristoloehiae has not been employed consistently for any of the Zerynthia species and it would be unfortunate if it had to be brought into use following the discovery of its publication by Pallas before 1775.

5. A strict application of the laws of priority to these two pairs of homonyms would necessitate the following changes in nomenclature.

(i) Atrophaneura ascanius (Linnaeus, 1758) would replace Atrophaneura aristoloehiae (Fabricius, 1775) as the oldest valid name for the widely distributed oriental species at present known under the latter name.

(ii) A new name would be required for the South American species of Battus which has been known under the trivial name of ascanius [Cramer], 1775, for over a century and a half.

(iii) If a name Papilio aristoloehiae Pallas came to light with a date of publication prior to 1775 it would invalidate the Fabrician name and this latter name would not be available for use even as a subspecific name. If Pallas's name appeared before 1763, it would invalidate Scopoli's name of hypermnestra for the Zerynthia species.

6. It must be conceded that a strict application of the law of priority would have a most unfortunate effect on the nomenclature of two, or possibly three, well-known species of papilionidae. The transference of the name ascanius from the South American species of Battus to the common Oriental species of Atrophaneura which is widely known as aristoloehiae would upset the nomenclature of two important species which have been known by these names for a long time and of which the latter species has an extensive literature.

The resuscitation of Pallas's name aristoloehiae (if such were found), for the Zerynthia species now known as hypermnestra Scopoli would not only lead to confusion in the literature of this species but would involve changing the name of the Oriental Atrophaneura species,
assuming that this had not been done in consequence of the identification of the Linnean name *ascarius*.

In my opinion, these devastating changes in nomenclature resulting from the identification of Linnaeus's *ascarius* and the discovery that Pallas used the name *aristolochiae* for a species of *Zerynthia* are not only unwarranted but may well have the effect of bringing zoological nomenclature to ridicule; certainly they would create "greater confusion than uniformity".

7. I, accordingly, on the basis of the evidence submitted, apply to the International Commission of Zoological Nomenclature:

(1) To suspend the rules in the case of *Papilio ascanius* Linnaeus, 1768, and to reject the name permanently.

(2) To suspend the rules in the case of *Papilio aristolochiae* Pallas, if this name should subsequently be found in the literature, and to reject the name permanently.

II.—HISTORY OF THE PRESENT CASE PRIOR TO THE RECEIPT OF DR. CORBET'S APPLICATION

2. As has already been explained, one aspect of the proposal submitted by Dr. Corbet had been considered by Mr. Hemming, as a lepidopterist, before the outbreak of war in 1939. The following is a note on this subject prepared by Mr. Hemming on 28th July 1936, shortly before he was elected Secretary to the International Commission:

The problem created by the use of the name "*Papilio aristolochiae*" by Pallas on some date prior to 1780 for the Zerynthiid species formerly generally known as "*Thais polyxena*"

[Schiffermüller & Denis], 1775

By FRANCIS HEMMING (London)

The common South European Zerynthiid species formerly known as *Thais polyxena* ([Schiffermüller & Denis], 1775), and now referred to the genus *Zerynthia* Ochsenheimer, 1816, presents a nomenclatorial tangle which at present is quite insoluble.

2. This species was universally known as *Thais polyxena* ([Schiffermüller & Denis], 1775) (*Ankündung syst. Werk. Schmet. wien. Gegend* : 162, no. C.1) until about 1908, although it was usually dated "1776" and attributed to the version of the same authors' work published in the latter year in an edition differing from that of 1775 only in its title (*Verzeichniss der Schmetterlinge der Wiener Gegend*).
3. In 1908, however, Verity proposed (1908, Rhop. pal. : 31) the re-introduction for this species of the trivial name hypemnestra Scopoli, 1763 (Papilio hypemnestra Scopoli, 1763, Ent. carn. : 149) and this suggestion won a fair measure of acceptance. This usage was, however, incorrect, for the name Papilio hypemnestra Scopoli, 1763, was an invalid junior homonym of an identical name published for an entirely different species somewhat earlier in the same year, namely Papilio hypemnestra Linnaeus, 1763 (Amoen. acad. 6 : 407). As soon as it was realised that the name hypemnestra Scopoli was not available, a fresh hunt was made for a name for this species. The name next brought forward was hypsipyle Fabricius, 1777 (Papilio hypsipyle Fabricius, 1777, Gen. Ins. : 265). In 1934 (Stylops 3 : 196), I accepted this name, but pointed out that it had been published by Schulze a year before it was published by Fabricius, and therefore that it should be known as Zerynthia hypsipyle (Schulze, 1776) (Papilio hypsipyle Schulze, 1776, Naturforscher 9 : 221 et nota). The nominal species so established by Schulze is objectively identical with the nominal species Papilio hypemnestra Scopoli, 1763, Schulze having stated that his new name was a nom. nov. for Scopoli’s hypemnestra.

4. In the course of the survey of the old literature on which I am at present engaged for the purpose of detecting all the names published for the Palaearctic butterflies—and, so far as possible, securing the suppression, by the International Commission on Zoological Nomenclature, of any of these old names, the resurrection of which would give rise to serious confusion—I have come across a hitherto unsuspected difficulty in connection with the name to be used for the present species. For I find that in Band 2 of the first Theil of the Fortsetzung der europäischer Schmetterlinge Esper, when discussing the present species under the name P. N. Ph. Rumina (the use of this name being a misidentification of the entirely different species Papilio rumina Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 480), quotes a long description of what is undoubtedly this species written by Pallas under the name Papilio aristolochiae. The specimens on which Pallas’s description was based were obtained from Southern Russia. Esper gave no reference from which to trace this long and important quotation from Pallas. The only contemporary author who appears to have noted the name Papilio aristolochiae Pallas was Borkhausen (1788, Naturgesch. eur. Schmett. 1 : 23, 113 ; 1789, ibid. 2 : 212), but he also gave no bibliographical reference to the passage in Pallas concerned, his knowledge of this name being evidently mainly, if not entirely, derivative from the passage in Esper referred to above. It is possible that the long passage—extending to over one full page of Esper’s work—may be no more than a transcript from a lengthy communication received by Esper from Pallas, but the description is so detailed that this is most improbable. In view of the locality in which were obtained the specimens on which Pallas stated that he based the description of his Papilio aristolochiae, it is much more likely that the passage in question appeared somewhere in the massive volumes of Pallas’s Reise durch verschiedene Provinzen des Russischen
Reichs. published in the period 1771—1776. Both Dr. C. D. Sherborn and myself have spent long hours in searching the three volumes of the foregoing work, but we have entirely failed to find any usage therein of the name Papilio aristolochiae Pallas.

5. The situation disclosed above is extraordinarily unsatisfactory, not only because it leaves completely in doubt what is the oldest available name for the Zerynthiid here under consideration, but also—and, viewed from a more general standpoint, particularly—because of the possibility that Pallas may have published for this species a name consisting of the combination Papilio aristolochiae prior to the publication of the name Papilio aristolochiae Fabricius, 1775 (Syst. Ent. : 443). The disappearance, as a junior homonym, of the latter name would be a most serious matter, having regard to the fact that either in its Latin form or some vernacular adaptation that name has given its currently adopted title to one of the most characteristic Sections of the genus Papilio Linnaeus, 1758, as broadly conceived, and has become the centre around which a large literature has accumulated.

6. In view of the considerations set out above, it is essential from the point of view of the nomenclature of the West Palaearctic butterflies that an end should be put to the present irremediable uncertainty as to the name to be applied to the Zerynthiid formerly known as Thais polyxena ([Schiffermüller & Denis], 1775), by the suppression, by the International Commission, under its Plenary Powers, of the mystery name—perhaps no more than a chironym—aristolochiae as used by Pallas in the combination Papilio aristolochiae. The same action is absolutely essential also in order to prevent the most serious confusion in the nomenclature of the largest single group—the genus Papilio Linnaeus, 1758, as formerly understood—in the family Papilionidae.

III.—THE SUBSEQUENT HISTORY OF THE CASE

3. On receipt of Dr. Corbet’s letter of 26th March 1945, the problem dealt with in the present Opinion was given the Registered Number Z.N.(S.) 186. Mr. Hemming thereupon consulted Mr. N. D. Riley (Keeper, Department of Entomology, British Museum (Natural History), London), with whom before the war he had discussed the aspect of this case raised by the discovery of the existence of the name Papilio aristolochiae Pallas. On 15th May 1945 Mr. Riley informed Mr. Hemming that he was in agreement with the action proposed by Dr. Corbet; Mr. Riley added that great confusion would result if the name aristolochiae Fabricius, 1775, had to be discarded for the species of Papilio to which it was universally applied.
4. Issue of Public Notices: On 14th November 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers for the purpose of validating the specific name *aristolochiae* Fabricius, 1775, as published in the combination *Papilio aristolochiae*, was sent to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed.

