

Ref.

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

*Edited by*

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

Secretary to the Commission

VOLUME 2. Part 35. Pp. 359-374.

## OPINION 165

Need for the suspension of the rules for *Strymon*  
Hübner, 1818 (Class Insecta, Order Lepido-  
ptera) not established

LONDON:

Printed by Order of the International Commission on  
Zoological Nomenclature

Sold at the Publications Office of the Commission

41, Queen's Gate, London, S.W.7

1945

*Price four shillings*

*(All rights reserved)*

# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

## COMPOSITION OF THE COMMISSION

### The Officers of the Commission

*President* : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

*Vice-President* : Dr. James L. Peters (U.S.A.).

*Secretary* : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

### The Members of the Commission

#### *Class 1946*

Herr Professor Dr. Walter ARNDT (Germany).

Dr. William Thomas CALMAN (United Kingdom).

Professor Teiso ESAKI (Japan).

Professor Béla von HANKÓ (Hungary).

Dr Tadeusz JACZEWSKI (Poland).

Dr. Norman R. STOLL (U.S.A.).

#### *Class 1949*

Senor Dr. Angel CABRERA (Argentina).

Mr. Francis HEMMING (United Kingdom) (*Secretary to the Commission*).

Dr. Karl JORDAN (United Kingdom) (*President of the Commission*).

Dr. Joseph PEARSON (Australia).

Monsieur le Docteur Jacques PELLEGRIN (France).

Herr Professor Dr. Rudolf RICHTER (Germany).

#### *Class 1952*

Senhor Dr. Afranio do AMARAL (Brazil).

Professor James Chester BRADLEY (U.S.A.).

Professor Ludovico di CAPORIACCO (Italy).

Professor J. R. DYMOND (Canada).

Dr. James L. PETERS (U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. VOKES (U.S.A.).

#### *Secretariat of the Commission :*

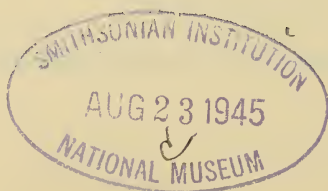
British Museum (Natural History), Cromwell Road, London, S.W. 7.

#### *Publications Office of the Commission :*

41, Queen's Gate, London, S.W. 7.

#### *Personal address of the Secretary :*

83, Fellows Road (Garden Flat), London, N.W. 3.



Ref.

## OPINION 165.

### NEED FOR THE SUSPENSION OF THE RULES FOR STRYMON HÜBNER, 1818 (CLASS INSECTA, ORDER LEPIDOPTERA) NOT ESTABLISHED.

**SUMMARY.**—The need for the suspension of the rules for *Strymon* Hübner, 1818 (type : *Strymon melinus* Hübner, 1818) (Class Insecta, Order Lepidoptera) is not established.

#### I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee<sup>1</sup> of the Society's Committee on Generic Nomenclature,<sup>2</sup> regarding the generic names of certain of the British Lepidoptera, in regard to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*) to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names in question. One of these names was *Strymon* Hübner, 1818 (*Zutr. z. Samml. exot. Schmett.* 1 : 22).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

#### STRYMON Hübner

Hübner, 1818, *Zuträge z. Samml. exot. Schmett.* 1 : 22

Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 472

Type (fixed by Riley) = *Strymon melinus* Hübner, 1818

On a strict application of the rules in the International Code of Zoological Nomenclature the name *Bithys* Hübner, 1818, should take precedence of *Strymon* Hübner. Nomenclatorially both *Strymon* Hübner and *Bithys* Hübner.

<sup>1</sup> This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

<sup>2</sup> This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

are valid names, but one must sink as a synonym of the other, as their respective types (*Strymon melinus* Hübn. and *Bithys leucophaeus* Hübn.) are congeneric<sup>3</sup> or at least must be regarded as being so, until the very large group of species at present assigned to *Strymon* Hübn. is next revised. Both names were published simultaneously by Hübner in the same work (vol. 1 of his *Zuträge z. Samml. exot. Schmett.*). The name *Bithys* Hübn. was published on page 18 and the name *Strymon* Hübn. on page 22. Thus on the principle of page priority, *Strymon* Hübn. should (at any rate for the present) fall to *Bithys* Hübn.

