

## OPINION 97

## DID HÜBNER'S TENTAMEN, 1806, CREATE MONOTYPIC GENERA?

SUMMARY.—Hübner's Tentamen, 1806, was obviously prepared essentially as a manifolded manuscript, or as a proof sheet (cf. Opinion 87), for examination and opinion by a restricted group of experts, *i. e.*, in *Lepidoptera*, and not for general distribution as a record in Zoology. Accordingly, the conclusion that it was published in 1806 is subject to debate. Even if the premise be admitted that it was published in 1806, the point is debatable whether the contained binomials should be construed as generic plus specific names. Even if it be admitted that the binomials represent combinations of generic plus specific names, they are essentially *nomina nuda* (as of the date in question) since authors who do not possess esoteric information in regard to them are unable definitely to interpret them without reference to later literature. If published with more definite data at later dates, these names have their status in regard to availability as of their date of such republication.

STATEMENT OF CASE.—Dr. J. McDunnough, Entomological Branch, Department of Agriculture, Ottawa, Canada, has submitted to the Commission the question: Did Hübner's Tentamen, 1806, create monotypical and valid genera? As the validity of the units in question is a zoological, not a nomenclatorial problem, the Secretary modifies the question to read: Did Hübner's Tentamen, 1806, create monotypic genera? Dr. McDunnough presented the following data:

In the May number of the Entomologist's Record for 1919, the second installment of Baker and Durrant's comparison of Jacob Hübner's Tentamen and Verzeichniss, elucidating his system of *Lepidoptera*, is prefaced by a few remarks by Mr. Bethune Baker, who strongly supports the view that the Tentamen creates generic names perfectly valid for use by systematic workers.

As my name is mentioned as one of those opposing the adoption of the Tentamen terms as valid genera, perhaps a few brief words, explaining my views more explicitly than I have heretofore done, may not be amiss.

The question of the validity or non-validity of the so-called 'genera' of the Tentamen has already been the subject of much controversy and no one is more anxious than I am to arrive at a definite decision regarding this perplexing pamphlet. Until this is done it will be impossible to introduce stability into the generic nomenclature of *Lepidoptera* as, owing to the early date of issue (1806), the Tentamen names, if accepted, will take priority over numerous long established generic names.

Since the publication of the brief statement in the introduction to Barnes & McDunnough's Check List of North American Lepidoptera, I have given the matter considerable further study, and I am now perfectly willing to agree with Mr. Baker that we must consider the Tentamen to have at least been published and that it certainly will not be sufficient to discard the names therein proposed as inedited. This, however, does not settle the matter to

my mind and we are still faced with the question as to whether Hübner created what can be termed modern genera in the aforesaid work or not.

It is a well-known fact that Hübner did not employ the term 'genus' to signify the category immediately above a species. The Hübnerian 'coitus' as used in the Verzeichniss has been, however, generally accepted as typifying the modern 'genus' and as fulfilling the requirements of the International Code in respect to generic validity. Turning to the Tentamen, we at once see from the title that Hübner is not dealing with *coiti* but with *stirpes* and that, in fact, the Tentamen is but the merest skeleton of a system which was amplified ten years later in the Verzeichniss, where the *stirpes* of the Tentamen are employed *only in a plural sense* [in the text, but in the singular in the index.—C. W. S.] and correspond with our modern ideas of a subfamily or even a family. The unfortunate fact remains that in the Tentamen Hübner, besides his plural usage, actually has employed the *stirps* name in the singular in connection with a specific name. It must seem evident that the intention was merely to cite a species considered by the author to be typical of each *stirps* and the usage of the term in the singular number was probably merely to conform to the rules of correct Latin [the paper is entirely in Latin.—C. W. S.]; one of the strongest arguments in favor of this view is the fact that in the Verzeichniss each and every specific [107.—C. W. S.] name used in the Tentamen is placed by Hübner in a coitus not identical in name with the term employed in the Tentamen (as would naturally be the case if he had intended creating *coiti* in this pamphlet) but for which he either uses a generic name created by one of the early writers (Fabricius, Schrank, Ochsenheimer, etc.) or, failing this, actually proposes a new name.

