

itself is ascribed to “Wahlenb.” (not in the text of the Supplement but in the index to the Methodus, p. 392). **There is also a description ascribed by Acharius to “Wahlenb. Msc.”, and another description authored by Acharius himself. As the name and part of the descriptive matter are ascribed to Wahlenberg,** the name is therefore appropriately cited as *V. aethiobola* Wahlenb., better not as *V. aethiobola* “Wahlenb. in Acharius” (unless followed by a bibliographic citation of the place of publication), and certainly not as *V. aethiobola* “Wahlenb. ex Ach.””

The advantage of Proposal 283 over 281 is that it gives greater flexibility in lectotype designation but it also means that author citation depends on choice of validating description. For example in the case of *Verrucaria aethiobola* if one chooses Wahlenberg’s description as the validating description then the author citation is Wahlenberg [in Acharius] but if Acharius’ description is chosen to validate the name then the author citation is Wahlenberg ex Acharius. This is clearly unsatisfactory. Proposal 286 would establish that regardless of choice of lectotype author citation would always be Wahlenberg [in Acharius].

(288–289) Two conditional proposals

Paul van Rijckevorsel

Dipteryx, Postbus 4047, 3502 HA Utrecht, The Netherlands. dipteryx@freeler.nl

Proposal 117 (Hawksworth & al. in *Taxon* 59: 661. 2010), if accepted, would add a new Article to the *Code*, to be placed following Art. 37. To preserve the numbering of subsequent Articles, especially Art. 45 onwards, one of the existing Articles would then have to be eliminated, by moving its contents into an existing Article. The authors of Proposal 117 suggest combining Art. 38 and 39, which is indeed an option. However, if some rearrangement is necessary within Art. 38 to 44, there is a more appealing candidate for elimination, namely Art. 41. This (Art. 41) mostly duplicates Art. 32.1(d), but includes restrictions on the ranges of ranks of taxa to which a previously and effectively published description or diagnosis may belong when a name is validly published by a reference to such description or diagnosis. In effect, Art. 41 further refines Art. 32.1(d) (see Englera 2: 82. 1982), roughly comparable to Art. 32.5, which also refines Art. 32.1(d). Thus, reducing Art. 41 to its essence and moving it into Art. 32 (to accompany Art. 32.5) would make the organization of the *Code* more logical. This would utilize the need to make room for a new Article as an opportunity rather than view it as a problem.

(288) If Prop. 117 is accepted, condense Art. 41.1, 41.2 and the first half of Art. 41.3 into a single paragraph, to be placed in Art. 32, preceding Art. 32.5 or following Art. 32.6:

“32.4bis. For the purpose of valid publication of a name, reference to a previously and effectively published description or diagnosis is

restricted as follows: (a) for a name of a family or subdivision of a family, the earlier description or diagnosis must be that of a family or subdivision of a family; (b) for a name of a genus or subdivision of a genus, the earlier description or diagnosis must be that of a genus or subdivision of a genus; and (c) for a name of a species or infraspecific taxon, the earlier description or diagnosis must be that of a species or infraspecific taxon (but see Art. [Prop. 289]).”

Also, move the relevant Examples from Art. 41 to Art. 32. If desired, the two Notes in Art. 41 could be moved to follow Art. 32.1 (rather than the newly rephrased provision, as they concern exceptions to the requirement for an accompanying description or diagnosis, rather than to a reference to one).

(289) If Prop. 117 is accepted, move the second half of Art. 41.3 to Art. 42, rephrasing accordingly:

“42.1bis. A name of a species may be validly published by a reference to a genus, if the following conditions obtain: (a) the name of the genus was previously and validly published simultaneously with its description or diagnosis and (b) neither the author of the name of the genus nor the author of the name of the species indicates that more than one species belongs to the genus in question.”

In its scope, Art. 41.3(c) is fairly similar to Art. 42, in that it also deals with monotypic genera. The rephrasing is modelled on Art. 42.1, but retaining the essential wording of Art. 41.3. Also, move Art. 41 Ex. 4 to follow the provision in its new placement.

(290) A proposal on illustrations with analysis

R.K. Brummitt

The Herbarium, Royal Botanic Gardens, Kew, Richmond, Surrey TW9 3AE, U.K. r.brummitt@rbgkew.org.uk

The concerns expressed by Braga & Joffily (in *Taxon* 58: 665–666. 2009) over the wording of the *Code* (McNeill & al. in *Regnum Veg.* 146. 2006) concerning illustrations with analysis are supported. However, as an alternative to the proposals made by them to improve the wording and change somewhat the thrust of the rule, the following simplified rewording is proposed for consideration.