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

5. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision taken by it in the present case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 40) (1950, *Bull. zool. Nomencl.* 4: 542—545) :

THE COMMISSION agreed :

(1) to use their Plenary Powers :

(a) to suppress the trivial name *ascanius* Linnaeus, 1768, as published in the binominal combination *Papilio ascanius* ;

(b) in so far as such use might be necessary, to suppress the trivial name *aristolochiae* Pallas, as published in the binominal combination *Papilio aristolochiae*, prior to the publication by Esper in [1780] of an extract, containing this name, from some work by Pallas ;
(c) to validate the under-mentioned trivial names:—

aristolochiae Fabricius, 1775, as published in the binominal combination Papilio aristolochiae,
ascanius Cramer [1775], as published in the binominal combination Papilio ascanius;

(2) to place on the Official Index of Rejected and Invalid Specific Trivial Names in Zoology the trivial names specified in (1)(a) and (1)(b) above;

(3) to place on the Official List of Specific Trivial Names in Zoology the trivial names specified in (1)(c) above;

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

6. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph:—
aristolochiae, Papilio, Fabricius, 1775, Syst. Ent. : 443
ascanius, Papilio, Linnaeus, 1768, Dissert. acad. sistens in Iter in Chinam : 7, 8 (nota d)
ascanius, Papilio, Cramer, 1775, Uitl. Kapellen 1 (2) : 20, pl. 14, fig. A

7. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, Bull. zool. Nomencl. 5 : 118).

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

Beltrán vice Cabrera ; Boschma : Bradley ; di Caporiacco ; Hemming ; Hindle vice Jordan ; Jorge vice do Amaral ; Kirby vice Stoll ; Lemche vice Dymond ; Mansour vice Hankó ; Metcalf vice Peters ; Riley vice Calman ; Rode ; Spärck vice Mortensen ; van Straelen vice Richman ; Usinger vice Vokes.
9. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

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

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

12. The present *Opinion* shall be known as *Opinion* Two Hundred and Sixty-Five (265) of the International Commission on Zoological Nomenclature.

Done in London, this Fifth day of January, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission on Zoological Nomenclature*

FRANCIS HEMMING
OPINION 266

Determination of the species to which the specific name *annulatum* Dschunkowsky & Luhs, [1906], as published in the combination *Piroplasma annulatum* (Class Sporozoa, Order Coccidiida) shall be held to apply
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 266

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England) (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mørtensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teišo Esaki (Kyushu University, Fukuoka, Japan).
Professor Béla Hankó (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veteriner- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
DETERMINATION OF THE SPECIES TO WHICH THE SPECIFIC NAME "ANNULATUM" DSCHUNKOWSKY & LUHS, [1906], AS PUBLISHED IN THE COMBINATION "PIROPLASMA ANNULATUM" (CLASS SPOROZOA, ORDER COCCIDIIDA) SHALL BE HELD TO APPLY

RULING:—(1) The name *Piroplasma annulatum* (Class Sporozoa, Order Coccidiida) was published in 1906 on page 290 of the *Report of the VIIIth International Veterinary Congress, Budapest, 1905*, where it appeared (3:290) in a paper by Dschunkowsky & Luhs communicated to the Congress by M. G. Tartarowsky, and is therefore to be attributed to Dschunkowsky & Luhs, [1906].

(2) Sergent (E.) was in error when in 1923 he rejected the specific name *annulatum* Dschunkowsky & Luhs, as published in the foregoing combination, on the ground that, when that name was first published, its authors had included under it two species (the one, pathogenic; the other, non-pathogenic), for under the *Règles* a specific name may not be rejected on such grounds, it being necessary to determine the species to which the name should be held to apply by the use of the mechanism provided by Article 31.

(3) The first author to apply the provisions of Article 31 to the foregoing name was Witenberg in his paper published in 1947 in the *Bulletin of Zoological Nomenclature* (1:233—234), when he selected, as the species to which the name should apply, the pathogenic (as contrasted with the non-pathogenic) species included under the name *Piroplasma annulatum* by Dschunkowsky & Luhs, when establishing the nominal species so named.

(4) The nominal species *Theileria parva* Donatien, Plantureux *et al.*, 1923, and *Theileria dispar* Sergent (E.), 1924, considered by specialists to be identical with *Piroplasma annulatum* Dschunkowsky & Luhs, [1906], as determined under (3) above, and the specific names *parva* Donatien, Plantureux *et al.*, 1923, and *dispar* Sergent, 1924, as published in combination with the
generic name *Theileria*, are therefore junior subjective synonyms of *annulatum* Dschunkowsky & Luhs, [1906], as published in the combination *Piroplasma annulatum*.

(5) The specific name *annulatum* Dschunkowsky & Luhs, [1906], as published in the combination *Piroplasma annulatum*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 82.

I.—THE STATEMENT OF THE CASE

On 7th April 1938 Dr. G. Witenberg (*Hebrew University, Jerusalem*) submitted to the International Commission on Zoological Nomenclature the following request for a ruling on the question of the taxonomic species to which the name *Piroplasma annulatum* Dschunkowsky & Luhs, 1904 [sic] (Class Sporozoa, Order Coccidiida) should, under the *Règles*, be held to apply:—

On the status of the name commonly cited as “ *Piroplasma annulatum*”
Dschunkowsky and Luhs, 1904 (Class Porozoa, Order Coccidiida)

*By G. WITENBERG*

*(Department of Parasitology, The Hebrew University, Jerusalem)*

Dschunkowsky and Luhs, 1904, *Zbl. Bakt.* (Erste Abt.) 35 : 486—492; in a paper entitled “Die Piroplasmosen der Rinder” described but did not name a disease of cattle in the Caucasus. In this article, reference is made to two “forms” of the parasite, one occurring in an “acute” form of the disease and the other in a “chronic” one. These authors later wrote of this species under the name *Piroplasma annulatum*, but it has not so far been possible to trace the paper in which this name was first so published.

Both the above “forms” of this parasite may now be distinguished as species, the one belonging to the genus *Theileria* Bettercourt, Franca, & Borges, 1907, *Arch. Inst. Bact. Camera Pestana* 1 : 343, the other to *Anaplasma* Theiler, 1910, *Bull. Soc. Path. exot.* 3 : 135. The *Theileria* species is apparently identical with a well-defined North African, namely *Theileria dispar* Ed. Sergent.

Ed. Sergent (1923, *Bull. Soc. Path. exot.* 16 : 23—30) expressed the view that the trivial name *annulatum* of Dschunkowsky and Luhs should not be recognised because the species so named by those authors
is a "mixed species". Sergent considered that the species of *Theileria* described by the above authors under the above name might have been either of the two species of that genus found in the Mediterranean area, one pathogenic and the other non-pathogenic. The pathogenic species Sergent incorrectly called *Theileria parva*, though in his later papers he replaced that name by the name *Theileria dispar*; the non-pathogenic species he called *Theileria mutans*.

However, the arguments advanced by Sergent cannot be accepted, for it is quite certain that there exists only one pathogenic species of the genus *Theileria* in the Mediterranean area. It seems, therefore, that the name *Theileria dispar* Sergent, should be regarded as a synonym of *Theileria annulata* (Dschunkowsky & Luhs, 1904) and not the contrary, as Sergent treats it in all his recent papers.

I should be much indebted for an *Opinion* on the question whether the rejection by Sergent of the trivial name *annulatum* Dschunkowsky & Luhs is in accordance with the provisions of the International Code of Zoological Nomenclature.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. The present application, which had been addressed by Dr. Witenberg to Dr. C. W. Stiles was forwarded on 6th June 1938 to Mr. Francis Hemming who in 1936 had succeeded Dr. Stiles in the Office of Secretary to the Commission. On receipt in London, these papers were given the Registered Number Z.N.(S.) 127. It had not been found possible to advance the consideration of the present application by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*.

3. Immediately upon a start being made by Mr. Hemming in the routine checking of the details of this case, difficulties were
encountered, for it was found that in the paper by Dschunkowsky & Luhs published in 1904 (entitled Die Piroplasmosen der Rinder), which had always been treated as the place in which the name Piroplasma annulatum had been introduced into the literature, there was a full description of the newly detected organism but no scientific Latin name was applied to it. This led to a search of the literature which was both lengthy and arduous and in the end not wholly successful. In this difficult bibliographical investigation the Secretary to the Commission was greatly assisted by the late Dr. C. M. Wenyon, C.M.G., C.B.E., F.R.S. (The Wellcome Foundation, London) and by Mr. D. A. E. Cabot, M.R.C.V.S. (Chief Veterinary Officer, United Kingdom Ministry of Agriculture & Fisheries, London). The International Commission desires to express its thanks to these specialists for their assiduous efforts to further the investigation of the complex bibliographical problems involved in this case. The International Commission desires at the same time to thank (1) the Director of the Imperial Bureau of Animal Health for help given in this connection and, in particular, for supplying a photostat copy of the very rare paper by Dschunkowsky & Luhs published in 1903 which towards the close of the foregoing investigation it was thought might be the place where the name Piroplasma annulatum was first published, and (2) Miss I. M. Bellis, Personal Assistant to Dr. Wenyon, who undertook on his behalf a large part of the laborious search of the literature involved.

