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

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OPINION 541

Suppression under the Plenary Powers of the generic names *Chrysophanus* Hübner, 1818, and *Bithys* Hübner, 1818 (Class Insecta, Order Lepidoptera) (*Opinion* supplementary to *Opinion* 165)

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OPINION 541

SUPPRESSION UNDER THE PLENARY POWERS OF THE GENERIC NAMES "CHRYSOPHANUS" HÜBNER, 1818, AND "BITHYS" HÜBNER, 1818 (CLASS INSECTA, ORDER LEPIDOPTERA) ("OPINION" SUPPLEMENTARY TO "OPINION" 165)

RULING :—(1) Under the Plenary Powers the under-mentioned generic names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy :—

(a) *Bithys* Hübner, 1818 ;

(b) *Chrysophanus* Hübner, 1818.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Numbers severally specified below :—

(a) *Strymon* Hübner, 1818 (gender : masculine) (type species, by selection by Riley (N.D.) (1922) : *Strymon melinus* Hübner, 1818) (Name No. 1332) ;

(b) *Strymonidia* Tutt, [1908] (gender : feminine) (type species, through Rule (f) in Article 30 (type species of substitute nominal genera) by original designation as type species of the replaced nominal genus *Leechia* Tutt, [1907] : *Thecla thalia* Leech, [1893]) (Name No. 1333).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Numbers severally specified below :—

(a) *melinus* Hübner, 1818, as published in the combination *Strymon melinus* (specific name of type species of *Strymon* Hübner, 1818) (Name No. 1602) ;

(b) *thalia* Leech, [1893], as published in the combination *Thecla thalia* (specific name of type species of *Strymonidia* Tutt, [1908]) (Name No. 1603) ;

(c) *leucophaeus* Hübner, 1818, as published in the combination *Bithys leucophaeus* (Name No. 1604) ;

(d) *titus* Fabricius (J.C.), 1793, as published in the combination *Hesperia titus* (Name No. 1605).

(4) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Numbers severally specified below :—

(a) *Bithys* Hübner, 1818, as suppressed under the Plenary Powers in (1)(a) above (Name No. 1234) ;

(b) *Chrysophanus* Hübner, 1818, as suppressed under the Plenary Powers in (1)(b) above (Name No. 1235) ;

(c) *Bythis* Geyer, [1827–1831] (an Erroneous Subsequent Spelling for *Bithys* Hübner, 1818) (Name No. 1236) ;

(d) *Leechia* Tutt, [1907] (a junior homonym of *Leechia* South, 1901) (Name No. 1237).

(5) In accordance with the provisions of *Declaration* 28, it is hereby ruled that the nominal family-group taxon CHRYSOPHANIDI Scudder (S.H.), (1889) was based upon a misidentified type genus and therefore that the above family-group name possesses no status under either the Law of Priority or the Law of Homonymy.

(6) The under-mentioned family-group name is hereby placed on the *Official List of Family-Group Names in Zoology* with the Name No. 257 :—

STRYMONIDI Tutt, [1907] (type genus : *Strymon* Hübner, 1818)

(7) The under-mentioned family-group name is hereby placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* with the Name No. 287 :—

CHRYSOPHANIDI Scudder (S.H.), (1889) (type genus : *Chrysophanus* Hübner, 1818, incorrectly treated as having *Papilio hippothoë* Linnaeus, 1761, as type species) (invalid under (5) above because the nominal taxon so named was based upon an erroneously determined type genus).

I. THE STATEMENT OF THE CASE

On 9th February 1954, Mr. Francis Hemming (*London*) notified the Office of the Commission that, in his opinion and in that of Mr. N. D. Riley (*British Museum* (*Natural History*), *London*), it was very desirable in the interests of nomenclatorial stability in the Order Lepidoptera (Class Insecta) that the Commission should now without further delay take up the question which it had postponed by the Ruling given in its *Opinion* 165 (1945, *Ops. Decls. int. Comm. zool. Nomencl.* **2** : 359–374) as to the interpretation of the nominal genera *Chrysophanus* Hübner, 1818, and *Bithys* Hübner, 1818, the position as regards which remained, in the view of these specialists, as confused and confusing as ever. In the same communication Mr. Hemming intimated that it was his and Mr. Riley's intention at an early date themselves to submit an application to the Commission on this subject. Various circumstances combined to delay this project but on 12th November 1956 the following application was submitted by the above specialists :—