(290) Delete Art. 42.3 and 42.4 and replace Art. 44.1 and 44.2 by:

“44.1. Prior to 1 January 1908, for a name of a species or infraspecific taxon of vascular plants to be validly published, an illustration with analysis is acceptable in place of a written description or diagnosis (Art. 32.1(d)) or in place of a descriptio generico-specifica

(Art. 42). For the purposes of this Article, an analysis is a figure or group of figures separate from the main illustration (though often on the same page or plate), with or without a separate caption, illustrating part or parts of the plant in greater detail or magnification than in the main illustration.”

“44.2. Prior to 1 January 1908, for a name of a species or

infraspecific taxon of non-vascular plants to be validly published, any illustration (with or without an analysis) is acceptable in place of a written description or diagnosis (Art. 32.1(d)) or in place of a descriptio generico-specifica (Art. 42).”

Put appropriate cross references under Art. 32.1(d) and 42.1.

(291) A proposal to amend the wording of Article 48.1 and insert a new Article 48.2

Gillian Perry

Western Australian Herbarium, Department of Environment and Conservation, Locked Bag 104, Bentley Delivery Centre 6983, Western Australia. gperry@cygnus.uwa.edu.au

It is not clear what is meant in Art. 48.1 by “original type”, a term usually used in connection with the name of a genus, but clearly the equivalent for the name of a species must be holotype. But “original type” is often considered to have been excluded if for example in the case of a generic name all the elements eligible as types have been excluded or in the case of a species name if all the syntypes have been excluded. The proposal presented below would clarify this.

(291) Delete “original” in the first line of Art. 48.1 and add a new Art. 48.2:

“48.2. For the purpose of Art. 48.1, exclusion of a type means exclusion of (a) the holotype under Art. 9.1 or the original type under Art. 10 or all syntypes under Art. 9.4 or all elements eligible as types under Art. 10.2; or (b) a previously designated type under Art. 9.9–9.11 or 10.2; or (c) a previously conserved type under Art. 14.9.”

(292) *Acacia*: a solution that should be acceptable to everybody

R.K. Brummitt

The Herbarium, Royal Botanic Gardens, Kew, Richmond, Surrey TW9 3AB, U.K. r.brummitt@rbgkew.org.uk

In recent decades, taxonomic work on the traditional broad genus *Acacia* Mill. has shown that it should be split into at least three genera (see Pedley in Bot. J. Linn. Soc. 92: 219–254. 1986). With the original type, *A. scorpioides* (L.) W. Wight (applying to a species now known as *A. nilotica* L.), this would mean that almost all the estimated 1160 or so Australian taxa should be transferred to *Racosperma* Mart., while *Acacia* would apply only to about 180 species, of which about half occur in Africa, the remaining African species being referable to *Senegalia* Raf. whether or not *Acacia* is conserved with a different type. Likewise the Asian and American species would be divided similarly between *Senegalia* and *Acacia*. In order to prevent so many name changes, Orchard & Maslin (in Taxon 52: 362–363. 2003) published a proposal to change the type of *Acacia* to *A. penninervis* Sieber ex DC. After considerable discussion both outside and within the Committee for Spermatophyta, conservation was recommended by that Committee (Brummitt in Taxon 53: 813–825. 2004) and approved by the General Committee (Barrie in Taxon 55: 798. 2006). At the Nomenclature Section of the XVII International Botanical Congress (IBC) in Vienna in 2005 there was further discussion and a vote taken on whether or not to accept that part of the General Committee report recommending conservation of *Acacia*. According to the procedure agreed upon by the Section immediately prior to consideration of Committee reports, the attempt to reject the Report was unsuccessful and *Acacia* appears in the current Code as a conserved name, but the legality of the procedure adopted and therefore the validity of the Vienna decision has been questioned (Moore & al. in Taxon 59:

1188–1195. 2010). The present proposal aims to make these questions superfluous and to provide a practical solution that all can accept.

The essential facts of the matter have often been abandoned, and we are left with mere emotional outpourings. But there has been no bias against African interests by anyone. It is just that, with a global perspective, and especially bearing in mind the very big disparity in the number of species affected, a significant majority within the committees considered that nomenclatural stability was best served by accepting the proposal.

Those who still feel strongly that conservation with an Australian type has benefited Australia at the expense of the developing world have the right to raise their arguments again at the XVIII IBC in Melbourne. However, as those who support conservation with an Australian type will no doubt also present their point of view strongly, there would appear to be little hope of agreement being reached. This does not mean, however, that it is not highly regrettable if all the African species have to change their names, just as it would be if the Australian species were so affected. There are very strong practical (if not nomenclatural) arguments on both sides.

Both sides will claim that the name *Acacia* is so deeply ingrained into the minds of those who live in the regions where they grow that changing it is *unthinkable*. