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

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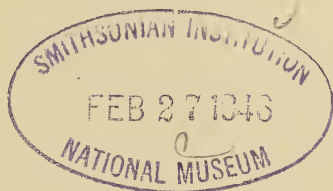
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 173

On the type of the genus *Agriades* Hübner, [1819], and its synonym *Lattiorina* Tutt, 1909 (Class Insecta, Order Lepidoptera), genera based upon an erroneously determined species



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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.

OPINION 173.

ON THE TYPE OF THE GENUS *AGRIADES* HÜBNER, [1819], AND ITS SYNONYM *LATORINA* TUTT, 1909 (CLASS INSECTA, ORDER LEPIDOPTERA), GENERA BASED UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Papilio glandon* Prunner, 1798, is hereby designated as the type of *Agriades* Hübner, [1819], and of its synonym *Latorina* Tutt, 1909 (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 Sub-Order Rhopalocera of the Order Lepidoptera (Class Insecta). One of the genera in question was *Agriades* Hübner, [1819], and its synonym *Latorina* Tutt, 1909, in the family LYCAENIDAE.

2. The portion of the foregoing paper relating to this genus reads as follows ¹ :—

(2) *AGRIADES* HÜBNER, [1819] ² AND *LATORINA* TUTT, 1909

(A) *AGRIADES* HÜBNER, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 68

Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 105

¹ The text of the first part of this paper relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (pp. 411-430 above). The portions of the second part relating to the types of the other genera discussed are quoted in *Opinions* 169 (pp. 431-442 above) (*Lycæides* Hübner), 175 (pp. 509-520 above) (*Polyommatus* Latreille), 177 (*Euchloë* Hübner), 179 (*Priniceps* 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 Hemming, 1937, *Hübner* 1 : 517 and also *Opinion* 150, for which see pp. 161-168 above). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

38. Hübner placed in this genus 14 species (as recognised by himself) but did not designate a type. Of these species, the only one that is relevant here is Hübner's species no. 660, since that species was selected as the type of this genus by Scudder in 1875. Hübner's entry in the *Verzeichniss* for this species is as follows:—

660. A. Orbitulus Prun. Lepid. 158. Meleager Hübner. Pap. 522-525 & 761.762.

39. Neither when Hübner published the name *Agriades* Hübner or at any subsequent time has there been the slightest doubt or misunderstanding regarding the identity of the species which he there identified as *Papilio orbitulus* Prunner, 1798 (*Lepid. pedemont.* : 75).³ The species in question has always been identified with the well-known high-alpine and boreal species figured by Hübner in the *Sammlung europäischer Schmetterlinge* as *Papilio meleager*. For convenience this species is here referred to as the "Arctic Blue."

40. The difficulties now under consideration only arose in 1926 when Verity (*Ent. Rec.* 38 : 105) established:—

- (i) that Prunner had given the name *Papilio orbitulus* not to the "Arctic Blue" but to another alpine "Blue" which may here be called the "Green-underside Alpine Blue," to which the name *Papilio pheretes* Hübner, [1805-1806],⁴ is usually applied;
- (ii) that Prunner had given a name, *Papilio glandon* (*ibid.* : 76), to the "Arctic Blue" and that this was the oldest available name for that species and should therefore be adopted.

41. This discovery at once threw in doubt the type of the genus *Agriades* Hübner, since that genus became thereby a genus based upon an erroneously determined species. The effect of applying in this case the preliminary assumption prescribed in *Opinion* 65 (namely that the author of the genus correctly identified the species that he placed in it) would be as follows:—

- (i) the type of *Agriades* Hübner would become the true *Papilio orbitulus* Prunner, i.e. the "Green-underside Alpine Blue," notwithstanding the fact:—
 - (a) that the true *Papilio orbitulus* Prunner was not even included by Hübner in the genus *Agriades* but was placed by that author in the preceding genus, *Nomiades* Hübner, as species no. 645 under the name *Nomiades pheretes* (Hübner);
 - (b) that, when designating *Papilio orbitulus* Prunner as the type of *Agriades* Hübner, Scudder clearly indicated that he had in mind the species which Hübner had identified as *Papilio orbitulus* Prunner, i.e., the "Arctic Blue" (= *Papilio orbitulus* Prunner, Esper *et* auctt. *nec* Prunner) and not the "Green-underside Alpine Blue" (= the true *Papilio orbitulus* Prunner);

³ The figure "158" quoted by Hübner as the reference for *orbitulus* in de Prunner's *Lepid. pedemont.* is not to the page in that work where this name appears but to the serial number allotted to this species by de Prunner.

