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 232

Suppression, under Plenary Powers, of twelve generic names in the Order Lepidoptera (Class Insecta) published by Illiger in 1807 in senses different from those in which those names were published by Fabricius later in the same year

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SUPPRESSION, UNDER THE PLENARY POWERS, OF TWELVE GENERIC NAMES IN THE ORDER LEPIDOPTERA (CLASS INSECTA) PUBLISHED BY ILLIGER IN 1807 IN SENSES DIFFERENT FROM THOSE IN WHICH THOSE NAMES WERE PUBLISHED BY FABRICIUS LATER IN THE SAME YEAR

RULING:—(1) Under the Plenary Powers the undermentioned generic names (Class Insecta, Order Lepidoptera) are hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy:—(a) Apatura [Illiger], 1807; (b) Brassolis [Illiger], 1807; (c) Castnia [Illiger], 1807; (d) Eumesis [Illiger], 1807; (e) Euploea [Illiger], 1807; (f) Helicopis [Illiger], 1807; (g) Mechanitis [Illiger], 1807; (h) Neptis [Illiger], 1807; (i) Nymphidium [Illiger], 1807; (j) Pontia [Illiger], 1807; (k) Urania [Illiger], 1807.

(2) Under the Plenary Powers the generic name Thymele [Illiger], 1807, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(3) The under-mentioned generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology:—(a) the eleven names suppressed under (1) above, as Names Nos. 37 to 47; (b) Thymele [Illiger], 1807, as suppressed under (2) above, as Name No. 48; (c) Thymele Fabricius, 1807, as Name No. 49.

(4) The under-mentioned generic names are hereby placed on the Official List of Generic Names in Zoology as Nos. 657 to 663, with the gender severally specified below and with the type species specified in Point (3) of the Paris Conclusions quoted in paragraph 6 of the present Opinion:—(a) Apatura Fabricius, 1807 (feminine); (b) Brassolis Fabricius, 1807 (feminine); (c) Castnia
(5) The under-mentioned generic names are hereby confirmed in their position on the Official List of Generic Names in Zoology with the Numbers previously allotted thereto in the Opinions cited below: (a) Helicopis Fabricius, 1807, and Pontia Fabricius, 1807, as Nos. 565 and 566 (Opinion 137); (b) Euploea Fabricius, 1807, as No. 611 (Opinion 163); (c) Nymphidium Fabricius, 1807, as No. 614 (Opinion 171).

(6) The under-mentioned specific names are hereby placed on the Official List of Specific Names in Zoology as Names Nos. 41 to 51: — (a) aceris Esper, 1783, as published in the combination Papilio aceris, without prejudice to the prior rights of the specific name hylas Linnaeus, 1758, as published in the combination Papilio hylas, if that name is held to belong to a sub-species of the same collective species; (b) caricae Linnaeus, 1758, as published in the combination Papilio caricae; (c) cereus Linnaeus, 1767, as published in the combination Papilio cereus; (d) corus Fabricius, 1793, as published in the combination Papilio corus; (e) cupido Linnaeus, 1758, as published in the combination Papilio cupido; (f) daplidice Linnaeus, 1758, as published in the combination Papilio daplidice; (g) hylas Linnaeus, 1758, as published in the combination Papilio hylas; (h) iris Linnaeus, 1758, as published in the combination Papilio iris; (i) leilus Linnaeus, 1758, as published in the combination Papilio leilus; (j) polymnia Linnaeus, 1758, as published in the combination Papilio polymnia; (k) sophorae Linnaeus, 1758, as published in the combination Papilio sophorae.

(7) The question of placing on the Official List of Specific Names in Zoology the specific name of the type species of Castnia Fabricius, 1807, is postponed for further consideration.
I.—THE STATEMENT OF THE CASE

The subject dealt with in the present Opinion was first raised in a paper by Mr. Francis Hemming entitled “The Question of the Work in which ten Generic Names in the Lepidoptera Rhopalocera hitherto attributed to Fabricius were first published in 1807: a Case for Decision by the International Commission on Zoological Nomenclature” published on 15th September 1939 (Proc. R. ent. Soc. Lond. (B) 8:181—191). In this paper Mr. Hemming showed that a number of extremely well-known generic names published by Fabricius in 1807 had been published slightly earlier in the same year by Illiger, by whom they had been used for entirely different species and therefore that the utmost confusion would be caused in the nomenclature of the Rhopalocera if through the strict application of the Règles it were necessary to discard the Fabrician usage of these names. Mr. Hemming then indicated that he proposed to ask the International Commission on Zoological Nomenclature to suppress the names in question as published by Illiger and to validate them as published by Fabricius. In the year 1943 Mr. Hemming, as Secretary to the International Commission, had occasion to re-study the early Opinions of the Commission and, in doing so, he found it necessary, in a note dated 21st November 1943 (Ops. Decls. int. Comm. zool. Nomencl. 1:79—82), to draw attention to the fact that under the interpretation of Proviso (a) to Article 25 given in that Opinion a generic name published, prior to 1st January 1931, without a definition or description in words of the genus so named, was available only if a type species was designated or indicated for the genus in question1. In these circumstances Mr. Hemming deleted from his application four Illiger names (Brassolis, Euploea, Mechanitis, Thymele) which had been included in his paper of 1939 but which, under Opinion 1, were seen to be invalid and which it was therefore now unnecessary to suppress under the Plenary Powers. Mr. Hemming’s application so modified was submitted to the International Commission on 20th June 1943. It was as follows:—

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1 As explained in paragraph 6 of the present Opinion, the interpretation of Proviso (a) to Article 25 given in Opinion 1 was repealed by the Thirteenth International Congress of Zoology, Paris, 1948.
On the question whether eight generic names in the Order Lepidoptera (Class Insecta) commonly accepted as having been published by Fabricius in 1807 were published by Illiger earlier in the same year