4. In October 1944 Mr. Hemming prepared a summary of the investigations into the question of the place of first publication of the name Piroplasma annulatum Dschunkowsky & Luhs carried out up to that date. This paper was prepared for publication in the Bulletin of Zoological Nomenclature and its purpose was, by bringing to light the bibliographical difficulties which had been encountered, to enlist the assistance of any interested specialist who might be in a position to give assistance. Mr. Hemming’s note was as follows:—

On the question of the place and date of first publication of the name "Piroplasma annulatum" Dschunkowsky and Luhs (Class Sporozoa, Order Coccidiida) commonly treated as having been first published in 1904

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

Since it is a condition of publication in the Bulletin of Zoological
Nomenclature that a full bibliographical reference should be given in any paper containing an application submitted to the International Commission for decision, I attempted, when preparing Dr. Witenberg’s application for publication, to identify the paper in which it was stated in that application Dschunkowsky and Luhs had in 1904 first published the name *Piroplasma annulatum* (Class Sporozoa, Order Coccidiida). When, however, I consulted the paper published by those authors in 1904 under the title “Die Piroplasmosen der Rinder” (1904, *Zbl. Bakt.* (Erste Abt.) 35: 486—492, pls.), I found that, although that paper was a preliminary communication, it contained a full description of the new species, but that nowhere did it contain a scientific name for it. Accordingly in September 1944, I wrote both to Dr. Witenberg and to Dr. C. M. Wenyon, C.M.G., C.B.E., F.R.S., The Wellcome Foundation, London, asking for assistance in this matter.

Dr. Wenyon replied (6th September 1944) saying that he was examining the literature and would write as soon as his investigations were complete. On 11th October 1944, Dr. Wenyon reported as follows:

We have made researches and have arrived at the following, which seems to be as far as we can go at present. It we get any more information, we will let you know.

We have been unable to trace the paper to which Dschunkowsky and Luhs’ “Vorläufige Mitteilung” in the *Centralblatt*, 1904, was intended to be a preliminary. If it appeared at all, it is possible that it was in some obscure Russian journal. The earliest use we have discovered of the name *Piroplasma annulatum* (and there it is used as if it were already an accepted term) is in a paper read in the name of Dschunkowsky and Luhs by:


The author appears as Herr Tartakowsky: we have taken his initials from the list of persons present (and on comparison with the rest, the “M” does not appear to stand for “Monsieur”). There is no title to his remarks; he is third speaker in a discussion on “Les maladies tropicales des animaux domestiques” and “Le rôle des protozoaires dans les maladies des animaux,” and starts with the words: “Als Beitrag zu den bis jetzt erstattetem Referaten sei mir gestattet, im Namen des Herrn Dschunkowsky ... unter seines Assistenten Herrn Luhs in kurzer Fassung einige Resultate ihrer Untersuchungen und Beobachtungen betreff der tropischen Rinderkrankheiten, welche in Transkauskasien verbreitet sind der Sektion mitzuteilen . . .”

Later, at the end of a list of names of diseases he gives:—“tropische Piroplasmose Dschunkowsky’s und Luhs. Der Parasit: *Piroplasma annulatum*” [not in italics] . . . “Bemerkungswert ist, dass Piroplasma annulatum unter verschiedenen Umständen in drei Grundformen auftritt:

1. die Hauptform, kleine ring-und birnenförmige Parasiten;
2. lange und kleine bacillenartige Form;

In akuten Fällen beobachtet man die kleinen Ring- und Birnenformen im Sommer und P. Sporen im Winter. In dieser Hinsicht treten die Autoren von ihrer früheren Ansicht, dass die Punkform nur dem chronischen Verlauf der Krankheit eigen ist, zurück. In chronischen Fällen beobachtet man P.-Sporen im Winter und grosse bacillenartige Formen (3—5 μ) im Sommer . . .”
Immediately before Tartakowsky spoke, Herr Bitter (Cairo) concluded remarks he had made on Egyptian piroplasmosis with the words: "Es ist sehr wahrscheinlich, dass der Parasit identisch ist mit dem von Dschunkowsky und Luhs beschriebenen und ebenfalls auf dem Kongress demonstrierten Parasit.”

Possibly Dschunkowsky and Luhs were present at the Congress and demonstrated their parasite though in the discussion Tartakowsky spoke for them.

In a further letter dated 18th October 1944, Dr. Wenyon stated:—

We have now seen and examined very carefully the 1st and 2nd volumes of the Report of the 8th International Veterinary Congress, Budapest, 1905 (published in 1906) and can find no mention of any paper by Dschunkowsky and Luhs and no account of the description and demonstration mentioned by Bitter in vol. III.

I add two new references, unfortunately to journals which, according to the World List of Scientific Periodicals, are not available in this country:—


On 25th October 1944 I received from Dr. Witenberg the following letter dated 15th October, 1944:—

Referring to the publication in which Piroplasma annulatum was first proposed, I am sorry to say that I am not able to trace it. I corresponded with Dschunkowsky on this question but he was not able to help. I quote below a translation of a part of his letter of 13th July 1938, which contains hints in the matter:—

"... in the same year, (1903) I published, together with my collaborator, the late I. Luhs, a preliminary note in a small Russian journal, possibly 'Veterinarnii Vratch'. In 1904 I reported on this species in the International Congress in Budapest.

On receipt of the above letter, I consulted Mr. D. A. E. Cabot, Chief Veterinary Officer, Ministry of Agriculture and Fisheries, London, who (in a letter dated 22nd November 1944) informed me that the Imperial Bureau of Animal Health had located copies of the journals containing the papers referred to by Dr. Wenyon in his letter of 18th October and were seeking to obtain microfilms of these papers, in order to ascertain whether the name Piroplasma annulatum has been published in either of them. These microfilms have not yet been obtained and, if any specialist reading the present note has access to either of these papers, it will be of great assistance to the Commission if, he will be so good as to furnish them with information on the above subject.

It will be seen from the foregoing particulars that it has not yet been possible to trace the original reference for the name Piroplasma annulatum or even to determine whether it was first published by Dschunkowsky alone or by that author jointly with Luhs. The fact that these questions have not yet been finally determined fortunately does not mean that there need be any delay in reaching a decision on
the problem submitted by Dr. Witenberg, since the question raised in Dr. Witenberg’s application is one of principle and is not dependent upon the exact manner in which the name *Piroplasma annulatum* was first published.

5. Dr. Witenberg’s application (paragraph 1 above) and Mr. Hemming’s note on the subsequent bibliographical investigations (paragraph 4 above) were sent to the printer in September 1944 for publication in the *Bulletin of Zoological Nomenclature*.

6. In October 1944 the position was reviewed by Mr. Hemming and Dr. Wenyon who then came to the conclusion that it must be concluded that the name *Piroplasma annulatum* Dschunkowsky & Luhs was first published in 1906 in the Report of the VIIIth International Veterinary Congress held at Budapest in 1905—in the irregular manner described in the note by Mr. Hemming reproduced in the immediately preceding paragraph—unless that name was published in one or other of the following papers:—


7. In the light of the foregoing conclusions, an approach was made in November 1944 to Mr. D. A. E. Cabot, M.R.C.V.S., Chief Veterinary Officer, Ministry of Agriculture & Fisheries, London, in the hope that it might be possible for him, with the help of the Imperial Bureau of Animal Health, to trace copies of the foregoing papers. Mr. Cabot at once undertook to assist to the full extent of his power but indicated that it might be some time before he was able to submit a definite report.

8. In January 1947 an attempt was made, on the suggestion of Dr. Wenyon, to obtain further light on the question of the original reference for the name *Piroplasma annulatum* Dschunkowsky & Luhs by addressing an enquiry on this subject to Professor E. N. Pavlovsky (Institute of Experimental Medicine, Moscow, U.S.S.R.),
but he was not immediately in a position to help in this matter. For Professor Pavlovsky's reply see paragraph 12 below.