⁴ At the time when the paper from which this is an extract was written, it was thought that the main (*Ziefer*) text of Hübner's *Samml. europ. Schmett.* was all published in 1805, the date given on the title page. It has since been ascertained (Hemming, 1937, *Hübner* 1 : 177-179) that this text was published in parts and that the sheet comprising page 45 on which the name *Papilio pheretes* Hübner first appeared was published in the period November 1805-August 1806. This date has accordingly been substituted for 1805, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

- (ii) *Papilio glandon* Prunner (= *Papilio orbitulus* Prunner, Esper *et auctt. nec* Prunner) would need to be provided with a new generic name, since the only other available name for it, *Latiiorina* Tutt, is based upon the same erroneously determined species and any decision on *Agriades* Hübner would necessarily apply also to *Latiiorina* Tutt;
- (iii) the name *Albulina* Tutt, 1909 (*Ent. Rec.* 21 : 108) (type: *Papilio pheretes* Hübner, [1805–1806]), to which the true *Papilio orbitulus* Prunner is normally referred, would become an objective synonym of *Agriades* Hübner, since the same species would in that case be the type of each of these genera.

42. The consequences described above, including the confusion that would certainly follow from the transfer of *Agriades* Hübner to be the generic name for *Papilio orbitulus* Prunner (= *Papilio pheretes* Hübner) in place of being the name for the allied genus which comprises *Papilio glandon* Prunner (= *Papilio orbitulus* Prunner, Esper *et auctt. nec* Prunner), would be an absurdly heavy price to pay for the privilege of maintaining the admittedly erroneous assumption that Hübner correctly identified *Papilio orbitulus* Prunner when he cited that name in the list of species included by him in his new genus *Agriades* Hübner.

43. I accordingly recommend that the International Commission should render an *Opinion* under their plenary powers declaring that *Papilio glandon* Prunner, 1798, is the type of *Agriades* Hübner, [1819], i.e. that the type of this genus is the species which was intended by its original author, which has always been accepted as such and which Scudder in his paper published in 1875 intended so to select.

(B) *LATIIORINA* TUTT, 1909

Tutt, 1909, *Ent. Rec.* 21 : 108

44. The position of this genus is indistinguishable from that of *Agriades* Hübner, except that its type was designated by its original author (Tutt) and not, as in the case of *Agriades* Hübner, selected by a later author (Scudder). It should be noted however that Tutt made the further error (a common one at that time) of attributing the name *orbitulus* not to Prunner (its true author) but to Esper by whom it was figured and described under that name, not as a species named by himself but (quite correctly) as having been so named by Prunner.

45. In these circumstances it is evident that whatever decision is taken in regard to *Agriades* Hübner must govern also *Latiiorina* Tutt. I accordingly recommend that the International Commission, acting under their plenary powers, should designate *Papilio glandon* Prunner, 1798, as the type of *Latiiorina* Tutt. That genus will thereupon become *de jure* what it has always been treated as being, namely an objective synonym of *Agriades* Hübner.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's paper 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.⁵ 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 just agreed to recommend) the International Commission agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the petition, the only possible course as regards the genus *Agriades* Hübner, [1819], and its synonym *Latorina* Tutt, 1909, would be for the International Commission to render an *Opinion* declaring *Papilio glandon* Prunner, 1798 (= *Agriades orbitulus* Prunner, Hübner *nec* Prunner) to be the type of each of these genera. 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.

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

⁵ 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).

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 *Agriades* Hübner, [1819] (and its synonym *Latorina* Tutt, 1909), 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)).⁶ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera (Class Insecta) 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)) :—⁷

(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
(2) <i>Agriades</i> Hübner, [1819], ⁸ <i>Verz. bek. Schmett.</i> (5) : 68 and <i>Latorina</i> Tutt, 1909, <i>Ent.</i> <i>Rec.</i> 21 : 108	<i>Papilio glandon</i> Prunner, 1798, <i>Lepid. pedemont.</i> : 76 (the species misidentified as <i>Papilio orbitulus</i> Prunner, 1798, by Esper, [1799], by Hübner and other authors)

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

⁶ See footnote 5.

⁷ 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.

⁸ At the time of the Session of the International Commission on Zoological Nomenclature held at Lisbon in 1935, it was still thought that this name was first published in 1823. It has since been found that the portion of Hübner's *Verz. bek. Schmett.* concerned was published in 1819 (see footnote 2). In accordance with the editorial arrangements agreed upon at Lisbon, the date has been corrected to 1819. (See 1943, *Bull. zool. Nomencl.* 1 : 64 and 68 (note (33)).)

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 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 named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913,⁹ 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. 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 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 dis-

⁹ See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 31-40).

agreement 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 Seventy Three (*Opinion* 173) 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 first day of October, 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

THE PUBLICATIONS OF THE COMMISSION.

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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. 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 1-21 (containing *Declarations* 1-9 and *Opinions* 1-12) have now been published. Further Parts will be published shortly.

Volume 2. This volume, which contains the record of the decisions taken by the International Commission at Lisbon in 1935, is being published in two Sections (Sections A and B) with continuous pagination. Of these, Section A, containing *Declarations* 10-12 and *Opinions* 134-160, is now complete. Of Section B, which will contain *Opinions* 161-181, Parts 31-45 (containing *Opinions* 161-175) have now been published. The remaining Parts of this volume are in the press and will be published as soon as possible.

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."