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

In volume 6 of the *Magazin für Insektenkunde* (Illiger), the title page of which is dated 1807, there appeared an article (pp. 277, 278) entitled "Die neueste Gattungs-Eintheilung der Schmetterlinge aus den Linnéischen Gattungen Papilio und Sphinx", to which was attached a synopsis (pp. 279—289) of the characters of 49 genera entitled "Schmetterlings-Gattungen. A. Nach Fabricii Systema Glossatorum Tom. I". The article itself was anonymous, but there is practically no doubt that it was written by Illiger. The synopsis of genera was, as the title shows, taken from Fabricius' unpublished *Systema Glossatorum*, and it is therefore perfectly correct to attribute to Fabricius the new generic names included therein and not to Illiger or whoever was the anonymous author of the article beginning on p. 277. M. Felix Bryk in 1938 edited a facsimile (published by the Verlag Gustav Feller, Neubrandenburg) of one of the two surviving proof copies of Fabricius' unpublished *Systema Glossatorum*, in which all the 49 genera mentioned in the synopsis given in Illiger's *Magazin* are given in a preliminary Key ("*Characteres Generum*"), which also includes a fiftieth name for a genus of butterflies (*Casinia Fabricius*) which did not appear in the synopsis in the *Magazin*.

2. In the issue dated 19th December 1807 of the *Allgemeine-Literatur Zeitung*, which, though normally treated as being of Jena, was in fact at this time published at Halle, there is an anonymous article written by Illiger, which contains a detailed review of the first 34 plates of the *Sammlung exotischer Schmetterlinge* published by Jacob Hübner. A facsimile of this article is given on pp. 43—45 of volume 2 of my *Hübner* published by the Royal Entomological Society of London in

In order to prevent any possibility of misunderstanding from arising, it should be made clear that, although (as stated) it is likely that Illiger (as the editor of the *Magazin für Insektenkunde*) actually compiled the paper here under discussion, there is no reason whatever to suppose that he was the author of the diagnoses given for the new genera, the names of which appear in the synopsis entitled "Schmetterlings-Gattungen". On the contrary, there is every reason to believe that these were the diagnoses written by Fabricius for these new genera and that Illiger's share in this matter was confined to picking out these diagnoses from the unpublished material written by Fabricius for his projected *Systema Glossatorum*—to which work the anonymous author (supposedly Illiger) of the paper under consideration attributed these names by the use of the sub-title "Nach Fabricii Systema Glossatorum". It may therefore be concluded that Fabricius and not Illiger devised the new generic names in question and wrote the diagnoses for the genera so named and that Illiger's role in the matter was no more than that of editor and publisher. It is for this reason that it is correct to attribute these names to Fabricius, as has always been done by subsequent authors. [F. H. 6th December 1953].
1937. In this article each of the species figured on the 34 plates in question is considered critically, and, as explained in a preliminary note, the generic name according to the system of Fabricius is added. In the following table, I give the names of the species figured by Hübner, the number of the plate on which each species is so figured, the genus assigned to each species by Hübner, and the genus of the Fabrician system allotted to each species by Illiger in the review referred to above:

Generic names applied to the species figured on the first 34 plates published of Hübner’s *Samm. exot. Schmett.* by Illiger in his anonymous review of the species so figured which appeared in the issue of 19th December 1807 of the *Allgem. Lit. Ztg, Halle (Jena).*

<table>
<thead>
<tr>
<th>Name of species</th>
<th>Pl. no.</th>
<th>Generic name used by Hübner</th>
<th>Generic name used in <em>Allgem. Lit. Ztg, Halle (Jena)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>aetulus</td>
<td>102</td>
<td>Rusticus</td>
<td>Hesperia</td>
</tr>
<tr>
<td>gnadis</td>
<td>104</td>
<td>Rusticus</td>
<td>Helicopis</td>
</tr>
<tr>
<td>demoleas [sic]</td>
<td>106</td>
<td>Princeps</td>
<td>Papilio</td>
</tr>
<tr>
<td>hellica</td>
<td>141</td>
<td>Mancipium</td>
<td>Pontia</td>
</tr>
<tr>
<td>fabius</td>
<td>148</td>
<td>Consul</td>
<td>Brasolis ?</td>
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<tr>
<td>licus</td>
<td>150</td>
<td>Urbanus</td>
<td>Castnia</td>
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<tr>
<td>thraso</td>
<td>151</td>
<td>Urbanus</td>
<td>Thymelepis</td>
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<tr>
<td>proteus</td>
<td>155</td>
<td>Urbanus</td>
<td>Thymelepis</td>
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<tr>
<td>niveus</td>
<td>159</td>
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<td>Hymenitis</td>
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<td>cymo</td>
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<td>doto</td>
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<td>5</td>
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<td>Mechanitis</td>
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<td>Mechanitis</td>
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<td>25</td>
<td>Lemmas [sic]</td>
<td>Euploea</td>
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<td>26</td>
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<td>Limmas</td>
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<td>Limmas</td>
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<td>Mechanitis</td>
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<td>44</td>
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<td>47</td>
<td>Hamadryas</td>
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<td>astina</td>
<td>56</td>
<td>Hamadryas</td>
<td>Brassolis</td>
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<td>60</td>
<td>Naias</td>
<td>Brassolis</td>
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<td>leonte</td>
<td>79</td>
<td>Potamis</td>
<td>Brassolis</td>
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<tr>
<td>leitaria</td>
<td>200</td>
<td>Lars</td>
<td>Urania</td>
</tr>
</tbody>
</table>

3. It will be seen from column 4 of the preceding table that Illiger distributed the 34 species in question among 17 of what he called genera of the Fabrician system. Of these genera 15 belong to the sub-order Rhopalocera and 2 to the sub-order Heterocera, although
(as can be seen from the synopsis of Fabrician genera published in volume 6 of Illiger’s *Magazin* and also from the unpublished *Systema Glossatorum* of Fabricius, discussed in paragraph 1 above) it is clear that both Illiger and Fabricius regarded these two genera as also belonging to what is now accepted as the sub-order Rhopalocera.

