

Ref.
**OPINIONS AND DECLARATIONS
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NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

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

Secretary to the Commission

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OPINION 169

On the type of the genus *Lycaeides* Hübner,
[1819] (Class Insecta, Order Lepidoptera), a
genus based upon an erroneously determined
species

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OPINION 169.

ON THE TYPE OF THE GENUS *LYCAEIDES* HÜBNER, [1819]
(CLASS INSECTA, ORDER LEPIDOPTERA), A GENUS BASED
UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Papilio argyrognomon* Bergsträsser, [1779], is hereby designated as the type of *Lycaeides* Hübner, [1819] (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Order Lepidoptera (Class Insecta). One of the genera in question was *Lycaeides* Hübner, [1819], in the family LYCAENIDAE.

2. The portion of the foregoing paper¹ relating to the generic name *Lycaeides* Hübner reads as follows:—

(1) *LYCAEIDES* Hübner, [1819]²

Hübner, [1819], *Verz. bek. Schmett.* (5) : 69
Scudder, 1872, 4th *Ann. Rep. Peabody Acad. Sci.* 1871 : 54
id., 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 208

25. Hübner established this genus for four species, of which the first two (nos. 670 and 671) have suffered from great confusion in their nomenclature.

¹ The text of the first part of this paper (paragraphs 1–23) relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (see pp. 411–430 above). The portions of the second part relating to the types of the other genera there discussed are quoted in *Opinions* 173 (*Agriades* Hübner), 175 (*Polyommatus* Latreille), 177 (*Euchloë* Hübner), 179 (*Princeps* Hübner), and 181 (*Carcharodus* Hübner).

² At the time when the paper from which this is an extract was written, it was thought (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 16–17) that pp. 65–240 of Hübner's *Verz. bekannt. Schmett.* were published in 1823. That date was accordingly assigned to the present name. The examination of Hübner's surviving manuscripts has since shown that the correct date is 1819 (see *Opinion* 150 published in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 161–168). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present *Opinion*.

The entries given by Hübner for the four nominal species placed by him in this genus are as follows :—

670. *Lycaeides Argus* Linn. Syst. Pap. 232. Hübner. Pap. 316–318.
 671. *L. Aegon* Schiff. Verz. Pap. N. 15. Hübner. Pap. 313–315.
 672. *L. Optilete* Knoch, Beytr. I. Pap. 3. Hübner. Pap. 310–312.
 673. *L. Cyparissus* Hübner. Pap. 654–657. Nanus Herbst. 312, 1, 2.

26. Hübner never designated types. In consequence, the types for all his genera (other than the monotypical genera) require to be determined under Article 30 of the Code. The first author to select a type for the present genus was Scudder (1872) who designated *Papilio argus* Linnaeus, 1758. This selection was repeated by that author in his great "Historical Sketch of the Generic Names proposed for Butterflies" published in 1875.

27. In view of the fact that Hübner included *Papilio argus* Linnaeus in the genus *Lycaeides* Hübner, the first assumption to be made in accordance with the directions given in *Opinion* 65³ is that Hübner correctly identified *Papilio argus* Linnaeus when he placed it in this genus. The second assumption to be made in accordance with the same directions is that Scudder in selecting that species as the type also correctly identified it.

28. The next stage is to determine whether either or both of these assumptions are correct :—

(a) *Hübner's identification of Papilio argus Linnaeus, 1758*

29. The nomenclature of the species included by Hübner in the genus *Lycaeides* Hübner as *Papilio argus* Linnaeus, 1758 (Hübner's species no. 670) is difficult to disentangle owing to the existence of two other very similar palaeartic species, with which *Papilio argus* Linnaeus has frequently been confused. The first of these species to be named (species no. 1) was the one to which in 1758 (*Syst. Nat.* (ed. 10) 1: 483) Linnaeus gave the name *Papilio argus*. This is the species which occurs in Great Britain where it is known as the "Silver-studded Blue." Species no. 2, which does not occur in Great Britain but is widely distributed in Continental Europe, was first named *Papilio idas* (from a blue female) by Linnaeus in 1761 (*Faun. svec.* (ed. 2) : 284). But that name is invalid, since it is a homonym of *Papilio idas* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1: 488). The first authors to give structural differences distinguishing these two species from one another were Schiffermüller & Denis (1775, *Schmett. Wien.* : 184). Most unfortunately, however, those authors made the mistake of renaming species no. 1, to which they applied the new name *Papilio aegon*, and of identifying species no. 2 with *Papilio argus* Linnaeus. This error was undetected for nearly 100 years until in 1871 Kirby (*Syn. Cat. diurn. Lep.* : 357) pointed out that the name *Papilio argus* Linnaeus belonged to species no. 1 and not to species no. 2. Kirby therefore quite correctly adopted the name *Papilio argus* Linnaeus for species no. 1, to which he sank the name *Papilio aegon* [Schiffermüller & Denis]⁴ as a synonym. Kirby realised that in these circumstances it would be necessary to find a name for species no. 2, which he had just deprived of the name *Papilio argus* Linnaeus, to which it had never been entitled. Kirby therefore looked round the old literature and applied to species no. 2 the name *Papilio argyrognomon* Bergsträsser, [1779]

³ Since the passage here quoted was written, the International Commission have confirmed and amplified the decision given in *Opinion* 65. This later decision has been embodied in *Opinion* 168 (see pp. 411–430 above).

⁴ The *Schmett. Wien.* of Denis & Schiffermüller, which appeared in 1775 (a year before the issue of the same work under the title *Verzeichniss der Schmetterlinge der Wiener Gegend*), was published anonymously. The names of the authors are, therefore, here cited in square brackets.

(*Nom. Ins.* 2 : 76 pl. 46 figs. 1, 2 ♀), that being, as it seemed to him, the oldest available name for that species.

30. The third of the very similar species referred to above was not distinguished as such until in 1917 Chapman established its existence on structural characters and applied to it the new name *Lycæna aegus* Chapman (1917, in Oberthür, *Et. Lép. comp.* 14 : 42-53 pl. 7 figs. 19-21 (genit.), pl. 8 figs. 22-24 (genit.), pl. 13 fig. 39 (genit.), pl. 19 fig. 57 (*androconia*), pl. 20 fig. 60). Later, it was discovered that names had already been applied to other subspecies of species no. 3 by authors who had been under the impression that they were dealing with subspecies of species no. 2. There is even the possibility⁵ that the name *Papilio argyrognomon* Bergsträsser applies to the relatively scarce local species no. 3 and not to the commoner and more widely distributed species, species no. 2. The two species are very similar to one another and are undoubtedly congeneric; both occur in Germany, France, and Switzerland. It must be accepted that Hübner, when compiling the *Verzeichniss bekannter Schmettlinge* [sic], probably had before him specimens of both species. Be this as it may, Hübner's species no. 670 (*Lycæides argus*) certainly covered both species no. 2 and species no. 3, since (as explained above) it was not until 1917 that the distinction between the two was recognised.

31. It will be seen from paragraphs 29 and 30 above :—

- (i) that Hübner correctly identified *Papilio aegon* [Schiffmüller & Denis], 1775, with species no. 1 but was at fault in believing that that name was the oldest available name for species no. 1;
- (ii) that Hübner misapplied the name *Papilio argus* Linnaeus, 1758 (which is properly applicable to species no. 1), and applied it to what can only be regarded as a composite of species no. 2 and species no. 3.

(b) *Scudder's identification of Papilio argus Linnaeus, 1758*

32. As pointed out in paragraph 26 above, Scudder designated *Papilio argus* Linnaeus as the type of *Lycæides* Hübner. It is necessary therefore to determine the identity of the species so designated by Scudder. Did he correctly identify *Papilio argus* Linnaeus, 1758, with species no. 1 (i.e. did he select as the type Hübner's species no. 671 (*Lycæides aegon*))? Or did he (like Hübner) misidentify *Papilio argus* Linnaeus with species no. 2 (and the then unidentified species, species no. 3) (i.e. did he select as the type Hübner's species no. 670 (*Papilio argus*))?

33. This question would not be easy to answer with certainty if Scudder's paper of 1872 had been the only source of information available, but fortunately (as pointed out in paragraph 26 above) Scudder dealt with this subject again in 1875. This latter paper provides a categorical answer to this question. First, Scudder re-affirmed his action of 1872, thereby showing that he was using the name *Papilio argus* Linnaeus in the same sense as he had used it in his 1872 paper. Second, he used throughout the 1875 paper the nomenclature adopted in the (then recently published) *Syn. Cat. diurn. Lep.* of Kirby (1871). Third, he made a practice throughout that paper of citing the name of each species as given by the author of each genus, followed (where that name differed from that used for that species by Kirby) by the name so used by Kirby. Fourth, in the case of *Lycæides*

⁵ This possibility was at this time already under examination by Beuret, who in the Part of *Lambillionea* for August-September 1935 published a paper (*Lambillionea* 35 : 162-172) in which he definitely established that the species described and figured (from a blue female) by Bergsträsser as *Papilio argyrognomon* in 1779 was species no. 3 and not, as previously universally supposed, species no. 2.

Hübner, he gave as the type "*argus (argyrognomon)*," thereby signifying that the species which he designated as the type was (i) the species to which Hübner had applied incorrectly the name *Papilio argus* Linnaeus and (ii) that the correct name was *Papilio argyrognomon* Bergsträsser, the name used for it by Kirby in 1871. In other words, Scudder intended to select as the type of this genus not species no. 1 (the true *Papilio argus* Linnaeus) but the species included by Hübner in the genus *Lycaeides* Hübner under the name *Papilio argus* Linnaeus, the true name of which was (in his and Kirby's opinion) *Papilio argyrognomon* Bergsträsser.