There are, however, very strong reasons against such an arrangement. The name *Strymon* Hübn. has been applied without challenge to *melinus* Hübn. and its numerous allies for many years. These species have, in fact, been so called both by European and American systematists ever since it was realised that they could not be called (as they were in earlier days) by the name *Thecla* Fab. On the other hand, the name *Bithys* Hübn. has been very little used at any time, and when it has been used, it has usually been employed for species of the other large group of "hairstreaks" (*Papilio quercus* Linn., 1758, etc.) which properly belong to the genus *Thecla* Fab.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of the plenary powers conferred upon them by the International Zoological Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect:—

The name *Strymon* Hübn., 1818 (type *Strymon melinus* Hübn., 1818) is hereby added to the *Official List of Generic Names*. The name *Bithys* Hübn., 1818, is, therefore, not to be substituted for *Strymon* Hübn., 1818, on the ground that it has page priority over that name, though it is available for use for *Bithys leucophaeus* Hübn., 1818, by such systematists as may regard that species as generically distinct from *Strymon melinus* Hübn.

4. The foregoing conclusions were concurred in by the Lepidoptera Sub-Committee, by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Society to approach the International Commission in the sense indicated. It was in accordance with this recommendation that the Council addressed to the Commission the letter referred to in paragraph 1 above.

## II.—THE SUBSEQUENT HISTORY OF THE CASE.

5. Before the International Commission had time to take any action on this case, they received a letter on the same subject

<sup>3</sup> For a supplementary note on this question, see paragraph 7 below.

(dated 17th May 1934) from Dr. J. McDunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract :—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist." You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure. . . .

The following is an extract from the note referred to above :—

ON THE STABILIZING OF FOUR GENERIC NAMES\*  
(Lepid. Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-Committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows :—  
. . . ; *Strymon* Hbn. (*S. melinus* Hbn.); . . .

Welcoming any action that would assist in stabilizing generic nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

J. McDunnough, Entom. Br., Dept. of Agriculture, Ottawa, Canada.

May 15, 1934.

Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.

John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles, Calif. Apr. 26, 1934.

Wm. T. M. Forbes, Dept. of Entomology, Cornell U., Ithaca, N.Y. April 17, 1934.

Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Philadelphia, Pa. Apr. 17, 1934.

E. Irving Huntington, 115 East 90th St., New York, N.Y. April 21, 1934.

Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.

Frank E. Watson, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

C. H. Curran, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.

Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr. 24, 1934.

6. As a first step the International Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth

International Congress of Entomology. During the preliminary discussion of this case, it was apparent that the International Committee were in sympathy with the objects sought by the petitioners in this case. At the same time attention was drawn to the statement in the petition that the genus *Strymon* Hübner, 1818, was overdue for revision. That genus as at that time understood would certainly be divided into a number of genera and there was therefore no longer any ground for fearing that on a strict application of the rules it would be necessary to substitute the name *Bithys* Hübner, 1818, for *Strymon* Hübner as the generic name for the very large assemblage of species at present assigned to the last-named genus. In these circumstances, was there any need to ask the International Commission on Zoological Nomenclature to render an *Opinion* in the terms proposed in the petition? Commissioner Francis Hemming, who was present at this discussion as a member of the International Committee, indicated that for the reasons that had been advanced he no longer desired to press his original proposal, and at the request of the Committee he undertook to prepare a supplementary note setting out the grounds on which he had reached this conclusion.