Proposed suppression under the Plenary Powers of the generic names " Chrysophanus " Hübner, 1818, and " Bithys " Hübner, 1818 (Class Insecta, Order Lepidoptera)

By FRANCIS HEMMING, C.M.G., C.B.E. (*London*)
and
N. D. RILEY, C.B.E.
(*British Museum* (*Natural History*), *London*)

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to suppress two generic names in the Order Lepidoptera (Class Insecta) which have been found to possess type species entirely different from those for long accepted as such, with the result that the continued usage of either of these names would give rise to serious confusion in the nomenclature of the group con-

cerned. The names in question are not directly connected with one another but in each case the difficulty arises from the same cause and it has been considered therefore that it would be convenient for the problems arising in connection with these names to be submitted to the Commission in a single application. In the case of one of these names (*Bithys*) the applicants, in submitting the present paper, are complying with an undertaking given by them at the time when another associated name (*Strymon*) was under consideration by the Commission. The need for an early decision on both these names has been accentuated by the fact that in a revision of the subfamily THECLINAE recently presented by one of the present applicants (Riley) to the Tenth International Entomological Congress at its meeting held in Montreal it was necessary to explain that the status of these names was at present *sub judice*, pending a decision by the International Commission on the issues involved. The relevant particulars involved in this case are set out in the following paragraphs.

2. The generic names primarily involved in the present case are *Bithys* and *Chrysophanus*, both first published by Jacob Hübner. In each case Hübner published these names in two different books at about the same time and unfortunately it is his usage in what is now known to have been the later-published of the two books concerned which for over one hundred years was mistakenly accepted as the earlier of the two usages. The particulars of the two occasions on which each of these names was published by Hübner, together with corresponding particulars regarding the name *Strymon* Hübner which (as noted above) is to some extent involved in the present case are as follows :—

(a) *Bithys* Hübner
Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 18, no. 44
id., [1819], *Verz. bekannt. Schmett.* (5) : 75

(b) *Chrysophanus* Hübner
Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 24, no. 68
id., [1819], *Verz. bekannt. Schmett.* (5) : 72

(c) *Strymon* Hübner
Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 22, no. 61
id., [1819], *Verz. bekannt. Schmett.* (5) : 74

3. The situation created by the attribution of these names to the *Verzeichniss bekannter Schmettlinge* [sic] instead of to the earlier *Zuträge zur Sammlung exotischer Schmetterlinge* is described in the following paragraphs.

4. On the basis that the name *Bithys* Hübner was first published in the *Verzeichniss* its type species would have been *Hesperia strephon* Fabricius, 1793, by selection by Scudder (1875, *Proc. amer. Acad. Arts Sci.*, Boston **10** : 127), but this selection has been little applied in the literature. If this selection had been valid, the name *Bithys* Hübner would have applied to a Central American species now placed in the omnibus (unrevised) genus *Strymon* Hübner. The species which in the past was widely accepted as representative of *Bithys* Hübner is *Papilio quercus* Linnaeus, 1758, that species having been selected (though invalidly) by Tutt in [1907] (*Nat. Hist. Brit. Butts.* **2** : 231, 234) as the type species of this genus. It is in this sense, as a name for a genus customarily regarded as being very close to the true *Thecla* Fabricius (type species : *Papilio betulae* Linnaeus, 1758), that the name *Bithys* Hübner has been widely used. When, however, we turn to the passage in the *Zuträge* (**1** : 18) in which the name *Bithys* was first published, we find

that on that occasion Hübner placed in this genus only two species of South American hairstreaks. Of these *Bithys leucophaeus* Hübner, 1818 (*Zuträge z. Samml. exot. Schmett.* **1** : 18, pl. [16], figs. 87, 88) was selected as the type species by one of the present applicants (Riley) in 1922 (*J. Bombay nat. Hist. Soc.* **28** : 466).

5. Up to about thirty years ago the name *Chrysophanus* Hübner had for many decades been almost universally used as the name for a genus of Palaearctic and Nearctic species popularly known as " The Coppers". This usage was based upon the belief on the part of some authors that the type species was *Papilio hyllus* Cramer, [1775] (*Uitl. Kapellen* **1**(4) : 67) and on the part of others, the related species *Papilio hippothoë* Linnaeus, 1761 (*Faun. svec.* (ed. 2) : 56). The first of these species was selected as type species by Scudder (S.H.) in 1872 (4th *Ann. Rep. Peabody Acad. Sci.* **1871** : 56) ; the second was so selected by the same author in 1875 (*Proc. amer. Acad. Arts Sci.*, Boston **10** : 141, 142). Both these species were included in this genus by Hübner in the *Verzeichniss*, the work at that time regarded as that in which this generic name was first published. The name *Chrysophanus* was dropped by most authors when it was realised that the oldest generic name for " The Coppers " as a whole was *Lycaena* Fabricius, 1807. Even today, however, no one meeting the name *Chrysophanus* in the literature would suppose that any but a species of " Copper " was under discussion. The position of this genus was examined by Riley in 1922 (*J. Bombay nat. Hist. Soc.* **28** : 457) in the light of the discovery that its name had been first published in Volume 1 of the *Zuträge*. Unfortunately, Riley overlooked the fact that, although the principal species then dealt with under the name *Chrysophanus* was the new nominal species *Chrysophanus mopsus* Hübner, 1818 (*Zutr. z. Samm. exot. Schmett.* **1** : 24, pl. [24], figs. 135, 136), Hübner did also cite as belonging to this genus the nominal species *Papilio circe* [Denis & Schiffermüller], 1775 (*Ankund. syst. Werkes Schmett. Wiener Gegend* : 181). In consequence Riley treated this genus as being monotypical with *Chrysophanus mopsus* Hübner as type species. This action of Riley's constitutes a valid type selection under Rule (g) in Article 30 as clarified by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 181–182). The species which is thus the type species of the genus *Chrysophanus* Hübner is a North American Hairstreak currently placed in the great unrevised genus *Strymon* Hübner.

6. If the generic name *Strymon* Hübner had been first published in the *Verzeichniss*, the type species of the genus so named would have been *Strymon mopsus* Hübner, 1818 (*Zutr. z. Samml. exot. Schmett.* **1** : 24, pl. [24], figs. 135, 136) by selection by Scudder in 1872 (4*th Ann. Rep. Peabody Acad. Sci.* **1871** : 53). It is this type selection which has formed the basis of the currently accepted interpretation of this genus. This type selection is, however, invalid (the species selected not having been included by Hübner in the *Zuträge*). Fortunately the species which by selection by Riley in 1922 (*J. Bombay nat. Hist. Soc.* **28** : 472) is the valid type species of the genus *Strymon* Hübner (i.e. *Strymon melinus* Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 22, pl. [21], figs. 121, 122) is not far removed taxonomically from *Strymon mopsus* Hübner and is congeneric with that species.

7. Before examining the issues raised by the fact that the names discussed above were published first in Volume 1 of the *Zuträge* and not in the *Verzeichniss*, as was for so long believed, it is desirable to pause for a moment to consider the position of these three generic names in relation to one another, having regard to the fact that they were all published in the same book and

on the same date. When on a previous occasion (1934, *Gen. Names Brit. Ins.* (2) : 12) the present applicants formulated proposals for the consideration of the International Commission in regard to two of the names under consideration (*Strymon* ; *Bithys*), the assumption adopted was that in a case such as the present the relative precedence to be accorded to these names should be determined by the Principle of Page Precedence, this being the view then generally held by entomologists. We realise now that, in taking that view, we were in error and that at that date the criterion which should have been followed was that of the " First Reviser ". This ceased to be the case in the period 1948—1953 but in the latter year the Principle of the " First Reviser ", which had been displaced by the Paris Congress in 1948, was restored by the following Congress (1953, *Copenhagen Decisions zool. Nomencl.* : 66–67, Decision 123). In the case of the three generic names with which we are here concerned, no " First Reviser " decision has ever been taken, such action not having been considered necessary, so long as it was believed that these names were first published in the *Verzeichniss*, for the species which in consequence were regarded as being the type species of the genera so named were not regarded as being congeneric with one another. Now, however, that it is realised that these names were published simultaneously in the *Zuträge* and it is seen that the species which are the respective type species of the nominal genera concerned are all currently assigned to a single very large unrevised genus, the situation is completely changed. For—in the absence of action by the International Commission on the lines recommended in the present application—there is a risk that the position might be further aggravated by an injudicious First Reviser. It will be seen from the particulars given in paragraphs 4 to 6 above (a) that the names *Bithys* Hübner and *Chrysophanus* Hübner have as their respective type species, species which are currently placed in the large unrevised genus *Strymon* Hübner and therefore (b) that it is very important to forestall any action which might have the effect of giving precedence over *Strymon* either to *Bithys* or to *Chrysophanus*. While it would be highly undesirable that either the name *Bithys* or the name *Chrysophanus* should be applied to a genus of Strymonid Hairstreaks, the objections are stronger in the case of *Chrysophanus* than in that of *Bithys*, for the latter name has been used for a genus of Hairstreaks—though of quite a different group—while the name *Chrysophanus* has never been used for any group except the Coppers. With these considerations in mind, we now, as First Revisers, take the following action, namely : (1) We hereby select the name *Strymon* Hübner, 1818, to take precedence both over the name *Bithys* Hübner, 1818, and over the name *Chrysophanus* Hübner, 1818. (2) We hereby select the name *Bithys* Hübner to take precedence over the name *Chrysophanus* Hübner. By the foregoing action the name *Strymon* Hübner is protected from the risk of attack by either of the other names concerned, while such limited action as is possible has been taken to delay and to render difficult the actual use of the name *Chrysophanus* for a genus of Hairstreaks.