9. On 14th January 1947 Mr. Cabot forwarded a photostat copy of the second of the two papers referred to in paragraph 6(2) above (namely the paper published at St. Petersburg in 1903 in the Vestnik obsch. vet.) which he had obtained with the assistance of the Director of the Imperial Bureau of Animal Health. An inspection of this paper showed that, although in it Dschunkowsky & Luhs had discussed the Piroplasmosis of Cattle, they did not then use the name Piroplasma annulatum. In view of the claims advanced on behalf of the foregoing paper as being the first in which the name Piroplasma annulatum was published and of the extreme rarity of this paper, it has been judged best permanently to dispose of this matter by reproducing this paper in facsimile.

10. As regards the other paper cited in paragraph 6(1) above, namely the paper by Dschunkowsky (not on this occasion in collaboration with Luhs) published at Tiflis in 1903 in the Kavkask. med. obsch., Dr. Wenyon reported on 4th February 1947 as follows:—

This name does not occur in the other paper that we have been trying to trace, namely, Dschunkowsky (not Dschunkowsky & Luhs), 1903, in Kavkask. med. obsch. Hoare [Wellcome Foundation] has a photostat copy of this.

11. Although, as explained in paragraph 5 above, Dr. Witenberg's application and Mr. Hemming's note were sent to the printer in September 1944, publication was greatly delayed owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, and it was not until 28th February 1947 that publication actually took place (Witenberg, 1947, Bull. zool. Nomencl. 1 : 233—234; Hemming, 1947, ibid. 1 : 234—236). The publication of these papers elicited no comments upon the question submitted by Dr. Witenberg and secured no additional information on the vexed question of the place of first publication of the name Piroplasma annulatum Dschunkowsky & Luhs.
усилием и способностью к движению. Мы получили, что колбасная форма происходит из бациллярной, при чем цепочка одного рода имеет различные виды, например, "кокковая" формы по своей оси, стоящей посередине тонкого; хроматин стабилизируется в колбе—округлого или в форме "зерна". Положение каких-то бактерий (Naluphörm люмоскелет) (9% остановки бактерий может быть изолирована, благодаря постоянному движению, под различными углами. Через некоторое время бактерии отходят друг от друга. Далее хроматин начинает стабилизироваться, дальше, как 10—15 дней, до одного пункта, при чем по-середине этого, происходит выделение протеолитических. Протеолитические, со временем, форму вылизанной, хроматина становится на учащенные хроматин в над из-за тонкости полировки, и, таким образом, волокна располагаются внутри форм. Отношение хроматина патного в это время равно, 3:1, тогда, бактерии стабилизируются по направлению линии в оси формы. Микрофотографиями, так как и в других случаях, стабилизируется в 95—99% и в каждом находится 6—8 паратов. При каких-то паратов в 95—99% все такие и в таком случае, ни в какие не заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug).

Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершая акцентрические движения, выходят за шариковые в плане и здесь быстро дифференцируются, напоминая то же явление по оси или нигде то в одной, то в другой сторону. Через некоторое время, ось паратов не изменяется, а все такие цепочки паратов остаются в том же виде, как и при начале процесса. В дальнейшем, происходит формирование и других форм, типа и также заливаются указанных этого вещей в одном из группы (Tupfleug). Если рассматривать паратов в висцеральной капле крови на нагретом столике, то мы видим, что они, совершен...
12. On 13th April 1948 Miss I. M. Bellis, on behalf of Dr. Wenyon, forwarded the following extract from a letter dated 12th June 1947 addressed to Dr. C. A. Hoare (The Wellcome Foundation) by Professor E. N. Pavlovsky (see paragraph 8 above):—

With regard to Dschunkowski, I have copied everything that was published. As to whether the new name (Piroplasma annulatum) was given according to the rules—it was not. They [Dschunkowski & Luhs] simply named it and that is all. I think that he [Dschunkowsky] was in Yugoslavia.

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

13. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, setting out the decision which, subject to the condition specified in Point (6) of the Official Record (quoted below), the Commission reached in regard to this case at the meeting referred to above (Paris Session, 14th Meeting, Conclusion 5) (1950, Bull. zool. Nomencl. 4: 431—433):—

THE COMMISSION agreed:—

(1) that, pending the outcome of the further investigation referred to in (5) below, the name Piroplasma annulatum (Class Sporozoa, Order Coccidiida) should, on the information at present available, be treated as having been first published in 1906 in the Report of the VIIIth International Veterinary Congress, Budapest, 1905: 290, where it appeared in a paper by Dschunkowsky & Luhs
communicated to the Congress by M. G. Tartarowsky, and that this name should therefore be attributed to Dschunkowsky & Luhs, [1906];

(2) that Dr. E. Sergent was in error when in 1923 he rejected the trivial name *annulatum* Dschunkowsky & Luhs on the ground that, when that name had been first published, it had been applied to a composite species (the one pathogenic, the other non-pathogenic), for under the *Règles* a trivial name cannot be rejected on this ground, it being necessary to determine the species to which the name should be applied by the means provided by Article 31;

(3) that Dr. Witenberg himself in his application to the Commission (1947) applied the provisions of Article 31 to the trivial name *annulatum* Dschunkowsky & Luhs, 1905, when he selected as the species to which that name should apply the pathogenic (as contrasted with the non-pathogenic) species included by Dschunkowsky & Luhs in the nominal species *Piroplasma annulatum* when they first published the name of that composite species, and therefore that the trivial names *parva* and *dispar*, as published by Sergent (1923) (in combination with the generic name *Theileria*) were objective synonyms of the trivial name *annulatum* Dschunkowsky & Luhs (as published in 1906 in combination with the generic name *Piroplasma*);

(4) to place on record their thanks to Dr. C. M. Wenyon (*Wellcome Foundation, London*) and Mr. D. A. E. Cabot, Chief Veterinary Officer, United Kingdom Ministry of Agriculture and Fisheries, for their assiduous efforts to assist in the investigation of the complex bibliographical problems involved in this case;

(5) to invite the Secretary of the Commission to examine, in consultation with specialists, the question whether there was any prospect of obtaining more precise information regarding the date on which, and the place in which, the name *Piroplasma annulatum* was first published;

(6) to render an *Opinion* recording the decisions specified in (1) to (3) above, as soon as the Secretary had either
brought to a successful issue the inquiry referred to in (5) above or was satisfied that no further information regarding the date and place of first publication of the name *Piroplasma annulatum* was likely to be obtained.

14. The publication on 9th June 1950 of the Part (Triple Part 13/15) of volume 4 of the *Bulletin of Zoological Nomenclature* containing the Official Record of the decision reached by the Commission at Paris in this case elicited no further information bearing upon the question of the date and place of first publication of the name *Piroplasma annulatum* Dschunkowsky & Luhs. The position was further reviewed in the autumn of 1951 by Mr. Hemming, as Secretary to the Commission, in the light of the duty imposed upon him by the Commission at its Paris Session (Point (5) in the decision quoted in paragraph 13 above). Mr. Hemming then decided to make one further effort to obtain information on the foregoing subject by publishing a short Report on this case, together with an appeal to specialists to furnish any additional information which they might possess. Mr. Hemming's Report, which was as follows, was published on 15th April 1952 (Hemming, 1952, *Bull. zool. Nomencl.* 7 : 206—207):

Case 14 : Species to which the trivial name "annulatum" commonly treated as having been published by Dschunkowsky & Luhs in 1904 (in the combination "Piroplasma annulatum") (Class Sporozoa, Order Coccidiida) is to be treated as applicable

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


32. The question of the species of the Order Coccidiida (Class Sporozoa) to which is applicable the trivial name *annulatum* commonly treated as having been published by Dschunkowsky and Luhs in 1904 in the combination *Piroplasma annulatum* was submitted to the International Commission on Zoological Nomenclature by Dr. G. Witenberg (*Hebrew University, Jerusalem*) in an application which was
published in the *Bulletin of Zoological Nomenclature* in 1947 (Witenberg, 1947, *Bull. zool. Nomencl.* 1 : 223—224). In the course of preparing this application for submission to the Commission, in my capacity as Secretary to the Commission, I established that the name *Piroplasma annulatum* was not published in the paper by Dschunkowsky & Luhs which appeared in 1904 and which was always cited in the literature as the place where this name was first published. In spite of extensive correspondence with specialists on the subject, I was not able definitely to establish when and where this name was first published with an indication, though I did form an opinion as to the place where it probably first appeared. The foregoing investigations formed the subject of my Report which was published at the same time as Dr. Witenberg’s application (Hemming, 1947, *Bull. zool. Nomencl.* 1 : 234—236).

33. Dr. Witenberg’s application and my Report were considered by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948; the Commission then took a decision on the question submitted by Dr. Witenberg, but decided to postpone for a short time rendering an Opinion on this subject, in the hope that further efforts might elicit information throwing light on the question of the place where the name *Piroplasma annulatum* was first published and the date on which it was first published. The publication in 1950 of the foregoing decision has not, however, brought any fresh information to light on this subject. Clearly the formal promulgation of the Commission’s decision on the question submitted by Dr. Witenberg cannot be allowed much longer to be held for the sake of investigations as to the date and place of first publication of the foregoing name. In order, however, to exhaust every possible means of obtaining information on this subject, this case is included in the present Report in the hope that there may be some protozoologist or other zoologist or some veterinary specialist who may be able to throw some additional light on this question.

15. On 11th October 1953, Mr. Hemming, as Secretary to the International Commission, prepared the following Report in discharge of the duty imposed upon him by the International Commission at its Session held in Paris in 1948 under Point (5) of the decision then taken by it in the present case:

**Decision taken conditionally by the International Commission on Zoological Nomenclature at its Session held in Paris in 1948 in the case of the name "Piroplasma annulatum"**

Dschunkowsky & Luhs

**REPORT by FRANCIS HEMMING, C.M.G., C.B.E.**

*Secretary to the International Commission*

4: 432—433) in regard to the name *Piroplasma annulatum* commonly (though incorrectly) treated as having been published in 1904 in a paper by Dschunkowsky & Luhs entitled “Die Piroplasmosen der Rinder” (1904, Zbl. Bakt. (Erste Abt.) 35: 486—492) and agreed to render an *Opinion* embodying the decisions so taken.

2. One of the problems considered by the International Commission in connection with the present case was the determination of the date and place of first publication of the name *Piroplasma annulatum*. On this subject the Commission agreed that on the available evidence the foregoing name must be regarded as having been first published in 1906 in the Report of the VIIth International Veterinary Congress, Budapest, 1905 (3: 290), but (Point (5)) invited me, as Secretary to the Commission, “to examine in consultation with specialists, the question whether there was any prospect of obtaining more precise information regarding the date on which, and the place in which, the name *Piroplasma annulatum* was first published”. At the same time the International Commission agreed (Point (6)) to render an *Opinion* embodying the decisions then taken in regard to this name, “as soon as the Secretary had either brought to a successful issue the enquiry referred to in (5) above or was satisfied that no further information regarding the date and place of first publication of the name *Piroplasma annulatum* was likely to be obtained”.

3. In view of the prolonged investigations into the foregoing question carried out before the Paris Session of the International Commission by Dr. Wenyon, Dr. Witenberg, and Mr. Cabot, and the negative evidence furnished by Professor Dschunkowsky (in correspondence with Dr. Witenberg) and by Professor Pavlovsky (in correspondence with Dr. Hoare), it was evident at that Session that it was most unlikely that it would be possible to secure more precise information regarding the date on which, and the place in which, the name *Piroplasma annulatum* was first published, than was already available to the International Commission. Since that date, the foregoing problem has twice been ventilated in print: first, in June 1950 when the Official Record of the Proceedings of the Commission in Paris were published in volume 4 of the *Bulletin of Zoological Nomenclature*; second, in April 1952 on the publication of my Report, with its accompanying appeal to specialists, in volume 7 of the *Bulletin*. On each occasion the result has been completely negative, no information of any kind bearing upon the date and place of first publication of the name *Piroplasma annulatum* having been elicited. In the concluding stages of this investigation, the most valuable assistance has been rendered by Dr. C. A. Hoare, F.R.S. (*The Wellcome Laboratories of Tropical Medicine, London*) and by Miss I. M. Bellis of the same Institution, who, though unable to throw any additional light on the central issue, have solved a number of other bibliographical problems on which information was required in this case. The thanks
of the Commission are offered to both these specialists for the help so rendered.

4. At this stage, however, it is necessary to note an inadvertent error in the Point (3) of the preliminary decision taken by the Commission in Paris in this matter, where it was stated that the species _Theileria parva_ Sergent (Ed.) and _Theileria dispar_ Sergent (Ed.), 1923, were objectively identical with _Piroplasma annulatum_ Dschunkowsky & Luhs, [1906], and therefore that the specific names (there referred to, under the then correct term, trivial names) _parva_ Sergent (Ed.), 1923, and _dispar_ Sergent (Ed.), 1923, as published in each case in combination with the generic name _Theileria_ were junior objective synonyms of _annulatum_ Dschunkowsky & Luhs, [1906], as published in the combination _Piroplasma annulatum_. This statement, which was based upon a misreading of the brief application originally submitted in this case, is incorrect, for the nominal species _Theileria parva_ (for which _Theileria dispar_ is no more than a substitute with a different name) and _Piroplasma annulatum_ were not based upon the same material and are therefore only subjectively the same as one another, and their names are subjective, and not objective, synonyms of one another. Moreover, the name _Theileria parva_ was published not by Sergent (Ed.) but by Donatien (A.), Plantureux (E.), Rossi (P.), & Espérandieu (G.). Finally, the name _Theileria dispar_ Sergent (Ed.) was published in 1924 and not in 1923. The necessary corrections will need to be made in the Ruling to be given in the present case.

5. In view of the circumstances described in paragraph 3 of the present Minute, I now, as Secretary to the International Commission on Zoological Nomenclature, hereby formally discharge the duty imposed upon me under Point (5) of the decision taken by the International Commission at its Session held in Paris in 1948 by reporting that I am satisfied that no further information regarding the date and place of first publication of the name _Piroplasma annulatum_ is likely to be obtainable.

Signed this Eleventh day of October, Nineteen Hundred and Fifty-Three.

_Secretary to the International Commission on Zoological Nomenclature_

FRANCIS HEMMING

16. The signature of the Minute by the Secretary reproduced in the immediately preceding paragraph completed the action called for from that Officer under Point (5) of the decision taken by the Commission in Paris in 1948. Thereupon, under Point (6) of
the said decision, definitive effect was automatically given to the decision by the Commission to render an Opinion embodying the matters specified in Points (1) to (3) of the Ruling agreed upon in Paris, as quoted in paragraph 13 of the present Opinion, subject to the inclusion therein of the corrections on certain points of detail noted in paragraph 4 of the Secretary's Report of 11th October 1953 (paragraph 15 above).

17. Under the regulations relating to the Official List of Specific Names in Zoology and the Official Index of Rejected and Invalid Specific Names of the Zoology, the International Commission is required to place on the foregoing Official List every specific name which it either validates under its Plenary Powers or declares to be an available name, and on the foregoing Official Index every specific name which it either rejects under its Plenary Powers or declares to be invalid. In the present instance, the entry on the Official List of Specific Names in Zoology of the specific name annulatum Dschunkowsky & Luhs, [1906], as published in the combination Piroplasma annulatum, was inadvertently omitted from the Official Record of the Proceedings of the International Commission. This omission has been rectified in the Ruling given in the present Opinion.

18. The following are the original references for the names which appear in the decision set out in paragraph 13 of the present Opinion:—


dispar, Theileria, Sergent (E.) et al., 1924, Ann. Inst. Pasteur 38: 297

parva, Theileria, Sergent (E.), 1923, Donatien, Plantureux et al., 1923, Bull. Soc. Path. exot. 16: 7

19. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, Bull. zool. Nomencl. 5: 112).
20. The Ruling given in the present Opinion was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely:—

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

21. The Ruling given in the present Opinion was dissented from by no Commissioner or alternate Commissioner present at the Paris Session.

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 Sixty-Six (266) of the International Commission on Zoological Nomenclature.

Done in London, this Sixth day of January, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission on Zoological Nomenclature.*

**FRANCIS HEMMING**
OPINION 267

Rejection of a proposal for the validation, under the Plenary Powers, of the generic name *Porina* Walker, 1856 (Class Insecta, Order Lepidoptera) by the suppression thereunder of the generic name *Porina* d'Orbigny, 1852 (Class Bryozoa)
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 267

A. The Officers of the Commission

President: Dr. Karl Jordan, Ph.D., F.R.S. (British Museum (Natural History), Zoological Museum, Tring, Herts, England).
Vice-President: Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.).

B. The Members of the Commission

Class 1949

Senhor Dr. Angel Cabrera (La Plata, Argentina).
Mr. Francis Hemming (London, England (Secretary to the Commission).
Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts, England) (President of the Commission).
Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil).
Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.).
Professor Lodovico di Caporiacco (University of Parma, Italy).
Professor J. R. Dymond (University of Toronto, Canada).
Dr. James L. Peters (Museum of Comparative Zoology, Cambridge, Massachusetts, U.S.A.) (Vice-President of the Commission).

Class 1955

Professor Dr. Hilbrand Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands).
Dr. William Thomas Calman (Tayport, Fife, Scotland).
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).
Professor Bela Hanko (University of Debrecen, Hungary).
Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).
Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, Princeton, New Jersey, U.S.A.).

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

in 1948

Professor Enrique Beltrán (Instituto Mexicano de Recursos Naturales Renovables A.C., Mexico City, Mexico).
Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).
Professor Harold Kirby (University of California, Berkeley, California, U.S.A.).
Dr. Henning Lemche (Kgl. Veterinær- og Landbohøjskole, Zoologisk Laboratorium, Copenhagen, Denmark).
Professor Kamel Mansour (King Fouad University, Cairo, Egypt).
Mr. N. D. Riley (British Museum (Natural History), London, England).
Professor Ragnar Späck (Universitetets Zoologiske Museum, Copenhagen, Denmark).
Professor Victor van Straelen (Institut Royal des Sciences Naturelles de Belgique, Bruxelles, Belgium).
Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 267

REJECTION OF A PROPOSAL FOR THE VALIDATION, UNDER THE PLENARY POWERS, OF THE GENERIC NAME "PORINA" WALKER, 1856 (CLASS INSECTA, ORDER LEPIDOPTERA) BY THE SUPPRESSION THEREUNDER OF THE GENERIC NAME "PORINA" D'ORBIGNY, 1852 (CLASS BRYOZOA)

RULING:—(1) The request for the use of the Plenary Powers for the purpose of validating the generic name Porina Walker, 1856 (Class Insecta, Order Lepidoptera) by suppressing the name Porina d'Orbigny, 1852 (Class Bryozoa) is hereby rejected, because such action, though helpful in the Class Insecta (Order Lepidoptera), would involve the suppression of a well-known generic name in another part (Class Bryozoa) of the Animal Kingdom.

(2) The generic name Porina Walker, 1856, is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology as Name No. 66.

(3) The generic name Oxycanus Walker, 1856 (gender of name: masculine) (type species, by selection by Kirby (1892): Oxycanus australis Walker, 1856) is hereby placed on the Official List of Generic Names in Zoology as Name No. 683.

(4) The specific name australis Walker, 1856, as published in the combination Oxycanus australis, is hereby placed on the Official List of Specific Names in Zoology as Name No. 83.
I.—THE STATEMENT OF THE CASE

On 10th July 1945, Dr. J. T. Salmon (Entomologist, Dominion Museum, Wellington, New Zealand) submitted the following request for the use of the Commission’s Plenary Powers for the suppression of the generic name *Porina* d’Orbigny, 1852 (Class Bryozoa) with the object of validating the generic name *Porina* Walker, 1856 (Class Insecta, Order Lepidoptera), a name of considerable interest in agriculture in New Zealand:—

“*Porina*” versus “*Oxycanus*”

By J. T. SALMON
(Dominion Museum, Wellington, New Zealand)

(extract from a letter dated 10th July 1945)

I should like to draw your attention to recent changes in name concerning the genus *Porina* Walker in the Lepidoptera. It is suggested that this be changed to *Oxycanus* by N. B. Tindale, *Records of the Australian Museum*, Vol. 5, 1935, p. 280. This has been followed by Dumbleton and Dick in several papers in the *New Zealand Journal of Science and Technology* between 1940 and the present time, concerning the ravages of *Porina* (or *Oxycanus*) in the pastures in New Zealand. *Porina* is a very widespread genus in the Lepidoptera, very well represented in New Zealand and also in Australia, and is known to all entomologists as *Porina*, and has become known to the farming community of New Zealand as *Porina*. The change is made mainly because *Porina* previously had been used in the Mollusca; and I should like the matter to be taken up by your Commission to see whether it would be possible for *Porina* in the Lepidoptera to be declared a *nomen conservandum*, and that the change in name necessary be made in the Mollusca, where the name has a very much narrower use. In the meantime, until I hear from you in the matter, I am delaying the necessary changes of name which would have to be made in the reference collections and literature of this Museum.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt of Dr. Salmon’s letter, the present problem was given the Registered Number Z.N.(S.)194. In acknowledging receipt on 9th September 1945 of this application, the Secretary
took note that the essential question which it would be necessary for the International Commission to consider in this case would be whether the advantages of the proposed action from the point of view of entomology (including its economic aspects) would be such as to outweigh any objections entertained by other specialists to the suppression of the name *Porina* d'Orbigny, 1852.

3. **Issue of Public Notices**: On 14th November 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913.

4. In June 1948 the Secretary invited Dr. Salmon to ascertain, for the information of the International Commission, what would be the attitude of interested workers on the question of the proposed suppression of the name *Porina* d'Orbigny, 1852. At the same time Mr. Hemming invited Mr. R. Winckworth (London) to furnish a statement of his views on this question. The replies received from Mr. Winckworth and Dr. Salmon are given in the immediately following paragraphs.

5. **Reply received from Mr. R. Winckworth**: On 28th June 1948, Mr. Winckworth replied as follows:—

*Porina* d'Orbigny, 1852, was proposed not for a genus of molluscs, but for a Cretaceous genus of Bryozoa, and the name has since been used also for recent species. Thus, in the *Cambridge Natural History*, it is listed among the principal genera of Polyzoa, and it is also referred to in two other places in connexion with recent species of *Porina*.

6. **Reply received from Dr. J. T. Salmon**: On 15th July 1948, Dr. Salmon replied as follows:—

With reference to your letter of 23rd June, concerning the status of *Porina* Walker, I have been enquiring into this myself and have ascertained that the name as used in the Bryozoa is the type genus of the *Porinidae* and is a teaching type in Zittel's work on Geology. On this account it seems to me that it is far more widely known in Palaeontology than it is in agriculture or entomology in New Zealand and Australia. On this account I think the case for the suppression
of *Porina* in the Bryozoa in favour of its retention in the Lepidoptera should be withdrawn.

7. On 25th July 1948 Mr. Hemming, as Secretary, submitted to the Commission a Paper (I.C.(48)19), containing summaries of the principal points arising on a number of individual cases, of which the present was the fourth. Later, Mr. Hemming’s Paper was published as part of the historical record of the Proceedings of the International Commission during its Paris Session (1950, *Bull. zool. Nomencl.* 3 : 135—138). The passage relating to the present case (3 : 136) was as follows:—

(4) Proposed use of the Plenary Powers for "Porina" Walker, 1856 (Order Lepidoptera): This name is of importance as this genus has a species which is a serious pasture pest in New Zealand. It is invalid, however, because it is pre-occupied by *Porina* d’Orbigny, 1852, the name for a genus of Cretaceous Bryozoa. Recent species have also been referred to this genus which is regarded as one of the principal genera of Bryozoa. It would seem to me to be quite a wrong use of the Plenary Powers to employ them to validate a name in one part of the Animal Kingdom, if (as here) this means upsetting a well-known generic name in some other part of the Animal Kingdom. It appears to me, therefore, that the present application should be rejected and that the next name for "Porina", i.e., *Oxycanus* Walker, 1856, should be used in its place, as in fact is already being done by some authors in New Zealand. It is suggested that concurrently with the rejection of the present application the name *Oxycanus* should be placed on the *Official List*.

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

8. The present application was considered by the International Commission on Zoological Nomenclature at the Thirteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard at 1730 hours. The following is an extract from the Official Record of the Proceedings of the International
Commission, setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 13th Meeting, Conclusion 5) (1950, Bull. zool. Nomencl. 4 : 356—357) :—

THE COMMISSION agreed :—

(1) to reject, for the reasons set out in Point (4) in Commission Paper I.C.(48)19,¹ the application referred to in (a) above² that they should use their Plenary Powers to validate the generic name Porina Walker, 1856 (Class Insecta, Order Lepidoptera) by suppressing the generic name Porina d'Orbigny, 1852 (Class Bryozoa);

(2) in conformity with the decision in regard to the procedure in cases where an application for the use of the Plenary Powers is rejected, to place on the Official List of Generic Names in Zoology the oldest available name for the genus for which the invalid name Porina Walker, 1856, had been published, namely the generic name Oxycanus Walker, 1856 (type species, by selection by Kirby (1892) : Oxycanus australis Walker, 1856);

(3) in conformity with the decision in regard to the procedure to be adopted where the Commission either suppresses a generic name or rules that it is invalid under the Règles, to add the name Porina Walker, 1856 (type species, by monotypy : Porina novaezealandiae Walker, 1856), to the Official Index of Rejected and Invalid Generic Names in Zoology;

(4) to place the specific trivial name australis Walker, 1856 (as published in the binominal combination Oxycanus australis) on the Official List of Specific Trivial Names in Zoology;

(5) to render an Opinion setting out the decisions specified in (1) to (4) above.

¹ See paragraph 7.
² The application here referred to in point (a) of the Official Record of the Paris Proceedings (Paris Session, 13th Meeting, Conclusion 5) (1950, Bull. zool. Nomencl. 4 : 356) is the application reproduced in the first paragraph of the present Opinion.
9. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion*:


10. The gender of the generic name *Oxycanus* Walker, 1856, referred to in the decision given in paragraph 8, is masculine.

11. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Fifth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 104—105).

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

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

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

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

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

16. The present Opinion shall be known as Opinion Two Hundred and Sixty-Seven (267) of the International Commission on Zoological Nomenclature.

Done in London, this Sixth day of January, Nineteen Hundred and Fifty-Four.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING
OPINIONS AND DECLARATIONS
RENDERED BY THE INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

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

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OPINION 268
Acceptance of the generic name *Aspidoproctus*
(Class Insecta, Order Hemiptera) as from Newstead, 1901

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INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 268

A. The Officers of the Commission

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

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


B. The Members of the Commission

Class 1949

Senor Dr. Angel Cabrera (La Plata, Argentina).

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

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

Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen, Denmark).

Dr. Joseph Pearson (Tasmanian Museum, Hobart, Tasmania, Australia).

Class 1952

Senor Dr. Afranio do Amaral (S. Paulo, Brazil).

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

Professor Lodovico di Caporiacco (University of Parma, Italy).

Professor J. R. Dymond (University of Toronto, Canada).

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


Class 1955

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

Dr. William Thomas Calman (Tayport, Fife, Scotland).

Professor Teiso Esaki (Kyushu University, Fukuoka, Japan).

Professor Bela Hankó (University of Debrecen, Hungary).

Dr. Tadeusz Jaczewski (Polish Zoological Museum, Warsaw, Poland).

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

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

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


Dr. Arturo Ricardo Jorge (Museu Bocage, Lisbon, Portugal).

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

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

Professor Kamel Mansour (King Fouad University, Cairo, Egypt).


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

Professor Ragnar Spärck (Universitetets Zoologiske Museum, Copenhagen, Denmark).

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

Professor Robert L. Usinger (University of California, Berkeley, California, U.S.A.).
OPINION 268

ACCEPTANCE OF THE GENERIC NAME "ASPIDO-PROCTUS" (CLASS INSECTA, ORDER HEMIPTERA) AS FROM NEWSTEAD, 1901

RULING:—(1) The generic name Aspidoproctus Newstead, 1901 (Class Insecta, Order Hemiptera), is available as from the date in April 1901 on which it was published and accordingly has priority over the name Lophococcus Cockerell [August], 1901.

(2) Walkeriana pertinax Newstead, 1901, is the type species of the genus Aspidoproctus Newstead, 1901, by monotypy, that being the sole species at that time cited in connection with this generic name.

(3) The generic name Aspidoproctus Newstead, 1901 (gender of generic name: masculine), with the above species as type species is hereby placed on the Official List of Generic Names in Zoology as Name No. 684.

(4) The specific name pertinax Newstead, 1901, as published in the combination Walkeriana pertinax is hereby placed on the Official List of Specific Names in Zoology as Name No. 84.
I.—THE STATEMENT OF THE CASE

On 18th February 1931 Professor T. D. A. Cockerell (University of Colorado, Boulder, Colorado, U.S.A.) submitted to the International Commission the following application for a ruling on the status of the generic name *Aspidoproctus* Newstead, 1901 (Class Insecta, Order Hemiptera):

On the status of the name "Aspidoproctus" Newstead, 1901 (Class Insecta, Order Hemiptera)

By T. D. A. COCKERELL  
(University of Colorado, Boulder, Colorado, U.S.A.)

In 1901, Newstead [April 1901], Proc. zool. Soc. Lond. 1900 (4) : 948 described a species of coccidæ, of which he said that he had intended to place it in a new genus *Aspidoproctus*, but that he had decided that this was unnecessary. He therefore called the insect *Walkeriana pertinax* Newstead [1901], ibid. 1900 (4) : 947 pl. 59.

Later (1901, Entomologist 34 : 227), the name *Lophococcus* Cockerell was proposed for a different species (*Lophococcus mirabilis* Cockerell, 1901, ibid. 34 : 248), which is now considered congeneric with *Walkeriana pertinax* Newstead [1901].

Still later, authors have resurrected the name *Aspidoproctus* Newstead, and this is now used as the generic name for the species in question (see Morrison, (H.), 1928, Tech. Bull. U.S. Dep. Agric. 52 : 151).

My idea has been to accept the first published name, but there is confusion as to the meaning of the Code in this matter and this confusion should be cleared up by the International Commission.
II.—THE SUBSEQUENT HISTORY OF THE CASE

2. In May 1938 the papers relating to the present application were transferred by Dr. C. W. Stiles to the care of Mr. Francis Hemming, who in 1936 had been elected Secretary to the International Commission. On receipt, these documents were given the Registered Number Z.N.(S.) 46. It had not been found possible to advance the consideration of this case by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for drawing the attention of zoologists to applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 26th June 1946 (Cockerell, 1946, *Bull. zool. Nomencl.* 1 : 171).

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

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

THE COMMISSION agreed:

(1) that, in accordance with the ruling given in *Opinion 4* and now to be embodied in the *Règles*, the generic name *Aspidoproctus* published by Newstead in April 1901, as a rejected manuscript name was available under Article 25 as from the date of being so published and accordingly had priority over the name *Lophococcus* Cockerell [August], 1901;

(2) that *Walkeriana pertinax* Newstead, 1901, was the type species of the genus *Aspidoproctus* Newstead, 1901, by monotypy, that being the sole species at that time cited in connection with this generic name;

(3) to place:

(a) the generic name *Aspidoproctus* Newstead [April], 1901 (Class Insecta, Order Hemiptera), with the above species as its type species, on the *Official List of Generic Names in Zoology*;

(b) the trivial name *pertinax* Newstead, 1901 (as published in the binominal combination *Walkeriana pertinax*), on the *Official List of Specific Trivial Names in Zoology*;

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

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

---

1 See paragraph 7 below.

5. The decision set out in paragraph 3 above was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely:

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

6. The foregoing decision was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

7. At its meeting held at Copenhagen in August 1953 the Fourteenth International Congress of Zoology revoked the decision taken by the Thirteenth International Congress of Zoology, Paris, 1948, to incorporate into the *Règles* the provision previously laid down in the Commission’s *Opinion* 4 and decided to substitute therefor a provision under which (1) as from a future date to be specified in the revised *Règles*, no name published in a synonymy without an independent indication can acquire availability in virtue of being so published, (2) names originally so published, if generally accepted before the coming into force of the foregoing provision, are to be accepted, and (3) where there is a difference of opinion among the specialists as to whether a given name is generally accepted for the purposes of (2) above, the case is to be referred to the International Commission for decision (1953, *Copenhagen Decisions zool. Nomencl.* : 63—64). Since the foregoing provision is not (as explained above) to become operative until some date subsequent to the coming into force of the revised text of the *Règles*, it could not in any circumstances have an adverse effect upon the decision taken by the Commission
in the present case over five years ago. Nevertheless, when in the autumn of 1953, the Secretary to the Commission had an opportunity to start the preparation of *Opinions* recording the decisions taken by the Commission at Paris in 1948 and published two years later in the Official Record of the Proceedings of the Commission during its Paris Session (1950, *Bull. zool. Nomencl.* 4), it appeared to him that it would be inappropriate to include in the Ruling given in the present *Opinion* a specific reference to the provision incorporated in the Règles from *Opinion* 4 by the Paris Congress, having regard to the action taken in respect of that provision by the Copenhagen Congress. Mr. Hemming took the view that it was desirable to obtain the directions of the Commission on the question of the wording to be adopted in the Ruling embodying the decision taken by the Commission in regard to this case, before the requisite formal *Opinion* was prepared. Accordingly, on 19th November 1953, Mr. Hemming submitted the following memorandum to the Commission:—

**Wording of the decision regarding the name “Aspidoproctus” Newstead, 1901**

*By FRANCIS HEMMING  
Secretary to the International Commission*

During the last few weeks, while waiting for the proofs of the Copenhagen Report, I have started to prepare the *Opinions* required to give effect to the decisions taken in Paris in 1948, a task long overdue. In one case I have encountered a problem of drafting on which I wish to consult the Commission. The case is that of *Aspidoproctus* Newstead, 1901, dealt with on pp. 381—382 of vol. 4 of the *Bulletin of Zoological Nomenclature*.

2. In its decision on this case the Commission stated that it relied upon the ruling given in *Opinion* 4. Normally, this statement would be included in the Ruling given at the head of the *Opinion*. But the Copenhagen Congress decided that, as from a future date not yet specified, the ruling in *Opinion* 4 is to be withdrawn and that thereafter it will not be permissible to bring into use a name originally published in a synonymy. The ruling given in Paris in this case was well based
then and is well based now, but, in view of the Copenhagen decision, it would, I feel, be likely to cause misunderstanding if an Opinion published now were to contain a prominent reference to Opinion 4, more especially as it is not necessary for any such reference to be made. I have accordingly prepared a revised draft of the wording to be used to give effect to the decision on Aspidoproctus, which omits all mention of Opinion 4. This draft is given at the head of the annexed Voting Paper and is now submitted for the consideration of the Commission.