The vital question then is, briefly stated—did Hübner by his employment of a *stirps* name in the singular along with a valid specific name actually—even if unintentionally—create a valid generic name? Common sense would seem to tell us, No, but on the other hand there is nothing in the International Code which would definitely forbid the usage of these terms as genera nor can I find any ruling under the Opinions rendered by the International Commission which would cover this case. Under the Code the sole absolute requirements for generic validity [availability.—C. W. S.] would appear to be unimominality and association with a valid [valid?—C. W. S.] specific name.

I would, therefore, offer the suggestion that the decision be left to an International Committee; I, for one, would willingly abide by their ruling and I am sure that most systematic workers in *Lepidoptera* would be glad to see the end of a vexatious question which, while affecting considerably the nomenclature of *Lepidoptera*, has, after all, no vital bearing on the larger problem of the interrelationships of the various species.

DISCUSSION BY SECRETARY.—The case now before the Commission has for many years been the subject of earnest controversy. It has been before the Commission for many months and has resulted in voluminous correspondence.

The Committee on Nomenclature of the Washington Entomological Society has studied the case and reports to the Secretary as follows:

In the minds of this Committee there is no doubt that Hübner's Tentamen is a publication and should therefore be treated as such.

To certain entomologists, Sir George H. Hampson, Bart., submitted this case in the following form, namely:

Are the genera of Hübner's *Tentamen* to be accepted or not? If accepted, what date is assigned to them?

and J. H. Durant<sup>1</sup> (1899) summarizes the replies as follows:

#### 1. AS TO VALIDITY.

*To be accepted:* 1 Walsingham, 2 Kirby, 3 Fernald, 4 Grote (=4/11). It may be assumed from his writings and note that Scudder concurs (=5/11).

*To be rejected:* 1 Hampson, 2 Meyrick, 3 Smith, 4 Snellen, 5 Aurivillius, 6 Staudinger (=6/11).

Result 5-6/11; majority against accepting genera.

#### 2. AS TO DATE.

No reply received from 1 Hampson, 2 Meyrick, 3 Snellen, 4 Aurivillius (11-4=7).

*Published in 1806:* 1 Walsingham, 2 Fernald, 3 Staudinger, 4 Grote, 5 Smith (=5/7). It may be assumed that Scudder concurs as he has adopted this date (=6/7).

Commissioner Karl Jordan submitted the case to "Members of the Entomological Committee on Nomenclature" and "various local committees and . . .," in addition, asked "a number of entomologists for their views." He reports to the Secretary as follows:

1. *Arguments for the acceptance of the Tentamen names.*—I. The *Tentamen* was distributed as a printed quarto sheet in 1806. Hübner in *Verzeichniss* 1816, says of it that he made it at once known "10 years ago." Ochsenheimer states in 1816 that "Hübner has issued . . . the plan of a classification of the *Lepidoptera* printed on a quarto sheet," and treats it as a publication of valid names, which he adopts; a reference in Vol. III of Ochsenheimer implies that he knew the *Tentamen* to have been in existence before 1810. Several copies are known, some discovered bound up in other books on *Lepidoptera*, which is evidence that the recipients of a copy did not consider it to be a mere advertisement, but scientific matter well worth preserving. The classification published in the *Tentamen* was adopted by Hübner on the plates of Vol. I of his *Samml. Exot. Schmett.* (1806-1834).

2. The stirpes (genera) are well defined by the fact that only one species is cited under each stirps. All these species (types of genera) were known. In every case the names of the *Tentamen* can be identified through Hübner's own illustrations of the species cited. "We can find out to a dead certainty what Hübner meant" (Grote), and there can be no doubt about the publication of each generic name.

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<sup>1</sup> Nomenclature of *Lepidoptera* <Proceedings 4th International Congr. Zool. (1898), 1899, 285.

3. The citation of a known species as the type of a new genus is a much better definition and guide than, for instance, Hübner's descriptions in the Verzeichniss, the names of which are generally accepted as valid [available.—C. W. S.] in spite of the futility of these so-called descriptions. With regard to the Tentamen, we turn to Hübner's figure and can ascertain what species was intended, and for ourselves test whether the genus be valid or not.

4. No one will be disposed to doubt the necessity for full definition of all genera published after the acceptance of the British Association Rules, but it was impossible for authors who lived and died before these rules were made known to act upon them. The *nomina nuda* published before 1842 (Brit. Assoc.) stood upon an entirely different footing from those published after that date (cf. Zool. Congr. 1868).

5. If the Tentamen names are rejected, many other names (*i. e.*, many of Ochsenheimer's and Guenee's, which are in general use, but have no more claim to recognition than have Hübner's) must be discarded, and the confusion would be terrible.

In favor of the acceptance of the Tentamen are: C. T. Bethune Baker (Leamington Spa), J. H. Durant (London), J. de Joannis (Paris), R. Puen-geler (Aachen), N. D. Riley (London), H. Stichel (Berlin).

II. *Arguments against the acceptance of the Tentamen names.*—1. The Tentamen was probably sent only to some of the subscribers to Hübner's Samml. Europ. Schmett., which would account for the number of known copies being so very small. Hübner, in Verzeichniss in 1818, states that he conceived the idea of a classification of the *Lepidoptera*, but that, before he would adopt it himself, he had communicated the plan of it to experts for examination and criticism. He was his own publisher, and the quarto sheet giving the skeleton of a tentative classification appears to be in the nature of a publisher's prospectus, which is not a publication valid for nomenclatorial purposes. Hübner nevertheless adopted the plan for the plates of Vol. 1 of Samml. Exot. Schmett., interpolating here a third name between stirpes and species, *Nercis fulva Polymnia*. In the letter-press to this Vol. 1 and in all his other publications he rejected the Tentamen names, employing them in the plural form for higher divisions only, not for genera.

2. The stirpes in the Tentamen are without descriptions and references. Though under each stirps one species is quoted (*Rusticus Argus*—*Princeps Machaon*—), no author is given. The majority of these specific names occurred among *Lepidoptera* only once before 1808, and we assume that such specific names in the Tentamen refer to those known species and not to other species. However, 17 of the names had been applied before 1806 to two, three, or four species (*proserpina*, *maturna*, *malvae*, *fabi*, *caliciformis*, *carpi*, *parthenias*, *lunaria*, *auriflua*, *affinis*, *aprilina*, *flavicincta*, *fulvago*, *lyth-orylea*, *umbratica*, *barbalis*, *bombycalis*). In these cases again we may assume that Hübner meant the species he had figured before 1806. But which of the two *fabi* then known did he mean with *Consul Fabius*, not figured by him? What is his *Elophila Linnalis*? Is *Linnalis* a new name or is it (like *Macniata* for *Macniata*) a misprint for *Limbis* or for *Lemmalis*, both figured before? What is *Phyllonorycter Rajella*? Did he mean *Rajella* Linn., or the very different *Rahella* Hübner?

Rigorously construed, the absence of descriptions, references and authors leaves all the names open to conjecture.

3. The combination of two words *Princeps Machaon* can in no way be interpreted as a definition of the genus *Princeps*. The combination can mean that the new genus *Princeps* contains only one species, *machaon*, or all the species similar to *machaon*, or all the butterflies not placed in other genera. In 1806 the recipient of a copy of the Tentamen could not know whether Hübner wished him to put the one or the other construction on the naked names. Nobody in 1806, except Hübner himself, could know in which stirpes of the Tentamen to place the larger proportion of the species then already well known. There is not the slightest indication where to place, for instance, the numerous Erycinids then already figured. The Tentamen was a mere skeleton intended to be filled in later, but abandoned by its author.

The citation of a species is not a definition of a genus; a higher category is not defined by one lower category. [Cf., however, Opinion 1.—C. W. S.]

4. Linnaeus clearly stated the rules of nomenclature in the introduction to Syst. Nat. X, 1758 [Philos. botan., 1753.—C. W. S.]. He demanded that the various systematic concepts be defined by stating the differences.

5. If the Tentamen names are adopted no good will be served, some familiar names, such as *Abraas*, will be superseded, other lists of naked names will become valid publications, and numerous useless changes and infinite chaos will result.

Against the acceptance of the Tentamen names are: G. J. Arrow (London), Chr. Aurivillius (Stockholm), E. E. Austen (London), K. G. Blair (London), E. L. Bouvier (Paris), G. C. Champion (Woking), H. Eltringham (Oxford), A. Handlirsch (Wien), C. G. Gahan (London), K. Enderlein (Berlin), M. Hering (Berlin), K. Holdhaus (Wien), O. Meissner (Potsdam), F. Reyer (Saarbruecken), E. Meyrick (Marlborough), H. Rebel (Wien), Rothschild (Tring), L. B. Prout (London), S. Schenkling (Berlin), P. Schulze (Berlin), W. H. Tams (London), H. Zerny (Wien).