8. When in 1935 the problem discussed in the present paper was considered by the International Commission at its Session held at Lisbon, the main danger which it was then sought to avoid was the potential threat to the name *Strymon* Hübner represented by the name *Bithys* Hübner, a threat which through the action taken in paragraph 7 above has since been removed. Though not unsympathetic to the object sought in the application then submitted—which was supported by representative specialists on both sides of the Atlantic—the Commission, concentrating upon the limited aspect of the problem placed before it, took the view that it would be better to defer action until, on a revision (then, as now, long overdue) of the genus *Strymon* it

could be seen whether the name *Bithys* Hübner really represented a threat to the name *Strymon* Hübner or alternatively whether the species which were the respective type species of these nominal genera would be regarded as being referable to different genera with the result that the name *Bithys* Hübner could be used for the genus containing its type species (*Bithys leucophaeus* Hübner, 1818) without constituting any threat to the name *Strymon* Hübner. With these considerations in mind, the Commission therefore decided to take no action at that time on the application which had been submitted to it. This decision was later embodied in *Opinion* 165 (1945, *Ops. Decls. int. Comm. zool. Nomencl.* **2** : 359–374). The need for the further consideration of the present case when a suitable opportunity should offer was noted in the Office of the Commission and attention was drawn to this matter in February 1954 when consideration was being given to the question of the action required, so far as concerned *Opinions* 161 to 181, to comply with the General Directive issued to the International Commission by the Thirteenth International Congress of Zoology at Paris in 1948 that all the *Opinions* so far rendered should be re-examined with a view to filling up any gaps which might be detected. In the document so submitted, which was later embodied in *Direction* 2 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* **2** : 613–628) it was reported (: 621) that a new Registered File (Z.N.(S.) 802) had been opened for the further consideration of this case, on which, it was added, a paper would be submitted to the Commission as soon as possible.

9. Before preparing the present application we carefully re-examined the position as regards the generic names *Bithys* and *Chrysophanus* and we remain of the opinion which we formed in 1934 when serving as members of the Lepidoptera Sub-Committee of the Committee on Generic Nomenclature at that time recently established by the Royal Entomological Society of London, namely that the change in the usage of these names consequent upon the alteration of the type species of the genera so named made necessary by the discovery that these names were first published in Volume 1 of Hübner's *Zuträge* instead of, as previously supposed, in that author's *Verzeichniss* would lead to serious and quite unjustifiable confusion in the nomenclature of the groups concerned. We are of the opinion therefore that the proper course would be for these names to be suppressed by the Commission under the Plenary Powers which, it may be recalled, were expressly earmarked at the time of their grant to the Commission *inter alia* for preventing confusing transfers of names from one taxon to another. That we did not originally make an application in this sense was due solely to the fact that there were then a number of generic names in the Order Lepidoptera which, in our view, were in urgent need of protection under the Plenary Powers and, having regard to the reluctance at that time of the Commission to use those Powers, we were anxious not to prejudice the chance of success for the applications which we were then submitting by adding applications in regard to other names if such applications could possibly be postponed to some later date. With the much greater stress placed today on the need for maintaining stability in nomenclature both by the International Congress of Zoology and by the International Commission, the situation is very different from what it was twenty years ago and it is for this reason that we now recommend that the names *Bithys* Hübner, 1818, and *Chrysophanus* Hübner, 1818, be suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy.

10. Consequent upon the foregoing proposal we recommend that the above names be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. To the same *Index* should be added the name *Bythis*

Geyer in Hübner, [1827–1831] (*Zutr. z. Samml. exot. Schmett.* **3** : 11), this being an Erroneous Subsequent Spelling for *Bithys* Hübner, 1818.

11. As has been explained earlier in the present application (paragraph 8) the question of the action which it was desirable should be taken in regard to the name *Bithys* Hübner, 1818, arose originally in connection with the status of that name in relation to the widely used and well-established name *Strymon* Hübner, 1818. We recommend therefore that the present opportunity should be taken to place that name on the *Official List of Generic Names in Zoology*. As has already been noted, that genus is still in urgent need of revision, despite the considerable amount of work that has been done in recent years (by Riley and others) in regard to certain groups of species formerly placed in it. This work has clearly established that the genus *Strymon*, whatever may be its scope, is strictly limited to the American Continent, possessing no Palaearctic representatives. The oldest available name for the Palaearctic species formerly placed in the genus *Strymon* Hübner is *Strymonidia* Tutt, [1908] (*Nat. Hist. Brit. Butts.* **2** : 483) which was introduced as a replacement name for *Leechia* Tutt, [1907] (*ibid.* 2 : 142) which is invalid by reason of being a junior homonym of *Leechia* South, 1901 (*Trans. ent. Soc. Lond.* **1901** : 400), the name of a genus of Pyralid moths. The type species of *Leechia* Tutt is *Thecla thalia* Leech, [1893] (*Butts. China Japan Corea* (2) (Text Pt. 3) : 367 ; (2) (Pl. Pt. 3/4) : pl. 30, fig. 15 ♂), and that species is therefore automatically the type species also of *Strymonidia* Tutt. It is desirable, in order to complete the action involved in the present case, that the generic names *Strymonidia* Tutt and *Leechia* Tutt should now be placed on the *Official List* and *Official Index* respectively and that the specific name *thalia* Leech, [1893], as published in the combination *Thecla thalia*, should be placed on the *Official List* for names of taxa of that category, together with the name *melinus* Hübner, 1818, as published in the combination *Strymon melinus* (specific name of type species of *Strymon* Hübner, 1818). At the same time the specific name *leucophaeus* Hübner, 1818, as published in the combination *Bithys leucophaeus* (which, as the name of the type species of *Bithys* Hübner, enters into the present case) should, as the oldest available name for the species concerned, be placed on the foregoing *Official List*. It is not recommended that similar action should be taken as regards the specific name *mopsus* Hübner, 1818, as published in the combination *Chrysophanus mopsus* (the specific name of the type species of *Chrysophanus* Hübner), since that name is currently treated as a junior subjective synonym of *titus* Fabricius, 1793 (*Ent. syst.* 3(1) : 297), as published in the combination *Hesperia titus*. It is recommended, however, that the latter name should, in accordance with established practice, now be placed on the *Official List*.

12. It remains now to consider the family-group-name problems involved in connection with the generic names which form the subject of the present application. There is no family-group name based on the generic name *Bithys* Hübner but there have been published such names based upon the other two generic names involved. These names are : (1) CHRYSOPHANIDI Scudder (S.H.), (1889) (*Butts. New England* (2) (Pt. 6) : 797) ; (2) STRYMONIDI Tutt (J.W.), [1907] (*Nat. Hist. Brit. Butts.* **2** : 86, 136). The name STRYMONIDI is currently used for the group of Hairstreak genera with which we are here concerned. The name CHRYSOPHANIDI, now seldom used, has always been employed for " The Coppers " and never for the Strymonid Hairstreaks. It would be the greatest misfortune, because highly confusing, if, now that it is known that the name *Chrysophanus* Hübner applies to a genus of Strymonids and not to " The Coppers ", it were necessary on grounds of priority to transfer

it from the latter, to the former, group as the name for the family-group taxon now known as STRYMONIDI. Fortunately, this is not necessary, for a means for avoiding this disastrous change is provided by the Commission's recent *Declaration* 28 (1956, *Ops. Decls. int. Comm. zool. Nomencl.* **14** : xi–xxiv). Under that *Declaration* it is provided (1) that, subject to (2) below, an author establishing a new nominal family-group taxon is to be assumed to have correctly determined the genus selected by him as the type genus of that taxon, (2) that, where, in the opinion of later zoologists, such an assumption would be contrary to the facts, the case is to be referred to the International Commission, whose duty it shall be to give a Ruling, in the light of the information submitted, on the question whether or not the nominal family-group taxon concerned was based on a misdetermined type genus, and (3) that in any case where the Commission gives a Ruling that the type genus was so misdetermined, the family-group name in question is to be rejected as possessing no status under either the Law of Priority or the Law of Homonymy. When we turn to Scudder's *Butterflies of New England*, we find that the name *Chrysophanus* Hübner was there employed as the generic name for " The Coppers ". Thus, Scudder (like every other author who has used the name *Chrysophanus* since it was first published by Hübner) used the name in an entirely incorrect sense. It follows inevitably therefore that the nominal family-group taxon CHRYSOPHANIDI established by Scudder in 1889 was based upon a misdetermined genus, namely the genus *Chrysophanus* Hübner, as incorrectly interpreted by Scudder himself when in 1875 he selected the (non-included) species *Papilio hippothoë* Linnaeus as its type species (see paragraph 5 above). We accordingly ask for a Ruling in this sense from the Commission under the provisions of *Declaration* 28.

13. In order to conclude the foregoing side of the present case we ask the International Commission, after giving the Ruling requested in the preceding paragraph, to place the family-group name CHRYSOPHANIDI Scudder, (1889), on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* with an endorsement that this name has been rejected under the provisions of *Declaration* 28. At the same time the valid and currently used family-group name STRYMONIDI Tutt, [1907], should be placed on the *Official List of Family-Group Names in Zoology*.

14. For the reasons explained in the present application we now ask the International Commission on Zoological Nomenclature :—

(1) to use its Plenary Powers to suppress the under-mentioned generic names for the purposes of the Law of Priority but not for those of the Law of Homonymy :—

(a) *Bithys* Hübner, 1818 ;

(b) *Chrysophanus* Hübner, 1818 ;

(2) to place the under-mentioned generic names on the *Official List of Generic Names in Zoology* :—

(a) *Strymon* Hübner, 1818 (gender : masculine) (type species, by selection by Riley (N.D.) (1922) : *Strymon melinus* Hübner, 1818) ;

(b) *Strymonidia* Tutt, [1908] (gender : feminine) (type species, by original designation through Rule (f) in Article 30 (designation of type species for *Leechia* Tutt, [1907]) : *Thecla thalia* Leech, [1893]) ;

(3) to place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—

(a) *melinus* Hübner, 1818, as published in the combination *Strymon melinus* (specific name of type species of *Strymon* Hübner, 1818) ;

(b) *thalia* Leech, [1893], as published in the combination *Thecla thalia* (specific name of type species of *Strymonidia* Tutt, [1908]) ;

(c) *leucophaeus* Hübner, 1818, as published in the combination *Bithys leucophaeus* ;

(d) *titus* Fabricius (J.C.), 1793, as published in the combination *Hesperia titus* ;

(4) to place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—

(a) the generic names specified in (1)(a) and (1)(b) above respectively, as there proposed to be suppressed under the Plenary Powers ;

(b) *Bythis* Geyer, [1827–1831] (an Erroneous Subsequent Spelling for *Bithys* Hübner, 1818) ;

(c) *Leechia* Tutt, [1907] (a junior homonym of *Leechia* South, 1901) ;

(5) to give a Ruling under *Declaration* 28 that the nominal family-group taxon CHRYSOPHANIDI Scudder (S.H.), (1889), was based upon a misdetermined type genus and therefore that the above name possesses no status under either the Law of Priority or the Law of Homonymy ;

(6) to place the under-mentioned family-group name on the *Official List of Family-Group Names in Zoology* : STRYMONIDI Tutt (J.W.), [1907] (type genus : *Strymon* Hübner, 1818) ;

(7) to place the under-mentioned family-group name on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* : CHRYSOPHANIDI Scudder (S.H.), (1889), with an endorsement that, as proposed in (5) above, it has been rejected under *Declaration* 28.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : At the time of the receipt of the preliminary notification regarding the present case the question of the interpretation of the nominal genera *Chrysophanus* Hübner, 1818, and *Bithys* Hübner, 1818 (Class Insecta, Order Lepidoptera), was allotted the Registered Number Z.N.(S.) 802.