7. The following is the text of the supplementary note on this case prepared by Commissioner Hemming during the Madrid meeting for the consideration of the International Committee on Entomological Nomenclature:—

THE CASE OF THE NAMES *BITHYS* HÜBNER, 1818, AND  
*STRYMON* HÜBNER, 1818 (Lepidoptera LYCAENIDAE)

*Supplementary statement prepared by Commissioner Francis Hemming for submission to the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935*

- (1) In accordance with the request of the International Committee on Entomological Nomenclature I submit herewith for their consideration the following note on the names *Bithys* Hübner, 1818, and *Strymon* Hübner, 1818 (Order Lepidoptera, Family LYCAENIDAE). This note is in continuation of the petition submitted in 1934 and the proposals now submitted are in substitution for those submitted on that occasion.
- (2) The relevant considerations in this case are the following:—
  - (a) The names *Bithys* Hübner, 1818 (type: *Bithys leucophaeus* Hübner, 1818) and *Strymon* Hübner, 1818 (type: *Strymon melinus* Hübner, 1818) were published by Hübner in 1818 in the same work (vol. 1 of the *Zutr. z. Samml. exot. Schmett.*).
  - (b) The name *Bithys* Hübner was published on page 18 and the name *Strymon* on page 22.
  - (c) On the principle of page precedence the name *Bithys* Hübner therefore has priority over the name *Strymon* Hübner.

- (d) The types of these two genera are today commonly regarded as being congeneric both with one another and with the Palaeartic species of this group represented in the British fauna (i.e. *Papilio pruni* Linnaeus, 1758, and *Papilio w-album* Knoch, 1782).
- (3) For the reasons explained in the petition submitted in 1934, there would be very strong objections to the substitution of the name *Bithys* Hübner for *Strymon* Hübner as the generic name for the very large number of species at present assigned to the genus *Strymon* Hübner. If no other way of avoiding such a substitution were available, it would certainly be highly desirable that the International Commission on Zoological Nomenclature should make use of their plenary powers to secure that end.
- (4) The genus *Strymon* Hübner, as at present understood, contains many highly diverse species and—as pointed out in the petition of 1934—is overdue for generic revision.
- (5) There is no doubt that as the result of any such revision it would be necessary to separate generically the large group of Neotropical species from those found in the Nearctic and Palaeartic Regions and it is likely that it would be necessary in turn to separate the Palaeartic species from the Nearctic species or at least from most of them.
- (6) It follows therefore that, when the genus *Strymon* Hübner is revised, it will be found :—
- (i) that in view of the fact that its type (*Bithys leucophaeus* Hübner) is confined to the Neotropical Region, the name *Bithys* Hübner (as the oldest nomenclatorially available name) will become the name of a Neotropical genus of LYCAENIDAE and as such will cease to be of direct concern to students of the species of this family occurring in the Nearctic and Palaeartic Regions;
  - (ii) that in view of the fact that its type is *Strymon melinus* Hübner, the name *Strymon* Hübner will become the oldest nomenclatorially available name for some at least of the Nearctic species involved; and it is likely that it will be found :—
  - (iii) that the Palaeartic species are not congeneric with *Strymon melinus* Hübner and therefore that the name *Strymon* Hübner will cease to be of direct concern to students of the Palaeartic species of this group.
- (7) In these circumstances the meaning to be attached to the name *Bithys* Hübner has no longer any bearing on the nomenclature of the Palaeartic species at present assigned to the genus *Strymon* Hübner. From this point of view, therefore, the grounds on which the petition submitted to the International Commission on Zoological Nomenclature in 1934 was based have lost their force.
- (8) Accordingly, I no longer consider that from the foregoing point of view it is necessary that the International Commission should render an *Opinion* in order to ensure that the name *Bithys* Hübner is not substituted for the name *Strymon* Hübner.
- (9) There remains the question whether in view of past usage the employment of the name *Bithys* Hübner as the generic name for a group of Neotropical LYCAENIDAE would be likely to result in greater confusion than uniformity. Personally, I should expect this to be the result of such a transfer. I agree however that this question can conveniently be deferred for consideration until it is possible to judge the size and importance of the genus *Bithys* Hübner when that name is applied in the sense required by the rules. I hope, however, that, if the International Commission decide to take no action on the petition of 1934, they will at the same time make it clear that the

door is left open for the submission of a revised petition in regard to the name *Bithys* Hübner when the position of that genus is more clearly understood.