E. L. Bouvier, R. Verity, and J. Waterston would be in favor of retaining such names as are in general use, which could be done by placing them by common consent on the List of *Nomina Conservanda*.

K. M. C. Heller (Dresden) is not quite sure that the Tentamen can be regarded as a publication.

Messrs. Enderlein, Hering, and Hesse (Berlin) are against the reintroduction of names which have been out of use for a period of (say) 50 years.

The Secretary has found a division of opinion among American entomologists, but nearly or practically all of the North American workers in *Lepidoptera* seem to be distinctly of the opinion that the names in question are available under the Code; and the following summary by Foster H. Benjamin seems to be a fair presentation of their views:

We believe that the Tentamen was published about 1805 or 1806, and that copies have been available ever since; that its authorship is clear, that its author created a number of monotypic genera, thereby designating types; that these genotypes were published in tabular form under the name of their former genus or subgenus; that in consideration of the date of issue of the Tentamen it requires no knowledge of *Lepidoptera* to determine that *Papilio polymnia*, or *Noctua segetis* are species which have been well published under



all rules of the Code; that authorship following the specific names is not only not definitely required under the Code, but that any general zoologist in 1806 would have known immediately in his own mind exactly what taxonomic organism Hübner listed at least in the great bulk of the listings without even the need of trying to look anything up; we find nothing in the Code which states that what constitutes an easily interpreted indication in 1806 (or 1925) may later, 1925 (or 2044) become not valid by reason of the addition of unsuppressed homonyms or because of any other complications, especially after the indication had been rendered still more available by correct interpretation by a number of different authors in the intermediate period.

The Secretary presents the following evidence to the Commission.

TITLE OF DOCUMENT.—The following is the title of the document in question as copied from a photostatic reproduction of a copy bearing the following "Reprinted in facsimile by S. H. Scudder—Cambridge, U. S. A., 1873": *Tentamen determinationis digestionis atque denominationis singularum stirpium Lepidopterorum, peritis ad inspiciendum et dijudicandum communicatum*, a Jacobo Hübner.

This title might be translated into English, in various phraseology, as follows: "a tentative (or attempt) determination (or to determine, limit), division (or to divide, orderly distribution, arrangement) and naming (denominating, change of name=metonymy) of the separate (single, one by one) stems (sticks, families, races, cf. stirps, genus, family) of Lepidoptera *communicated to experts* (the skilled, the experienced, the practically acquainted) *for their inspection (look into, consideration, contemplation, examination) and judgment*. [Italics by Secretary.]

Ochsenheimer (1816, viii) states:

Herr Hübner hat unter dem Titel: Tentamen . . . . [etc.] . . . . den Entwurf eines Systems des Schmetterlinge auf einem Quartblatte abgedruckt herausgegeben, worin die von ihm angegebenen Familien mit Gattungsnamen von verschiedenen Werthe belegt sind.

Hübner (1816, Verzeichniss, p. 3) refers to the Tentamen as follows:

Die Grundlage dieses Entwurfes habe ich sogleich, unter dem Titel: Tentamen determinationis, digestionis atque denominationis singularum stirpium Lepidopterorum bekannt gemacht, *damit sie von Verständigen, bevor ich sie annähme, geprüft und beurtheilt werden möchte*. [Italics by Secretary.]

Hübner (1818, Zuträge, pp. 4-5) printed what is practically a second, modified and enlarged, version of his Tentamen, preceding it with the following statement:

Denn mein 1806 bekannt gemachter *Versuch einer Bestimmung, Anordnung und Benennung aller Stämme der Schmettlinge* wurde weder gleich verworfen, noch gleich ergriffen. Erst nach und nach wird er beachtet, und durch

Zusätze, Berichtigungen und Verbesserungen zu einem brauchbaren System erhoben werden können.

Weil ich mich nun bey diesen Zuträgen sowohl als bey meiner Sammlung exotischer Schmetterlinge einstweilen nach meinem Entwurfe zu richten habe, bis ein trefflicheres System entstanden seyn wird, so halte ich es für unumgänglich, denselben nach seinem hauptsächlichsten Inhalt hier einigermaßen verbessert aufzustellen.

From the foregoing the conclusion would seem justified that in 1806 Hübner had no intention whatever of placing on record a series of generic and specific names in the sense of publication as ordinarily understood by the zoological profession and if the names in question are accepted as available under the Code, this must be on the principle of holding a man responsible for something which he obviously did not intend to do and in face of the precaution he took to state that this document was for *examination by experts*, namely specialists in *Lepidoptera* [rather than as a permanent record]. If this decision is made against Hübner despite the precautionary wording of the title a very broad question is opened up as to the status of numerous documents printed and privately distributed with such headings as "Printed as Manuscript" "Not for Citation," etc. Cf. also Opinion 89.

Granting that the word "publication" is poorly defined and the fact that the Tentamen was manifolded by printing, the point is still outstanding that Hübner did not intend this document for general distribution as a permanent document but only in the light of correspondence for *restricted distribution to specialists in Lepidoptera*.

The Secretary concludes that the question whether this document was actually "published" or not is subject to debate, but that Hübner himself clearly warned that it was not to be considered a permanent document for general distribution.

HÜBNER'S USE OF TERMS "STIRPS," "COITUS," AND "GENERA".—Hübner (1806) divides the *Lepidoptera* into *Phalanx I Papiliones* to *Phalanx IX Alucitae*. The following subdivisions of *Phalanx I* show the full details of his use of technical names in the Tentamen.

#### PHALANX I. PAPILIONES

##### *Tribus I: nymphales*

- I. Nereides—Nereis Polymnia.
- II. Limnades—Limnas Chrysippus.
- III. Lemoniades—Lemonias Maturua.
- IV. Dryades—Dryas Paphia.
- V. Hamadryades—Hamadryas Jo.
- VI. Najades—Najas Populi.
- VII. Potamides—Potamis Iris.
- VIII. Oreades—Oreas Proserpina.

The question arises as to how the entry "I. *Nereides*" etc., for instance, is to be interpreted. It will be noticed the *Nereides* is in the plural and that "*Nereis Polymnia*" is in the form of a binomial in the singular. Hübner, 1816, p. 8, and 1818, 4, shows that *Nereides* was intended as Stirps, printed as plural in the text and as singular *Nereis* in the Index. Further Hübner (1816, p. 8) uses the German word "Verein," Latin "Coitus," in the sense of "genus" of other authors, while in the indices both in 1816 and 1818 he uses the German word "Gattungen" (Latin "genera") in the sense of "species" of other zoologists. The coitus name he prints (1816, p. 8), example *Hymenites*, in the plural, in the text, when used alone, but in the singular (example, *Hymenitis diaphana* p. 8) when used in a binomial form, and in the index, he prints it in the singular (example *Hymenitis*). Thus, from his other publications it seems clear: (a) that the Verein="Coitus" of Hübner is intended to be identical with the genus as used by other authors, and (b) that the next lower unit "Gattung"="Genus" of Hübner is intended to represent the "species" of other authors. Hübner (1816, p. 8) quotes *Nereides* as Stirps I in the plural and it seems reasonable to conclude that he intended the *Nereides* as used in his Tentamen, 1806, to represent Stirps I.

It is to be noted that the word "Stirps" among early authors is not used uniformly. Thus Brisson (1762, 131-132) divides groups in the following serial units: Ordo, Sectio, Genus, Stirps [practically a subgenus], [species]. Gronovius (1763, 5) quotes the Stirps practically as a genus. Hübner (1816) clearly used the Stirps (=Stamm) as supergeneric.

Possibly Hübner's word "stirpium" in the Tentamen title (1806) is clear to specialists, but only by consulting his other works (as 1816 and 1818) does it become clear to the general zoologist that Hübner's Stirps is a supergeneric group, cited sometimes in the plural, sometimes in the singular. Accordingly, the position of the "stirpium" of 1806 is not clear as of the date 1806.

In seeking for an interpretation of the binomial *Nereis Polymnia* on the other hand it is to be noticed that there is a Linnaean species *polymnia* quoted by Hübner (1816, p. 11) as *Mechanitis polymnia*, and that no combination "*Nereis Polymnia*" appears to be cited in 1816. In hunting for the second binomial combination *Limnas Chrysippus* 1806, it is found that there is a species (1816, p. 15) cited as *Euploea Chrysippe*, but a combination *Limnas Chrysippus* does not seem to be present in Hübner, 1816.