8. Issue of Voting Paper V.P. (53)7: Simultaneously with the submission to the Members of the Commission of the memorandum reproduced in the immediately preceding paragraph, Mr. Hemming issued on 19th November 1953 a Voting Paper (V.P. (53)7) in which the Members of the Commission were invited to vote for or against the following “revision of the wording of the Paris decision in regard to the name Aspidoproctus”:

Text of suggested revised wording of Ruling to be given in the present case

(1) The generic name Aspidoproctus Newstead (Class Insecta, Order Hemiptera) is available as from the date in April 1901, on which it was published, and accordingly has priority over the name Lophococcus Cockerell [August], 1901.

(2) Walkeriana pertinax Newstead, 1901, is the type species of the genus Aspidoproctus Newstead, 1901, by monotypy, that being the sole species at that time cited in connection with this generic name.

(3) The generic name Aspidoproctus Newstead, 1901 (gender of generic name: masculine), with the above species as type species, is hereby placed on the Official List of Generic Names in Zoology.

(4) The specific name pertinax Newstead, 1901, as published in the combination Walkeriana pertinax, is hereby placed on the Official List of Specific Names in Zoology.

9. The prescribed Voting Period: As the foregoing Voting Paper was issued under the One-Month Rule, the prescribed Voting Period closed on 19th December 1953.
10. Particulars of the Voting on Voting Paper V.P. (53)7: The state of the voting on Voting Paper V.P. (53)7 at the close of the prescribed Voting Period was as follows:—

(a) Affirmative Votes had been given by the following eighteen (18) Commissioners\(^1\) (arranged in the order in which Votes were received):

Lemche; Riley; Holthuis; Sylvester-Bradley; Hering; Bradley (J.C.); Bonnet; Dymond; Esaki; Mertens; Vokes; Pearson; Boschma; Jaczewski; Hemming; do Amaral; Hankó; Cabrera;

(b) Negative Votes:

None;

(c) Voting Paper V.P. (53)7 was not returned by one (1) Commissioner:

Stoll.

11. Declaration of Result of Vote: On 7th January 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P. (53)7, signed a Certificate that the Votes cast were as set out in paragraph

\(^1\) The following Commissioners who took part in the vote on Voting Paper V.P. (53)7 were not members of the Commission at the time when the question dealt with in the present Opinion was decided by the Commission in Paris in 1948:—

Professor Pierre Bonnet (Université de Toulouse, France)
Professor Teiso Esaki (Kyushu University, Fukuoka, Japan)
Professor Erich Martin Hering (Zoologisches Museum der Humboldt-Universität zu Berlin, Germany)
Dr. L. B. Holthuis (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands)
Professor Tadeusz Jaczewski (Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland)
Dr. Henning Lemche (Universitetets Zoologiske Museum, Copenhagen, Denmark) (an Alternate Commissioner at the Paris Session)
Professor Robert Mertens (Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany)
Mr. Norman Denbigh Riley (British Museum (Natural History), London) (an Alternative Commissioner at the Paris Session)
Mr. P. C. Sylvester-Bradley (Sheffield University, Sheffield, England)
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 January 1954, Mr. Hemming prepared the Ruling given in the present Opinion and at the same time signed a Certificate that the terms of the Ruling were in complete accord with those of the proposal approved by the International Commission at its Session in Paris in 1948 as re-worded in its Vote on Voting Paper V.P. (53)7.

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

Aspidoproctus Newstead [April], 1901, Proc. zool. Soc. Lond. 1900 (4) : 948
pertinax, Walkeriana, Newstead [April], 1901, Proc. zool. Soc. Lond. 1900 (4) : 947, pl. 59

14. The gender of the generic name Aspidoproctus Newstead, 1901, referred to in the decision quoted in paragraph 3, is masculine.

15. It must be noted at this point that at its meeting held at Copenhagen in August 1953 the Fourteenth International Congress of Zoology decided to substitute the expression "specific name" for the expression "trivial name" adopted by the Thirteenth International Congress of Zoology, Paris, 1948, as the expression to be used for the second portion of the binomen which constitutes the scientific name of a species. At the same time the Copenhagen Congress made a corresponding change in the title of the Official List till then styled the Official List of Specific Trivial Names in Zoology. It is for this reason that this revised terminology was employed in the draft of the revised Ruling in the present case quoted in paragraph 8 above.

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 Sixty-Eight (268) of the International Commission on Zoological Nomenclature.

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

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING

NOTICE TO SUBSCRIBERS

The present volume (Volume 5) will be complete on the publication of Part 30 containing the indexes, title page, etc. This concluding Part is now in the press and will, it is hoped, be published at an early date.
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OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
ATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

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

(also published with this Part: T.P.—XIV)

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Corrigenda

page 84. Line 26: substitute "1840" for "1804".

page 141. Ruling (3), line 1: substitute "1844" for "144".

It is much regretted that in Opinions 245 to 255 Dr. R. I. Sailer’s name was misspelled as Sailor. The pages involved are: 76, 86, 95, 96, 99, 108, 112, 120, 123, 132, 135, 144, 147, 156, 160, 168, 172, 179, 180, 183, 192, 196.
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Official List of Works Approved as Available in Zoological Nomenclature, works placed on:

| Zimmermann, A. E. W. von, 1778—1783, Geographische Geschichte des Menschen und der allgemein verbreiten vierfüssigen Thiere | 233 |

Oncotylus Fieber, 1858 (Class Insecta) all type selections for, set aside under the Plenary Powers, and Oncotylus punctipes Reuter, 1873, designated as type species

gender of name

placed on the Official List of Generic Names in Zoology as Name No. 678

Oxycanus Walker, 1856 (Class Insecta), placed on the Official List of Generic Names in Zoology as Name No. 683 with Oxycanus australis Walker, 1856 as type species

gender of name

Pachylops Fieber, 1858 (Class Insecta), all type selections for, set aside under the Plenary Powers, and Litosoma bicolor Douglas & Scott, 1868, designated as type species

gender of name

placed on the Official List of Generic Names in Zoology as Name No. 679
Opinions and Declarations

*parapatai* Scopoli, 1786, as published in the combination *Bibio parapatai* (Class Insecta), placed on the *Official List of Specific Names in Zoology* as Name No. 75...

*parva* Donati, Plantureux et al., 1923, as published in the combination *Theileria parva* (Class Sporozoa), declared a junior subjective homonym of *Piroplasma annulatum* Dschunkowsky & Luhs, [1906]...

*pertinax* Newstead, 1901, as published in the combination *Walkeriana pertinax* (Class Insecta), placed on the *Official List of Specific Names in Zoology* as Name No. 84...

*Phlebotomus* Rondani, 1840 (Class Insecta), emendation to, under the Plenary Powers, of *Flebotomus*...

*gender of name*...

placed on the *Official List of Generic Names in Zoology* as Name No. 682, with *Bibio parapatai* Scopoli, 1786, as type species...

*Pilophorus* Hahn, 1826 (Class Insecta), all type selections for, set aside under the Plenary Powers, and *Cimex clavatus* Linnaeus, 1767, designated as type species...

*gender of name*...

placed on the *Official List of Generic Names in Zoology* as Name No. 680...

*podalirius* Linnaeus, 1758, as published in the combination *Papilio podalirius* (Class Insecta), designation, under the Plenary Powers, of a description to represent the lectotype of...

placed on the *Official List of Specific Names in Zoology* as Name No. 77...

*Porina* Walker, 1856 (Class Insecta), rejection of a proposal for the validation of, under the Plenary Powers...

placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 66...

*punctipes* Reuter, 1873, *Oncotyulus* (Class Insecta), designated, under the Plenary Powers, to be the type species of *Oncotyulus* Fieber, 1858...

placed on the *Official List of Specific Names in Zoology* as Name No. 71...

*quadratus* Fabricius, 1781, as published in the combination *Cancer quadratus* (Class Crustacea), declared to be the oldest available name for the “Sand Crab” and placed on the *Official List of Specific Names in Zoology* as Name No. 76...

*quadratus* Meuschen, 1778, as published in the combination *Cancer quadratus* (Class Crustacea), placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 19...

*quadratus* Meuschen, 1781, as published in the combination *Cancer quadratus* (Class Crustacea), placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 20...
Remora Forster, 1771 (Class Pisces), placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 62  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  ...  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INSTRUCTIONS TO BINDERS

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Note: The wrappers (covers) to the Parts of which this volume is composed form, with the exception of the coloured wrapper (cover) issued with Part 30, an integral part of those Parts, being included for purposes of pagination. These wrappers should therefore be bound up in the position in which they were issued. The brown wrapper (cover) to Part 30 should be bound in at the end of the volume.