- (io) I have discussed this problem with Mr. Riley<sup>4</sup> and other lepidopterists now present in Madrid and with Professor James Chester Bradley who is in possession of the views on this subject of representative lepidopterists in the United States. All whom I have consulted are in agreement with the conclusions set out above.

8. On further consideration of this case, the International Committee on Entomological Nomenclature agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* declaring that the need for the suspension of the rules for *Strymon* Hübner had not been established, but that it was desirable that the way should be left open for further consideration of the case of *Bithys* Hübner at a later date when fuller particulars were available. This and other recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

### III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

9. This case was considered by the International Commission on Zoological Nomenclature at their meeting held on the morning of Monday, 16th September 1935. In view of the recommendation submitted by the International Committee on Entomological Nomenclature, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 22)<sup>5</sup> :—

.....  
(j) that the need for the suspension of the rules for *Strymon* Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 22, had not been established;

.....  
(l) to render *Opinions* in the sense of (a) to (k) above.

10. No reference was made in the foregoing Conclusion to the name *Bithys* Hübner, 1818, since, in the view of the Commission, the question of that name as such was not then before them.

<sup>4</sup> For a supplementary note on the issues raised by this case, prepared jointly by Commissioner Francis Hemming and Mr. N. D. Riley, see the Appendix to the present *Opinion* (pp. 370–373 below).

<sup>5</sup> Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20–23.



11. At the meeting of the Commission held on Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

12. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon.

It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the International Commission as set out in paragraph 11 above.

13. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

14. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session.

15. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

16. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

#### IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion* as set out in the summary thereof neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission, and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held at Lisbon in September 1935,

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Five (*Opinion* 165) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twentieth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission  
on Zoological Nomenclature.*

FRANCIS HEMMING

## APPENDIX TO OPINION 165

*The status of generic names first published by Jacob Hübner in his Beiträge zur Sammlung exotischer Schmettlinge [sic], with special reference to the names Strymon Hübner, Bithys Hübner and Chrysophanus Hübner (Order Lepidoptera, Family LYCAENIDAE).*

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

(Secretary to the International Commission on Zoological Nomenclature)

and

N. D. RILEY

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

In 1934, we drew up, jointly with our colleague Mr. W. H. T. Tams, a recommendation on behalf of the Lepidoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London that the International Commission on Zoological Nomenclature should be asked to use their plenary powers to secure that the name *Bithys* Hübner should not be substituted by reason of page priority for the name *Strymon* Hübner as the name for the very large assemblage of species of the family LYCAENIDAE (Order Lepidoptera) usually placed in that genus. We made this recommendation because the name *Bithys* Hübner, when previously used, had almost invariably been used for the allied but entirely distinct group of species belonging to the same tribe (THECLINI), represented by *Papilio betulae* Linnaeus, 1758, the type of *Thecla* Fabricius, 1807. The transfer of a generic name from one well-established group of species to another equally well-established group within a single tribe of a family would undoubtedly give rise to greater confusion than uniformity and for this reason would be open to strong objection. In this connection, it will be recalled that the avoidance of confusing transfers of this kind was expressly stated by the Ninth International Congress of Zoology to be one of the purposes for which at their meeting held at Monaco in 1913 they decided to confer upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules as applied to that case would clearly result in greater confusion than uniformity (see *Declaration 5*, published in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 31-40). Accordingly, we considered that the case of the names *Strymon* Hübner and *Bithys* Hübner was one for which the use by the International Commission of their plenary powers would be peculiarly appropriate.