3. Publication of the present application : The present application was sent to the printer on 13th November 1956 and was published on 25th January 1957 in Part 1 of Volume 13 of the *Bulletin of Zoological Nomenclature* (Hemming & Riley, 1957, *Bull. zool. Nomencl.* **13** : 13–21).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51–56), Public Notice of the possible use by the International

Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 25th January 1957 (a) in Part 1 of Volume 13 of the *Bulletin of Zoological Nomenclature* (the Part in which the application by Mr. Hemming & Mr. Riley was published) and (b) to the other prescribed serial publications. In addition such Notice was given to four general zoological serial publications and to eight entomological serials in Europe and America.

5. Comments Received : Comments were received from three specialists, of whom two (France, one ; Germany, one) supported the action recommended, while one (Germany) was opposed to that action. The communications so received are reproduced in the immediately following paragraphs.

6. Support received from E. M. Hering : On 4th February 1957, Professor E. M. Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin*) addressed the following letter of support to the Office of the Commission (Hering, 1957, *Bull. zool. Nomencl.* **13** : 131) :—

> Für die deutsch sprechenden Lepidopterologen wird der Vorschlag auf Verwerfung des fast allgemein verwendeten Namens *Chrysophanus* für die " Feuerfalter " recht unerwartet kommen und ihre Kritik herausfordern. Dieser zu verwerfende Name wird in fast allen in der Hand der Lepidopterologen befindlichen deutschsprachigen Handbücher (Berge-Rebel, Hoffman-Spuler, Lampert und sogar Seitz) verwendet und erst in dem im Erscheinen begriffenen Werk von Forster & Wohlfahrt ausgeschieden. Es wird allgemein erwartet werden, dass man hier das " principle of conservation " anwende.
>
> Gegenwärtig befindet sich aber die Nomenklatur der Genera der Lycaenidae in einum völligen Umbruch, der auf die Aufteilung der alten Sammelgattung *Lycaena* zurückgeht. In diesem Zusammenhange erscheint es wünschenswert, dass innerhalb der palaearktischen Gattungen der Lycaenidae vollständig " reiner Tisch " gemacht wird und in der Zukunft keine Zweideutigkeiten in der Gattungsbezeichnung mehr möglich sein werden. Der deutschsprachige Lepidopterologe weiss schon jetzt, dass er bei den Lycaenidae ihm noch nicht recht geläufige Namen für Gattungen oder zumindest Untergattungen anwenden muss. Er wird daher Verständnis dafür haben, dass im Zuge dieser " Flurbereinigung " auch der mehrdeutige Name *Chrysophanus* verschwindet.
>
> In diesem Sinne unterstütze ich die von Hemming und Riley vorgeschlagenen Massnahmen.

7. Support received from Jean Bourgogne : On 17th June 1957, Dr. Jean Bourgogne (*Muséum National d'Histoire Naturelle, Paris*) addressed the following letter of support to the Office of the Commission (Bourgogne, 1957, *Bull. zool. Nomencl.* **13** : 263) :—

> Vous avez été très aimable de m'adresser les separata de vos études sur les noms de genre, *Chrysophanus* et *Bithys*, et je vous en remercie.
>
> Le temps m'a malheureusement manqué pour examiner ces questions de près, sinon je vous aurais écrit à ce sujet. Mais ma compétence en matière de nomenclature est assez faible de sorte que mon opinion n'a pas une grande valeur.
>
> Je vous dirai simplement que j'approuve vos efforts faits en vue d'éviter de nouveaux bouleversements dans la nomenclature et pense que c'est dans

ce sens que les décisions doivent être prises, si c'est possible lorsqu'il s'agit de noms constamment employés.

8. Objection received from H. Prell : On 19th March 1957, Dr. H. Prell (*Zoologisches Institut der Techn. Hochschule Dresden, Tharandt, Germany*) addressed the following objection to the Office of the Commission :—

Da ich nicht Spezialist bin, halte ich mich nicht für verpflichtet und auch nicht für befugt, an Herrn Hemming zu schreiben. Wenn solche alte Namen wie *Chrysophanus* gestrichen werden sollen, dann ist das eben eine Angelegenheit der Spezialisten und nicht eine solche der Zoologen. Wenn die Meinungen der Spezialisten für die moderne Nomenklatur massgebend sind, kann ich nichts anderes tun als auf die neue Nomenklatur verzichten und in der Vorlesung vor allen Büchern warnen, welche durch Anwendung der Nomenklatur den geschichtlichen Zusammenhang zerreissen.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

9. Issue of Voting Paper V.P.(57)48 : On 31st July 1957, a Voting Paper (V.P.(57)48) was issued in which the Members of the Commission were invited to vote either for, or against, " the proposal relating to the generic names *Chrysophanus* Hübner, 1818, and *Bithys* Hübner, 1818, as set out in Points (1) to (7) in paragraph 14 on pages 20 and 21 in Volume 13 of the *Bulletin of Zoological Nomenclature* " [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

10. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 31st October 1957.

11. Particulars of the Voting on Voting Paper V.P.(57)48 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(57)48 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-five* (25) *Commissioners* (*arranged in the order in which Votes were received*) :

Bodenheimer ; Holthuis ; Mayr ; Hering ; Mertens ; Lemche ; Hankó ; Key ; Vokes ; Dymond ; Riley ; Bradley (J.C.) ; do Amaral ; Esaki ; Hemming ; Prantl ; Jaczewski ; Kühnelt ; Stoll ; Bonnet ; Boschma ; Sylvester-Bradley ; Cabrera ; Tortonese ; Miller ;

(b) *Negative Votes* :

None ;

(c) *Voting Papers not returned* :

None.

12. Declaration of Result of Vote : On 1st November 1957, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(57)48, signed a Certificate that the Votes cast were as set out in paragraph 11 above and declaring that the proposal submitted

in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

13. Preparation of the Ruling given in the present " Opinion " : On 6th May 1958, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(57)48.

14. Original References for Generic and Specific Names : The following are the original references for the generic and specific names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Bithys Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 18, no. 44 ; *id.*, [1819], *Verz. bekannt. Schmett.* (5) : 75

Bythis Geyer, [1827–1831], *in* Hübner, *Zutr. z. Samml. exot. Schmett.* **3** : 11

Chrysophanus Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 24, no. 68 ; *id.*, [1819], *Verz. bekannt. Schmett.* (5) : 72

Leechia Tutt, [1907], *Nat. Hist. Brit. Butts.* **2** : 142

leucophaeus, *Bithys*, Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 18, pl. [16], figs. 87, 88

melinus, *Strymon*, Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 22, pl. [21], figs. 121, 122

Strymon Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 22, no. 61,; *id.*, *Verz. bekannt. Schmett.* (5) : 74

Strymonidia Tutt, [1908], *Nat. Hist. Brit. Butts.* **2** : 483

thalia, *Thecla*, Leech, [1893], *Butts. China Japan Corea* (2) (Text Pt. 3 : 367 ; (2) (Pl. Pt. 3/4) : pl. 30, fig. 15 ♂

titus, *Hesperia*, Fabricius (J.C.), 1793, *Ent. syst.* **3**(1) : 297

15. Reference for the selection of a type species for a nominal genus : The following is the reference for the selection of a type species for a nominal genus specified in the Ruling given in the present *Opinion* :—

For *Strymon* Hübner, 1818 — Riley (N.D.), 1922, *J. Bombay nat. Hist. Soc.* **28** : 472

16. References for Family-Group Names : The following are the references for the family-group names placed by the Ruling given in the present *Opinion* on the *Official List* or, as the case may be, on the *Official Index* of names of taxa belonging to the foregoing category :—

CHRYSOPHANIDI Scudder (S.H.), (1889), *Butts. New England* (2) (Pt. 6) : 797

STRYMONIDI Tutt, [1907], *Nat. Hist. Brit. Butts.* **2** : 86, 136

17. Compliance with Prescribed Procedures : The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly

hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

18. " Opinion " Number : The present *Opinion* shall be known as *Opinion* Five Hundred and Forty-One (541) of the International Commission on Zoological Nomenclature.

DONE in London, this Sixth day of May, Nineteen Hundred and Fifty-Eight.

Secretary to the International Commission
on Zoological Nomenclature

FRANCIS HEMMING

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