4. Two of the generic names used by Illiger in 1807 in the *Allgemeine-Literatur Zeitung* (namely *Papilio* and *Hesperia*) were published by other authors (Linnaeus and Fabricius respectively) long before 1807. These names are, therefore, not involved in the problem with which this paper is concerned.

5. Three of the names used by Illiger in the *Allgemeine-Literatur Zeitung* were not used by Fabricius in the paper published in volume 6 of Illiger’s *Magazin*. These three names (*Eurybia*, *Hymenitis*, and *Lemonias*) are, therefore, also not involved in the present problem.

6. There are thus 12 names, the first publication of which may have occurred either (i) in the *Allgemeine-Literatur Zeitung* (in which case they should be attributed to Illiger) or (ii) in volume 6 of Illiger’s *Magazin* (in which case they should be attributed to Fabricius).

7. Each of the generic names published by Fabricius in volume 6 of Illiger’s *Magazin* was accompanied with a short definition and these names accordingly satisfy the requirements of proviso (a) to Article 25 of the International Code. The names published by Illiger in the *Allgemeine-Literatur Zeitung* stand in an altogether different position. Illiger gave no description or definition of these genera and it is necessary, therefore, to consider whether he gave an “indication” for these genera within the meaning of that expression as used in Article 25. The meaning to be attached to that expression has been laid down by the International Commission in *Opinion 1* (see 1944, *Opinions and Declarations rendered by the International Commission of Zoological Nomenclature* 1 : 73–86). Of the provisions in *Opinion 1* relating to generic names, the only one under which any of the names published by Illiger in 1807 could qualify as having been published with an “indication” (and, therefore, as being available under Article 25) is the provision which lays it down that the “definite citation or designation of a type” is to be accepted as constituting an “indication”. As pointed out in Note 5 to *Opinion 1* (1944, *ibid.* 1 : 79–82), it is clear from *Opinion 17* that, where a genus is monotypical, it is to be deemed for this purpose to have been published with “definite citation or designation of a type”. In the case of the names published by Illiger in 1807 in the *Allgemeine-Literatur Zeitung*, it is necessary, therefore, to reject, as failing to satisfy proviso (a) to Article 25, any name published for a genus, for which no explanatory matter is given and in which two or more species were cited, none being specified as the type.

8. An examination of the table given in paragraph 2 above shows that 5 of the genera established by Illiger were cited with more than
one contained species and must, therefore (for the reasons explained above), be rejected as not being available nomenclatorially as from the date of their publication by Illiger in the Allgemeine-Literatur Zeitung. The names which must be rejected on these grounds are: *Brassolis*; *Euploea*; *Hymenitis*; *Mechanitis*; and *Thymele*. Of these, all except *Hymenitis* were published by Fabricius in volume 6 of Illiger’s *Magazin* and this accordingly becomes the undisputed place of their first publication. All 5 of these names cease to be involved in the problem dealt with in the present paper, since none of them was validly published both by Illiger (in the Allgemeine-Literatur Zeitung) and by Fabricius (in volume 6 of Illiger’s *Magazin*).

9. It will be seen, therefore, that of the 17 generic names used by Illiger in the Allgemeine-Literatur Zeitung (i.e. the names enumerated in column 4 of the table given in paragraph 2 above), 9 are not affected by the question of the relative dates of publication of Illiger’s article in the above journal and of the paper giving the list of Fabrician genera which appeared in volume 6 of Illiger’s *Magazin*. Of these names, 2 were eliminated because they were published by previous authors (paragraph 4); 3 were eliminated because they were not included in the list given in volume 6 of Illiger’s *Magazin* (paragraph 5); and 4 were eliminated because in the Allgemeine-Literatur Zeitung they were not published in such a way as to satisfy the requirements of Article 25 of the Code (paragraph 8). There remain therefore 8 generic names, the first publication of which may have been in (i) the Allgemeine-Literatur Zeitung or (ii) volume 6 of Illiger’s *Magazin*. These names are: *— Apatura*; *Castnia*; *Emesis*; *Helicopis*; *Nepis*; *Nymphidium*; *Pontia*; and *Urania*.

10. It is necessary therefore at this stage to consider what evidence, whether direct or indirect, is available to determine whether or not the article in volume 6 of Illiger’s *Magazin* appeared before that in the Allgemeine-Literatur Zeitung; and therefore whether Fabricius is the author of the 8 names given in paragraph 9 above (as he would be in the former event) or whether Illiger through his review of Hübner’s plates is the author of the 8 names in question (as would be the case in the latter event). This is not a matter of theoretical interest only, but is one of great practical importance, since in most cases the included species in the two papers are different, with the result that, if it proved to be the case that Illiger’s review of Hübner’s plates was published before the extract from Fabricius’ *Systema* given in Illiger’s *Magazin*, the types of the genera in question would need to be changed. The evidence available on the point at issue is given in the following paragraphs.

11. Illiger’s review of Hübner’s plates which appeared in the Allgemeine-Literatur Zeitung is known to have been published in 1807 on 19th December, since it was included in Number 303 of that journal which bears that date. As regards the article in Illiger’s *Magazin*, the volume in question (vol. 6) is dated 1807, and in the absence of definite
evidence to the contrary must be accepted as having been published in that year. There is no direct evidence as to what month in that year the portion concerned (pp. 277—289) was published.