(c) *Conclusion*

34. The foregoing analysis shows beyond possibility of question :—

- (i) that, in the case of the genus *Lycaeides* Hübner, Hübner misidentified *Papilio argus* Linnaeus and that the preliminary assumption that his "determination of the species is correct" which is enjoined by *Opinion* 65,⁶ is in this case unfounded;
- (ii) that, when selecting Hübner's "*Papilio argus* Linnaeus" as the type of *Lycaeides* Hübner, Scudder recognised that Hübner had made a mistake in identification and that Scudder intended the type to be not the true *Papilio argus* Linnaeus but the species misidentified therewith by Hübner;
- (iii) that, in consequence of (i) above, this is a case which falls to be dealt with under the second part of *Opinion* 65,⁶ i.e. that it is a case which should be submitted, "with full details" to the International Commission on Zoological Nomenclature.

35. If the wholly irrational course were followed of adopting as the type of *Lycaeides* Hübner not the species intended by Hübner when he made the entry "*Lycaeides Argus* Linn." but the species to which the name *Papilio argus* Linnaeus properly belongs, the result would be :—

- (i) that *Lycaeides* Hübner, [1819], would become an objective synonym of *Plebejus* Kluk, 1802, *Zwierz. Hist. nat. poez. gospod.* 4 : 89, of which also *Papilio argus* Linnaeus is the type;
- (ii) that *Papilio argyrognomon* Bergsträsser and its allies, which (in my view and that of most specialists who have studied the subject) are generically distinct from *Papilio argus* Linnaeus and which cannot therefore be referred to *Plebejus* Kluk (of which *Papilio argus* Linnaeus is the type) would be deprived of the generic name *Lycaeides* Hübner now commonly used for them;
- (iii) that, as there is no other generic name available, a new name would need to be proposed for *Papilio argyrognomon* Bergsträsser and its allies.

(d) *Action recommended*

36. The consequences set out above would be an absurdly heavy price to pay for the sake of maintaining the thesis that it must be assumed that an author's determination of a species is correct, even where, as here, there is the clearest evidence to the contrary. No one can doubt that it was to meet this kind of case that the International Commission laid it down in *Opinion* 65⁶ that cases of doubt should be submitted to them "with full details."

37. All these artificial difficulties would disappear if the International Commission would render an *Opinion* declaring that the type of *Lycaeides* Hübner is *Papilio argyrognomon* Bergsträsser, i.e. that the type of this

⁶ This proposition was later repeated and amplified in *Opinion* 168. See footnote 3.

genus is the species selected by Scudder as the type from among the original species placed in this genus by Hübner under the erroneous determination *Papilio argus* Linnaeus. This is the course which I now ask the International Commission to take. For the reasons explained in paragraph 22 above,⁷ I consider that, in order to put an end to any possible controversy, this action should be taken by the International Commission under their "plenary powers."

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's application were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner proposed in the application.⁸ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee considered that, if (as they had agreed to recommend) the International Commission on Zoological Nomenclature agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the application, the only possible course as regards the genus *Lycaeides* Hübner, [1819], would be for the International Commission to render an *Opinion* declaring that *Papilio argyrognomon* Bergsträsser, [1779], to be its type. The International Committee agreed therefore to recommend the International Commission to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth

⁷ The passage here referred to is quoted in the "statement of the case" embodied in *Opinion* 168 (see page 419 above).

⁸ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Lycaeides* Hübner, [1819], was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Commission agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23 (a) and (c)).⁹ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c))¹⁰ :—

⁹ See footnote 8.

¹⁰ Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-25.

(b) in the light of (a) above, to suspend the rules in the case of the under-mentioned genera and to declare the types of the genera in question to be the species indicated below :—

Name of genus		Type of genus
(1) <i>Lycaeides</i>	Hübner,	<i>Papilio argyrognomon</i> Berg-
[1819], ¹¹ Verz.	bek.	strässer, [1779], <i>Nom. Ins.</i> 2 : 76
Schmëtt. (5) : 69		(the species misidentified as <i>Papilio</i>
		<i>argus</i> Linnaeus, 1758, by Schiffer-
		müller & Denis, 1775, and by
		Hübner and later authors)

(c) to render *Opinions* in the sense of (a) and (b) above.

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the International Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 5 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred 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 would clearly result in greater confusion than uniformity.¹² In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed

¹¹ As explained on page 68 of vol. 1 of *Bull. zool. Nomencl.*, it was believed at the time of the Lisbon Session that this name was published in 1823. For the reasons explained in footnote 2, the date has been corrected to 1819, the year in which it is now known that this name was published.

¹² See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. 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.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

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

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

12. 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 Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring 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 would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

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 Nine (*Opinion* 169) 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 at Aldeburgh in the County of Suffolk, this first day of September, 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

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Bulletin of Zoological Nomenclature.

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- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
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- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. Seven Parts of volume 1 have now been published. Further Parts 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 1-40, containing *Declarations* 10-12 and *Opinions* 134-170, 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 1-11 (containing *Opinions* 182-192) 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 £969 16s. 1d. were received up to 30th June 1945. 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."