Thus a legitimate question arises as to whether Hübner intended *Nereis Polymnia* etc. to be interpreted as binomial combinations in nomenclature. Apparently 107 binomial combinations of this type are involved.

Were it not for Hübner's later publication 1816 the presumption would be that *Linnaeus Polymnia* of 1806 represents a binomial combination of our generic and specific names, *i. e.*, his coitus and generic names.<sup>1</sup>

Further, it is seen that Hübner sometimes quotes his "coitus" (our genus) in the plural, other times in the singular, and that his "genus" ("Gattung") is our species.

The Secretary concludes that the plural names cited in 1806 in Hübner's Tentamen represent a supergeneric taxonomic unit which in 1816 Hübner calls a Stamm (German) or Stirps (Latin) but that the question is open to debate whether the binomial combinations (example *Linnaeus Polymnia*) in 1806 are intended to designate monotypic genera. However clear the title of the Tentamen may be to specialists in *Lepidoptera* it was not clear to the Secretary until he consulted Hübner, 1816, p. 8. The word *stirpium* in the title of the Tentamen becomes unambiguous in 1816, namely, it refers to the Stamm (German)=Stirps (Latin), namely, a supergeneric unit and it becomes obvious that the real object back of the Tentamen was the tentative division of the *Lepidoptera* into supergeneric groups (Stirps=Stamm), and not the consideration of 107 generic names with their type species. In other words Hübner asked his special colleagues for their opinion on the names printed in the plural, not on the question of the validity of new genera.

<sup>1</sup> Mr. Benjamin, in correspondence with the Secretary, has pointed out that five of the names used by Hübner are of prior date, namely—

1. *Hepialus* [emended to *Hepiolus* by Illiger] *humili* Fabr., 1775, 589.
2. *Pterophorus pentadactylus* (Linn., 1758a [*Phalaena*]) Fabr., 1775, 672, cf. *Pterophora pentadactyla* in Hübner.
3. *Sesia culiciformis* (Linn., 1758a [*Sphinx*]) Fabr., 1775, 549.
4. *Thyris* Laspeyres in Illiger, 1803, II, 39 [Cf. *Thyris* Ochsenh., 1808, cited by Agassiz.]
5. *Zygacna filipendulac* (Linn., 1758a [*Sphinx*]) Fabr., 1775, 550.

and Mr. Benjamin maintains that Hübner attempts to fix the type for *Zygacna*.

The Secretary has checked these references (no. 4 in Agassiz; nos. 1, 2, 3, 5, in Sherborn).

Mr. Benjamin has undoubtedly raised an interesting point; but the Secretary is not persuaded that the argument is materially altered; nor is it clear to the Secretary that the type of *Zygacna* was fixed by Hübner.—Note added after third vote was taken.

As these supergeneric names were again printed in Hübner, 1816, they take Hübnerian status of availability in 1816 in case Hübner, 1806, is not accepted as publication.

*Are Hübner's binomials of 1806 nomina nuda?*—Granting for the sake of argument that Hübner's Tentamen is to be accepted as a published document in nomenclature and also that the binomials, example, *Nercis Polymnia*, are to be accepted as publication of monotypic genera, the question arises whether these binomials are available in nomenclature as of the date 1806.

The point is to be emphasized that the question at issue is primarily one of zoological nomenclature, not one of the nomenclature of *Lepidoptera*. For instance, potentially each one of the 107 [or at least 102] names in question, if admitted as of generic value in the sense of the Code, might theoretically jeopardize the identical name, of later date, in some group other than *Lepidoptera*. Whether any such case exists, or not, is immaterial in the argument. The fundamental principle is that names in *Lepidoptera* must be available, understandable, and traceable, from the standpoint of workers in other groups if they are to enjoy status of availability in *Lepidoptera*. Compare, for instance, Hübner's name *Amocba* vs. *Amocba* Bory; also *Hamadryas* Hübner, 1806, vs. *Hamadryas* 1832, 1840, 1850, and 1864.