12. In paragraph 1 above, I have shown that the title of the article in Illiger’s *Magazin* expressly states (p. 277) that the genera (49 in number) given in the synopsis (pp. 279—289) represent the latest revision of the Linnean genera *Papilio* and *Sphinx*, and that the title to the synopsis shows that this revision was the work of Fabricius. Further, in the same paragraph, I have shown that at the time in 1807, when Fabricius finished the manuscript of his *Systema Glossatorium* he had slightly modified the ideas set out in the article in Illiger’s *Magazin* and had increased the number of genera from 49 to 50. There can therefore be no doubt that the article in Illiger’s *Magazin* was not only written but also passed for final printing on some date in 1807 prior to the date in the same year on which Fabricius wrote the manuscript of his *Systema Glossatorium*.

13. Illiger’s unsigned article published in the 19th December 1807 issue of the *Allgemeine-Literatur Zeitung* was concerned only with the first 34 plates of Hübner’s *Sammling exotischer Schmetterlinge* and the genera of Fabricius are mentioned only incidentally in relation to the species figured by Hübner on the plates under review. Nevertheless of the 17 Fabrician genera among which (as shown in paragraph 2 above) the species figured on these 34 plates were distributed, there were not less than 3 genera which appeared neither in the article in volume 6 of Illiger’s *Magazin* nor in the proof of Fabricius’ *Systema Glossatorium*, both of which expressly claimed, as at the dates concerned, to set out the latest revision by Fabricius of the genera *Papilio* Linnaeus and *Sphinx* Linnaeus. There can therefore be no doubt whatever that Illiger’s review of Hübner’s plates published on 19th December 1807 in the *Allgemeine-Literatur Zeitung* was written and therefore printed, subsequent to the date on which the paper in volume 6 of Illiger’s *Magazin* was printed and passed for publication, and subsequent also to the date still later in 1807 on which Fabricius sent the manuscript of his *Systema Glossatorium* to the printer.

14. There thus remains one question only for consideration, namely the possibility that the Illiger *Magazin* article, though admittedly written before Illiger’s review of the Hübner plates, was nevertheless actually published after the appearance of that review. Both are dated 1807 and the latter is dated 19th December of that year. In order therefore to sustain an argument that these articles were published in 1807 in the reverse order to that in which they were written, it would be necessary to show (i) that the publication of vol. 6 of Illiger’s *Magazin* was delayed until after 19th December 1807 and therefore took place during the twelve-day period from 20th December 1807 to 31st December 1807; and (ii) that, although by 19th December Fabricius had subdivided the Linnean genera *Papilio* and *Sphinx* into
53 genera (50 given in the proof of the Systema Glossatorum which was sent to the printer in 1807 prior to the date on which Illiger wrote his review of Hübner's plates, plus three genera, the names of which appeared for the first time in the said review), both Fabricius, as author, and Illiger, as editor of the Magazin, allowed the publication of a paper which expressly claimed to give the latest particulars relating to Fabricius' system but which was in fact already out of date, in that it omitted 4 of the 53 genera which, on the hypothesis here under consideration, Fabricius had already adopted.

15. I must, however, add that in correspondence with me the late Dr. Foster H. Benjamin put forward the view that vol. 6 of Illiger's Magazin was published after the close of 1807 (although it bears the date of that year), and therefore that Illiger's review in the Allgemeine-Literatur Zeitung was published well before the synopsis of Fabricius' genera given in vol. 6 of Illiger's Magazin. Dr. Benjamin based this view upon the following considerations. In the first place, he considered that the fact that volumes 3 and 4 of Illiger's Magazin were not reviewed in the Allgemeine-Literatur Zeitung until the early part of 1807, and that vol. 5 was reviewed in the same journal later in that year indicated that for some reason the publication of the successive volumes of Illiger's Magazin was retarded and did not necessarily take place in the years given on the title pages of the volumes concerned. Dr. Benjamin then drew attention to the fact that in the case of one set of Illiger's Magazin preserved in the United States which appeared to be in contemporary binding, volumes 3 and 4 were bound in a single volume. From this he deduced that some cause—perhaps lack of funds—led to a delay in the distribution of vol. 3 with the result that that volume was not distributed until 4 was ready for distribution also. Dr. Benjamin then referred to the Reichard fire in which admittedly a large part of the stock of vol. 6 of Illiger's Magazin was destroyed. He stated that he was aware of three copies in the United States, which he accepted as originals, but he took the view that this volume was not distributed (i.e. was not published) in 1807 or indeed at any date sufficiently early to permit of it being reviewed by Illiger in the Allgemeine-Literatur Zeitung. In other words, according to this argument, this volume was not distributed at least until the end of 1808. Dr. Benjamin considered that, having regard to the fact that the Allgemeine-Literatur Zeitung was issued at intervals of three days only and that Illiger would be the first person in the world to have at his disposal for review purposes a copy of vol. 6 of his own Magazin, he would certainly have reviewed that volume if it had been published during the period in which he was writing reviews for the Allgemeine-Literatur Zeitung. Finally, Dr. Benjamin drew attention to the fact that the main text of vol. 4 of Latreille's Gen. Crust. Ins., published in 1809, contained no reference to vol. 6 of Illiger's Magazin, while the addenda to the above volume of Latreille's work was full of such references. From this, Dr. Benjamin concluded that Latreille did not receive vol. 6 of Illiger's Magazin.
until about 1809, when it was too late for him to include any references thereto in the main portion of vol. 4 of his own work.

16. It is now necessary to examine the various arguments summarised in the preceding paragraph. Dr. Benjamin, it should first be noted, attached great importance to the slow and spasmodic way in which Illiger reviewed his own Magazin in the Allgemeine-Literatur Zeitung, and to the fact that vol. 6 of the Magazin was never reviewed in it at all. It must be remembered, however, that the Allgemeine-Literatur Zeitung was primarily concerned with the reviewing of separate works and not with that of journals; and, in so far as journals were reviewed, it would not cause surprise if the reviewer (in this case Illiger) exhibited a certain modesty in reviewing a journal (in this case Illiger's Magazin) of which he was himself the editor, except perhaps when there was a shortage of other material and it was necessary to fill up a space. The point made by Dr. Benjamin that in one set of Illiger's Magazin preserved in the United States volumes 3 and 4 are bound in a single volume in what appears to be contemporary binding, cannot mean more than that the original owner of that copy found it convenient to bind up these two volumes in this way, since there are numerous copies in Europe which equally appear to be in contemporary binding, though volumes 3 and 4 are separately bound. In any case, the way in which the volumes of this work were bound depended on the choice of the purchaser and not upon Illiger, since there was certainly in this case no such thing as a publisher's binding. As regards the Reichard fire, there is no doubt that part of the stock of vol. 6 of Illiger's Magazin was destroyed in this way, but, judging from the number of complete sets of Illiger's Magazin extant in Europe, a considerable number of copies had either been sold before the fire took place or escaped destruction on that occasion. The evidence afforded by vol. 4 of Latreille's Gen. Crust. Ins. certainly shows almost beyond doubt that Latreille did not obtain a copy of vol. 6 of Illiger's Magazin until some time in 1809; but it throws no light upon the question of the date on which that volume of Illiger's Magazin was published. Indeed, when it is remembered that the Napoleonic wars were in full swing during the period in question, it is perhaps surprising to find that in 1809 a French naturalist was able to secure a copy of a German publication within two years of its publication. As regards the suggestion that perhaps Illiger found himself in financial difficulties—a suggestion supported by no concrete evidence whatever—it must be observed that vol. 6 of Illiger's Magazin is dated 1807 on the title page and therefore that the type at least must have been set up in that year. This being so, the main cost, that of printing, had already been incurred in 1807, and, if Illiger had been in financial difficulties, he would certainly not have delayed the actual publication of the volume on that account. On the contrary, his first consideration would have been to secure that publication took place at the earliest possible moment in order that through sales he might recoup himself to some extent at least in respect of the expenditure already incurred on printing.
17. The considerations advanced in the preceding paragraph appear to me to show, as conclusively as is possible in the absence of direct evidence, that there are no grounds for concluding that the publication of volume 6 of Illiger's *Magazin* was postponed until after the close of 1807. Nor do there appear to me to be any grounds for holding that the portion of volume 6 of Illiger's *Magazin* containing the list of Fabrician genera was published after the publication (on 19th December 1807) of Illiger's paper in the *Allgemeine-Literatur Zeitung*, which (as shown in paragraph 13 above) was undoubtedly written (even it was not published) after, and not before, the compilation of the list of Fabrician genera in volume 6 of Illiger's *Magazin*. I recognise, however, that these are no more than personal opinions on a question on which opinions may differ. I recognise also that there is always a chance that, in spite of the care with which the early entomological literature has been examined by many workers, evidence may some day be found which may show that, in fact, the publication of volume 6 of Illiger's *Magazin* was delayed and in consequence that the list of Fabrician genera contained in that volume was not published until after the publication of Illiger's review in the *Allgemeine-Literatur Zeitung*.

18. The fact that there is a doubt regarding the place where these important generic names were first published and in consequence that there is a doubt regarding the types of the genera concerned introduces a serious element of uncertainty into the nomenclature of some of the most representative genera in the sub-order Rhopalocera. Further, the risk that the Illiger names may at anytime be found to have been published before their Fabrician counter-parts means that there is a serious contingent risk of confusion arising in the nomenclature of the groups concerned. How serious the confusion would be if the Illiger names were to take priority over those proposed by Fabricius can be gauged from the following examples:

1. If *Neptis* Illiger, 1807, were found to be an older name than *Neptis* Fabricius, 1807, the type of the genus bearing the name "Neptis" would cease to be *Papilio aceris* Esper [1783], and would become *Nereis eunice* Hübner [1807], the sole species placed by Illiger in the genus *Neptis*. In other words, the generic name *Neptis* would cease to apply to the very large group of Old World species universally referred to the genus *Neptis* and would be transferred to the equally well-known New World genus now universally known as *Phyleodes* Hübner [1819], *Verz. bekannt. Schmett. (2) : 29.*

2. If *Apatura* Illiger, 1807, were found to be an older name than *Apatura* Fabricius, 1807, the type of the genus bearing the name "*Apatura*" would cease to be *Papilio iris* Linnaeus, 1758, and would become *Papilio amphinome* Linnaeus, 1767. In
other words, the generic name "Apatura" would cease to apply to the extremely well-known European and Asiatic genus now universally so named and would be transferred to the very well-known Neotropical genus, the oldest available name for which is Hamadryas Hübner [1806], but which is commonly known as Ageronia Hübner [1819], Verz. bekannt. Schmett. (3) : 42.

(3) If Emesis Illiger, 1807, were found to be an older name than Emesis Fabricius, 1807, the type of the genus bearing the name "Emesis" would cease to be Hesperia ovidius Fabricius, 1793, and would become Linneas pharea Hübner [1807]. In other words, Emesis, which is a very well-known genus in the family Riodinidae, would be transferred from the extensive group now universally known by that name to the genus in the same family now known by the name Mesene Doubleday, 1847, List Spec. lep. Ins. Brit. Mus. 2 : 7.