The recent re-publication by the International Commission of *Opinion 1* (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 73-86) has drawn renewed attention to the definition given in that *Opinion* of the expression "indication" as used in proviso (a) to Article 25 of the *Règles Internationales*. From this *Opinion* it is clear that a generic name can only be accepted as having been published with an "indication," if at the time of its publication it was accompanied (1) with a bibliographic reference to a previously published description or definition or (2) with a definite citation of an earlier name for which a new name is proposed (applicable to nomina nova only) or (3) with a "definite citation or designation of a type species." The same *Opinion* makes it

clear also that the last-quoted phrase covers the case where a generic name is published without description or definition but with only one included species cited by name, that species being, therefore, the type by monotypy (see rule (c) in Article 30 as interpreted by *Opinion* 47).

The generic names *Strymon* and *Bithys* were first published by Hübner in 1818 in volume 1 of his *Zuträge zur Sammlung exotischer Schmettlinge* [sic]. That work consists essentially of a series of plates illustrating new or little-known species and the text, which is very short, is confined to a brief description of the species figured. In most cases, the species in question are assigned in the text to new genera, the plates themselves bearing no legends apart from the number allotted to each figure for the purpose of linking it with the text. No description or definition of any kind is given for the new genera published in this work. The description given is entirely confined to the species illustrated. If, as was formerly thought to be the case, these genera had been monotypical, the generic names in question would have been available nomenclatorially, since they would have been published with an "indication" within the meaning of that expression as defined in *Opinion* 1. Unfortunately, a close study of the *Zuträge* has shown that, in addition to describing the species figured, Hübner in each case cited for comparative purposes the name of a second species, thereby making each of these genera a genus containing two originally included species instead of a monotypical genus as previously supposed. The result is that the generic names first published in Hübner's *Zuträge zur Sammlung exotischer Schmettlinge* [sic] do not satisfy the requirements of proviso (a) to Article 25 of the *Règles Internationales*, since those names were published not only without a description or a definition but also without an "indication." Contrary, therefore, to what we believed when we prepared our application to the International Commission in regard to the names *Strymon* Hübner and *Bithys* Hübner, those names were not published in volume 1 of Hübner's *Zuträge* in conditions which satisfy the *Règles Internationales*. They are, therefore, not available as from their publication in that work.

The next occasion on which the names *Strymon* and *Bithys* were published was by Hübner in 1819<sup>6</sup> in his *Verzeichniss bekannter Schmettlinge* [sic]. In that work Hübner gave a definition for each of the genera there adopted. The names *Strymon* and *Bithys* are, therefore, available as from the date of their publication in the *Verzeichniss*. The only species available for selection by subsequent authors as the types of these genera are the species included in those genera in the *Verzeichniss*. In the case both of *Strymon* Hübner and *Bithys* Hübner (and also of *Chrysophanus* Hübner, which, though not referred to in our original application to the Commission, is nevertheless bound up with the case of *Strymon* Hübner), the species included in those genera by Hübner in the *Verzeichniss* and first selected as the types of those genera by authors acting under rule (g) in Article 30 are not the species which would have been the types if the earlier publication in the *Zuträge* of the generic names in question had complied with the *Règles Internationales* and had therefore conferred availability upon those names as from that work. In the case of each of these genera it is, therefore, necessary to accept as the type a species other than that which was so accepted at the time when in 1934 we submitted this case to the International Commission.

We have, accordingly, re-examined the position as regards each of the generic names in question, in order to determine whether the change in the

<sup>6</sup> The dates adopted in the present paper for the publication of the various signatures in which Hübner's *Verzeichniss bekannter Schmettlinge* [sic] are those worked out by Hemming in the light of the surviving Hübner manuscripts (see paragraph 8 of *Opinion* 150, published in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2: 165-166).

type species of these genera introduces any new factors into this case and, in particular, to ascertain whether in the new situation so created there is still a risk that, when the genus *Strymon* Hübner is next revised, the name *Bithys* Hübner may need to be applied to a species of the Strymonid group, with the consequent likelihood of confusion, unless action is taken by the International Commission under their plenary powers to prevent this from happening. The result of our re-examination of the position as regards these names is given below:—

*Chrysophanus* Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 72  
 [Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 24 no. 68 pl. [24] figs. 135, 136 (invalid because published without an "indication")]  
 Scudder, 1872, *4th Ann. Rep. Peabody Acad. Sci.* 1871 : 56  
 Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 467

TYPE : *Papilio hyllus* Cramer, [1775], *Uil. Kapellen* 1 (4) : 67 pl. 43, figs. B, C.

The first author to select as the type of this genus one of the species included in it in the *Verzeichniss* was Scudder (1872), who selected *Papilio hyllus* Cramer, [1775]. That species is, therefore, the type and not *Rusticus mopsus* Hübner, [1809-1813], *Erste Zutr.* : 6 (ref. figs. 135, 136 on pl. [24] in volume 1 of the *Zutr. z. Samml. exot. Schmett.*), which would have been the type of this genus if the name *Chrysophanus* Hübner had first been validly published in volume 1 of the *Zutr. z. Samml. exot. Schmett.* (Riley, 1922).

So long as it was thought that *Rusticus mopsus* Hübner was the type of this genus, there was a prospect of great confusion arising if, upon the next revision of the genus *Strymon* Hübner (of which *Rusticus melinus* Hübner, [1809-1813], was then thought to be the type), the species *Rusticus mopsus* Hübner had been separated generically from *Rusticus melinus* Hübner, for this would have meant that the name *Chrysophanus* Hübner would have been transferred from the group of "Coppers" belonging to the group represented by *Lycaena* Fabricius, 1807 (type : *Papilio phlaeas* Linnaeus, 1761) to the Strymonid group of "Hairstreaks." This risk entirely disappears now that it is seen that the type of *Chrysophanus* Hübner is *Papilio hyllus* Cramer, for that species, if not actually congeneric with *Papilio phlaeas* Linnaeus, is closely allied thereto. The correct use of the name *Chrysophanus* Hübner is, therefore, also the accustomed use.

*Strymon* Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 74  
 [Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 22 no. 61 pl. [21] figs. 121, 122 (invalid because published without an "indication")]  
 Scudder, 1872, *4th Ann. Rep. Peabody Acad. Sci.* 1871 : 53  
 Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 472

TYPE : *Rusticus mopsus* Hübner, [1809-1813], *Erste Zutr.* : 6 (reference to figs. 121, 122 on pl. [24] in volume 1 of the *Zutr. z. Samml. exot. Schmett.*)

The first author to select as the type of this genus one of the species included in it in the *Verzeichniss* was Scudder (1872), who selected *Rusticus mopsus* Hübner, [1809-1813]. That species is, therefore, the type and not *Rusticus melinus* Hübner, [1809-1813], which would have been the type of this genus if the name *Strymon* Hübner had first been validly published in volume 1 of the *Zutr. z. Samml. exot. Schmett.*

The substitution of *Rusticus mopsus* Hübner for *Rusticus melinus* Hübner as the type of *Strymon* Hübner has, in existing circumstances, no practical effect whatever, since these two species are commonly regarded as being congeneric. Further, there is no prospect of confusion arising even if, on the next revision of the genus *Strymon* Hübner, it is found advisable to place these two species in different genera, since *Rusticus melinus* Hübner will certainly remain in the Strymonid group of genera.

As will be seen from the immediately following note, the generic name *Bithys* Hübner was published in the *Verzeichniss* on a later page than *Strymon* Hübner. Accordingly, there is no longer any risk of confusion arising through the substitution on grounds of page priority of the name *Bithys* Hübner for the name *Strymon* Hübner.

*Bithys* Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 75  
 [Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 18 no. 44 pl. [16] figs. 87, 88 (invalid because published without an "indication")]  
 Scudder, 1873, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 127  
 Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 466

TYPE : *Papilio strephon* Fabricius, 1775, *Syst. ent.* : 522

The first author to select as the type of this genus one of the species included in it in the *Verzeichniss* was Scudder (1875), who selected *Papilio strephon* Fabricius, 1775. That species is, therefore, the type and not *Rusticus leucophaeus* Hübner, [1809-1813], *Erste Zutr.* : 5 (ref. figs. 87, 88 on pl. [16] in volume 1 of the *Zutr. z. Samml. exot. Schmelt.*), which would have been the type of this genus if the name *Bithys* Hübner had first been validly published in volume 1 of the *Zutr. z. Samml. exot. Schmelt.* (Riley, 1922).

The substitution of *Papilio strephon* Fabricius for *Rusticus leucophaeus* Hübner as the type of *Bithys* Hübner has no immediate effect, since at present both species are commonly referred to the genus *Strymon* Hübner, of which, therefore, *Bithys* Hübner is now sunk as a synonym. When next the genus *Strymon* Hübner comes to be revised, it may certainly be expected that *Papilio strephon* Fabricius will be separated generically from *Rusticus mopsus* Hübner (the type of *Strymon* Hübner) and that, in consequence, the name *Bithys* Hübner will need to be brought into use for *Papilio strephon* Fabricius and its allies. For the reasons explained at the beginning of the present paper, the application to a Strymonid genus of the name *Bithys* Hübner would certainly result in greater confusion than uniformity, in view of the fact that, whenever used in the past, this name has been applied to an entirely different group in the tribe THECLINI.

The foregoing analysis shows that, although there is now no risk of confusion arising through the substitution of the name *Bithys* Hübner for the name *Strymon* Hübner, there remains a serious risk of confusion arising, on the next revision of the genus *Strymon* Hübner, as the result of the application of the name *Bithys* Hübner to a genus of the Strymonid group of the tribe THECLINI, for this name has invariably been associated in the literature with the group of genera represented by *Thecla* Fabricius. It is very satisfactory, therefore, that, when at Madrid in September 1935 the International Committee on Entomological Nomenclature decided to advise the International Commission on Zoological Nomenclature to defer taking action under their plenary powers in regard to the application which we had submitted in the present case, they expressly intimated that this action should not, in their view, be held to prejudice the consideration by the International Commission at a later date of a renewed application for the suspension of the rules as respects the name *Bithys* Hübner.<sup>7</sup> As this recommendation was accepted by the International Commission on Zoological Nomenclature,<sup>8</sup> the way is open for the submission of a revised application as respects *Bithys* Hübner, whenever the revision of the genus *Strymon* Hübner renders that course desirable.

British Museum (Natural History),  
Cromwell Road, LONDON, S.W.7.

5th March 1945.

<sup>7</sup> See paragraph 8 of *Opinion* 165 (p. 366 above).

<sup>8</sup> See paragraph 10 of *Opinion* 165 (p. 366 above).

**THE PUBLICATIONS OF THE COMMISSION.**

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

**Bulletin of Zoological Nomenclature.**

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

**Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.**

The above work is being published in three volumes concurrently, namely:—

*Volume 1.* This volume will contain *Declarations* 1–9 (which have never previously been published) and *Opinions* 1–133 (the original issue of which is now out of print). Parts 1–20 (containing *Declarations* 1–9 and *Opinions* 1–11) have now been published. Further Parts will be published shortly.

*Volume 2.* This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10–12 (with Roman pagination) and *Opinions* 134–181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1–35, containing *Declarations* 10–12 and *Opinions* 134–165, have now been published. Further Parts will be published shortly.

*Volume 3.* This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1–5 (containing *Opinions* 182–186) have now been published. Further Parts will be published as soon as possible.

**APPEAL FOR FUNDS**

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."