The point is rather striking that in two votes taken by the Commission, every vote but one cast by the zoologists who are not specialists in *Lepidoptera* was against the Tentamen. Here is a practical demonstration that Hübner's Tentamen presents difficulties which call for analysis.

Thus, the first name in question in Hübner, 1806, is *Nercis*. There is also a *Nercis* Linn., 1758a, 654, so that the Hübnerian name is a dead homonym, if interpreted as generic. But assume that *Nercis* 1758 bore the date of 1810; the zoologist who deals with the *Polychaeta* would have to determine whether *Nercis* 1806 were a *nomen nudum* or not; his one clue is "*polymnia*," to which Hübner gives no reference as to author, date, or publication. It is, however, noticed that Hübner cites *Nercis* as I *Papilioncs*, I *nymphales*; and possibly it might occur to the worker in *Polychaeta* to examine Sherborn's 1902 index, where he would discover a *Papilio polymnia* Linn., 1758a, 466; following this clue, it is found that Linné classified *polymnia* not as *Nymphales* (p. 472) as did Hübner, but as *Heliconii* (p. 465-467); conceivably, the worker might have time to trace up later publications by Hübner, to solve his terms genus (=species), coitus (=genus), stirpes (=supergeneric name), etc., and to trace the literature on *polymnia*, but this is, at least, open to doubt.

To admit the Hübnerian (1806) combination "*Nereis Polymnia*" as available, as of 1806, as a generic plus specific name, means to admit 107 [or at least 102] combinations of essentially like status, and potentially to serve notice on zoologists in groups other than *Lepidoptera* that they must familiarize themselves with the literature of *Lepidoptera* in case any one of these debatably generic names competes for priority with names in their own groups. Is this reasonable?

The Secretary is assured by specialists in *Lepidoptera* that there is no difficulty in tracing these Hübnerian names. Commissioner Jordan's report, however, cites 17 specific names which, however clear to specialists in *Lepidoptera*, would present some difficulty to specialists in other groups.

On basis of the assurances given by specialists in *Lepidoptera*, the Secretary is not prepared to dispute their claim, but he reverts to the point that the document was intended only for specialists in *Lepidoptera* (not for the zoological profession), and it can be only through special or esoteric information that the Hübnerian (1806) names can be interpreted as monotypic genera each based upon a definitely recognizably published species; in other words, to zoologists of other groups these names, as of 1806, are *nomina nuda*.

The data in this case were submitted to the Commission in Secretary's C. L. No. 63, with request for suggestions and an informal vote. The vote stood: for acceptance, 2 Commissioners; for rejection, 9 Commissioners.

Additional data were submitted in Secretary's C. L. No. 97, with request for formal vote. The formal vote stands: 9 for rejection, 1 for acceptance.

The final draft of the Opinion is submitted herewith for approval to the Commissioners in Secretary's C. L. No. 100, with recommendation that the Commission adopt as Opinion the following:

SUMMARY.—Hübner's Tentamen, 1806, was obviously prepared, essentially as a manifolded manuscript, or as a proof sheet (Cf. Opinion 87), for examination and opinion by a restricted group of experts, *i. e.*, in *Lepidoptera*, and not for general distribution as a record in zoology. Accordingly, the conclusion that it was published in 1806 is subject to debate. Even if the premise be admitted that it was published in 1806, the point is debatable whether the contained binomials should be construed as generic plus specific names. Even if it be admitted that the binomials represent combinations of generic plus specific names they are essentially *nomina nuda* (as of the date in question) since authors who do not possess esoteric information in regard to them are unable definitely to interpret them without refer-

ence to later literature. If published with more definite data at later dates, these names have their status in regard to availability as of their date of such republication.

Opinion written by Stiles.

Opinion concurred in by eleven (11) Commissioners: vApstein, Bather, Handlirsch, Horvath, Jordan (D. S.), Jordan (K), Kolbe, Loennberg, Monticelli, Stiles, Warren.

Opinion dissented from by two (2) Commissioners: Neveu-Lemaire, Skinner.

Not voting, four (4) Commissioners: Chapman, Dabbene, Hartert, Stejneger.

NOTE BY SECRETARY.—During the reading of the proof of Opinion 97, application to validate Hübner's Tentamen as of January 1, 1806, under Suspension of the Rules, has reached the Secretary's office. See notice in the scientific journals.