19. It will be seen from the foregoing examples that, unless and until definite evidence is forthcoming regarding the relative dates of publication of the Illiger and Fabrician names, the strict application of the Rules to the eight generic names enumerated in paragraph 9 above can never secure any stability in the nomenclature of the groups concerned. On the contrary, it would be open to any worker to form his own conclusion regarding the relative dates of publication of these names and, having done so, either to accept these names as having been first published by Fabricius or to accept them as having been first published by Illiger. In either case, the worker concerned would be acting perfectly correctly under the Code. The result could only be confusion rather than uniformity. The present problem, is, therefore, one which can only be resolved by the International Commission on Zoological Nomenclature deciding to use for this purpose the Plenary Powers conferred upon them in 1913 for settling cases where, in their judgment, the strict application of the Rules would clearly lead to greater confusion than uniformity.

20. In 1935 the International Commission were confronted with a very similar case which involved the question whether a particular paper by Fabricius (actually the paper in volume 6 of Illiger's Magazin, with which also the present case is concerned) was published before, or after, certain plates in volume 1 of Hübner's Sammlung exotischer Schmetterlinge. In the absence of a decision by the Commission, it was in that case a matter of doubt whether the oldest available names for the three genera concerned were the names published by Fabricius or those published by Hübner. This case was considered by the Commission at Lisbon on 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 21, published in 1943, Bull. zool. Nomencl. 1 : 20) and the decision then taken has been embodied in Opinion 137 (1942,
Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 2:21—28). That Opinion provides that, unless and until evidence to the contrary is forthcoming the names proposed by Fabricius shall have precedence over those proposed for the same genera by Hübner and that, in the event of evidence later being found to show that Hübner’s plates (on the legends of which the names in question occur) were published before the paper by Fabricius, the names proposed by Hübner are, under suspension of the Rules, to be suppressed in favour of the names proposed by Fabricius. This decision represented a complete and satisfactory solution of the difficulty presented by that case and a parallel decision in the present case would provide an equally satisfactory solution.

21. I accordingly petition the International Commission on Zoological Nomenclature to render an Opinion stating:—

(i) that unless and until further evidence is forthcoming regarding the precise date on which was published the paper by Fabricius in volume 6 (277—289) of Illiger’s Magazin für Insektenkunde, issued under the date “1807”, the generic names published in that paper shall have precedence over the names proposed by Illiger in the review of the portions so far published of volume 1 of Hübner’s Sammlung exotischer Schmetterlinge published on pages 1177—1181 of Part 303 of the Allgem. Lit. Ztg, Halle [Jena], issued on 19th December 1807; and

(ii) that in the event of evidence later being found to show that Illiger’s review was published before Fabricius’s paper, the names Apatura, Castnia, Emesis, Helicopis, Neptis, Nymphidium Pontia, and Urania, as published by Illiger are, under suspension of the Rules, to be suppressed in favour of the same names as published by Fabricius.

22. In order that the position may be settled beyond possibility of further argument, I consider that it is desirable that the names Apatura, Castnia, Emesis, Helicopis, Neptis, Nymphidium Pontia, and Urania as published by Fabricius should be placed on the Official List of Generic Names in Zoology. If the recommendation in paragraph 21 above is approved, no such action is needed as regards Pontia Fabricius, 1807, since that name was added to the Official List as the result of the decision embodied in Opinion 137.

23. I accordingly further petition that the International Commission when acting in the manner recommended in paragraph 21 above, should place on the Official List of Generic Names in Zoology the undermentioned generic names, with types as shown, each of which has been
duly designated in accordance with the provisions of Article 30 of the International Code:

Name of genus


Type of genus

(type designated by Curtis, 1831, *Brit. Entom.* 8:pl. 338)

Papilio *icarus* Cramer [1775], *Uitl. Kapellen* 1(2):26

Hesperia *ovidius* Fabricius, 1793, *Ent. syst.* 3(1):320
(type designated by Westwood [1851], *in* Doubleday, *Gen. diurn. Lep.* (2):421, 446)

Papilio *cupido* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1:482

Papilio *aceris* Esper [1783], *Die Schmett.* 1(Bd. 2) Forts. Tagschmett.: 142, pl. 81, figs. 3, 4
(type designated by Crotch, 1872, *Cistula ent.* 1:66)

Papilio *caricae* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1:484
(type designated by Crotch, 1872, *Cistula ent.* 1:66)

Papilio *leilus* Linnaeus, 1758, *Syst. Mat.* (ed. 10) 1:462

II.—THE STATEMENT OF THE CASE

2. On receipt, the present application was given the Registered Number Z.N.(S.) 148. At that time the *Bulletin of Zoological Nomenclature* had just been established as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision, and work was in active progress on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (Hemming, 1947, *Bull. zool. Nomencl.* 1:261—269).
3. At the time of the submission of the present application, Mr. N. D. Riley (British Museum (Natural History), London) and Mr. W. H. T. Tams of the same Institution had already signified their support for the action proposed.

4. The publication of the present application in the Bulletin elicited support from Dr. Th. Mortensen (Universitetets Zoologiske Museum, Copenhagen) who in a letter dated 8th April 1947 wrote the word “Yes” against this proposal.

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

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

6. At an early stage of its work during the Session held at Paris in 1948 the International Commission on Zoological Nomenclature reviewed the interpretation of Proviso (a) to Article 25 of the Règles given in 1907 in its Opinion I and decided to repeal that interpretation and to substitute therefor a provision under which a generic name published prior to 1st January 1931, should possess a status of availability when published without a definition or description in words, when the name or names of one or more previously established nominal species were cited by the original author of the generic name as belonging to the genus in question (Paris Session, 4th Meeting, Conclusion 13) (1950, Bull. zool. Nomencl. 4: 78—80). The adoption of the foregoing decision had the effect, inter alia, of providing a status of availability for the four names cited in paragraph 1 above which in his paper of 1939 Mr. Hemming had proposed should be suppressed by the International Commission under its Plenary Powers but which for the reasons explained in that paragraph he had omitted from the revised proposals which he had submitted in his application of June 1943. In view of the decision taken, as explained above, to liberalise the provisions of Proviso (a) to Article 25, Mr,
Hemming at once reinstated his earlier proposals for the suppression of the four names referred to above. It was on this basis that the present application was considered by the International Commission at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 16) (1950, Bull. zool. Nomencl. 4 : 452—459):—

THE COMMISSION agreed :—

(1) to use their Plenary Powers, in so far as that might be necessary :—

(a) to suppress for the purposes of Articles 25 and 34 the undermentioned generic names published in the issue of 19th December, 1807, of the Allgemeine -Literatur Zeitung, Halle [Jena], in an anonymous review by Illiger of the first 34 plates of Jacob Hübner's Sammlung exotischer Schmetterlinge to have been published :—

Apatura [Illiger], 1807.
Brassolis [Illiger], 1807.
Castnia [Illiger], 1807.
Emesis [Illiger], 1807.
Euploea [Illiger], 1807.
Helicopis [Illiger], 1807.
Mechanitis [Illiger], 1807.
Neptis [Illiger], 1807.
Nymphidium [Illiger], 1807.
Pontia [Illiger], 1807.
Thymele [Illiger], 1807.
Urania [Illiger], 1807.

(b) to render available under Article 25 and 34 all the generic names specified above other than Thymele,
as published by Fabricius in 1807 in Volume 6 of Illiger's *Magazin fur Naturkunde*;

(2) to place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the 12 generic names specified in (1) (a) above;

(3) to place the undermentioned generic names, with the type species severally specified below, on the *Official List of Generic Names in Zoology*:

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Type species of genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Apatura</em> Fabricius, 1807</td>
<td><em>Papilio iris</em> Linnaeus, 1758 (type species selected by Curtis, 1831)</td>
</tr>
<tr>
<td><em>Brassolis</em> Fabricius, 1807</td>
<td><em>Papilio sophorae</em> Linnaeus, 1758 (type species selected by Blanchard, 1840)</td>
</tr>
<tr>
<td><em>Castnia</em> Fabricius, 1807</td>
<td><em>Papilio icarus</em> Cramer [1775] (type species selected by Latreille, 1810)</td>
</tr>
<tr>
<td><em>Emesis</em> Fabricius, 1807</td>
<td><em>Hesperia ovidus</em> Fabricius, 1793 [= <em>Papilio cereus</em> Linnaeus, 1767] (type species selected by Westwood [1851])</td>
</tr>
<tr>
<td><em>Mechanitis</em> Fabricius, 1807</td>
<td><em>Papilio polymnia</em> Linnaeus, 1758 (type species selected by Scudder, 1875)</td>
</tr>
<tr>
<td><em>Neptis</em> Fabricius, 1807</td>
<td><em>Papilio aceris</em> Esper [1783] [= <em>Papilio hylas</em> Linnaeus, 1758, ssp.] (type species selected by Crotch, 1872)</td>
</tr>
<tr>
<td><em>Urania</em> Fabricius, 1807</td>
<td><em>Papilio leilus</em> Linnaeus, 1758 (type species selected by Latreille, 1810)</td>
</tr>
</tbody>
</table>
(4) to confirm the entries on the *Official List of Generic Names in Zoology* relating to the undermentioned generic names, with the type species severally specified below:—

<table>
<thead>
<tr>
<th>Name of genus</th>
<th>Type species of genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Euploea Fabricius, 1807</td>
<td><em>Papilio corus</em> Fabricius, 1793</td>
</tr>
<tr>
<td>Helicopis Fabricius, 1807</td>
<td><em>Papilio cupido</em> Linnaeus, 1758</td>
</tr>
<tr>
<td>Nymphidium Fabricius, 1807</td>
<td><em>Papilio caricae</em> Linnaeus, 1758</td>
</tr>
<tr>
<td>Pontia Fabricius, 1807</td>
<td><em>Papilio daplidice</em> Linnaeus, 1758</td>
</tr>
</tbody>
</table>

(5) to place the generic name *Thymele* Fabricius, 1807 (type species, by selection by Westwood, 1840: *Papilio tages* Linnaeus, 1758), on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

(6) to place on the *Official List of Specific Trivial Names in Zoology* the undermentioned trivial names, being the trivial names of the type species of certain of the genera, the names of which had been placed on the *Official List of Generic Names in Zoology* under (3) above, with the exception of the trivial name *hylas* Linnaeus, 1758, which, from the standpoint of some specialists, was the trivial name of a sub-species of the same collective species as, and had priority over, the trivial name *aceris* Esper [1780], the type species of the genus *Neptis* Fabricius, 1807:—

*aceris* Esper [1783] (as published in the binominal combination *Papilio aceris*) (without prejudice to
the prior rights of the trivial name *hylas* Linnaeus, 1758, if that name is held to apply to a sub-species of the same collective species)

*cerceus* Linnaeus, 1767 (as published in the binominal combination *Papilio cerceus*)

*hylas* Linnaeus, 1758 (as published in the binominal combination *Papilio hylas*)

*iris* Linnaeus, 1758 (as published in the binominal combination *Papilio iris*)

*polymnia* Linnaeus, 1758 (as published in the binominal combination *Papilio polymnia*)

*sophorae* Linnaeus, 1758 (as published in the binominal combination *Papilio sophorae*)

(7) to take note that, under the decisions adopted at the time of the establishment of the *Official List of Specific Trivial Names in Zoology*, the trivial names of the type species of the genera specified in (4) above, being all the oldest available names for the species severally concerned, were to be placed on the foregoing *Official List*;

(8) to invite the Secretary of the Commission, in consultation with other specialists in the Order Lepidoptera, to submit proposals for the determination by the Commission, under the procedure agreed upon at the meeting of the relative priority to be assigned to different names for the same species and to the same name for different species published in 1775 (a) by Cramer in volume 1 of his *Uitlandsche Kapellen* (b) by von Rottemburg in a paper entitled *Anmerkungen zu den Hufnagelischen Tabellen der Schmetterlinge* published in volume 6 of the journal *Naturforscher* (c) by Schiffermüller & Denis in the anonymous work *Ankündigung eines systematischen Werkes von den Schmetterlingen der Wiener Gegend*, and (d) by Fabricius in his *Systema Entomologiae*;

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(9) to place on the *Official List of Specific Trivial Names in Zoology* whichever might, in the light of the decision on (8) above, be found to be the oldest available trivial name for the type species of the genus *Castnia* Fabricius, 1807;

(10) to place on the *Official List of Specific Trivial Names in Zoology* whichever, after consultation with specialists, was found to be the oldest available trivial name for the type species of the genus *Urania* Fabricius, 1807;

(11) to render *Opinions* recording the decisions specified in (1) to (6), and, when completed, in (9) and (10) above.

7. On the publication in 1950 of the *Official Record of the Proceedings of the International Commission during its Session held in Paris in 1948*, it was possible for Mr. Hemming to initiate the investigation entrusted to him on the question of the order of priority which it was desirable should be allotted to the four works on Palaearctic butterflies published in 1775 specified in Point (8) in the immediately preceding paragraph. Towards the close of the year 1951 Mr. Hemming judged that the stage had been reached at which it was desirable that a general appeal should be made to interested specialists to furnish the Commission with statements of their views on the foregoing question. Mr. Hemming accordingly prepared a short note which was published in April 1952 (*Hemming, 1952, Bull. zool. Nomencl. 7*: 204—206). It is hoped that it will be possible for the Commission at an early date to reach a decision on this question. Pending such a decision it is impossible to determine what is the oldest available name for the type species of the genus *Castnia* Fabricius, 1807. Accordingly, in the Ruling given in the present *Opinion* it has been necessary to reserve this question for further consideration.

8. In the spring of 1951, the Secretary entered into the consultations prescribed on the question reserved for further consideration under Point (10) of the *Paris Conclusions* quoted in paragraph 6 above with a view to determining whether the specific name *leilus* Linnaeus, 1758, as published in the combination *Papilio leilus* (the specific name of the type species of *Urania* Fabricius,
1807) was the oldest available name for the species in question
and whether, therefore, under the foregoing Conclusion, that
name should be placed forthwith on the Official List of Specific
Names in Zoology. On this subject Mr. N. D. Riley (British
Museum (Natural History), London) wrote as follows on 20th
June 1951:—"I have discussed with Tams the question regarding
the availability of the name Papilio leilus Linnaeus, 1758, the type
species of Urania Fabricius, 1807, about which you wrote to me
on 15th May. I find that the decision at Paris to leave this matter
over temporarily for further examination was an unnecessary
precaution, for the name leilus is an available name and there is no
doubt at all regarding the identification of leilus with the well-known
species habitually known by this name. There is no doubt also
that this species is the type species of Urania, as it was so selected
by Latreille in 1810 only three years after the establishment of
this genus." In these circumstances, the name leilus Linnaeus,
1758, as published in the combination Papilio leilus, has, in
accordance with the decision recorded in the Conclusion referred
to above, been placed on the Official List of Specific Names in
Zoology in the Ruling given in the present Opinion.

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

aceris, Papilio, Esper [1783], Die Schmett. 1 (Bd. 2) Forts.
Tagschmett. : 142, pl. 81, figs. 3 ♂, 4 ♀
Apatura [Illiger], 1807, Allgem. Lit. Ztg, Halle [Jena] 1807 (No. 2)
: 1181
Apatura Fabricius, 1807, Mag. f. Insektenk. (Illiger) 6 : 280
Brassolis [Illiger], 1807, Allgem. Lit. Ztg, Halle [Jena] 1807
(No. 2) : 1181
Brassolis Fabricius, 1807, Mag. f. Insektenk. (Illiger) 6 : 282
caricae, Papilio, Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 484
Castnia [Illiger], 1807, Allgem. Lit. Ztg, Halle [Jena] 1807 (No. 2)
: 1180
Castnia Fabricius, 1807, Mag. f. Insektenk. (Illiger) 6 : 280
cereus, Papilio, Linnaeus, 1767, Syst. Nat. (ed. 12) 1 : Errata
corus, Papilio, Fabricius, 1793, Ent. syst. 3 (1) : 41
cupido, Papilio, Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 482
daplidice, Papilio, Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 468
10. The following are the references to the type selections referred to in the decision quoted in paragraph 6 above; the genera to which these selections refer are cited in brackets (parentheses).

Blanchard, 1840, Hist. nat. Ins. 3 : 453 (Brassolis Fabricius)
Crotch, 1872, Cistula ent. 1 : 66 (Neptis Fabricius)
Crotch, 1872, Cistula ent. 1 : 66 (Nymphidium Fabricius)


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

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

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

14. The Ruling given in the present Opinion was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.
15. At the time of the adoption of the Ruling given in the present Opinion the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “trivial name” and the Official List reserved for recording such names was styled the Official List of Specific Trivial Names in Zoology, the word “trivial” appearing also in the title of the Official Index reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “specific name” was substituted for the expression “trivial name” and corresponding changes were made in the titles of the Official List and Official Index of such names (1953, Copenhagen Decisions zool. Nomencl.: 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present Opinion.

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

17. The present Opinion shall be known as Opinion Two Hundred and Thirty-Two (232) of the International Commission on Zoological Nomenclature.

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

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING

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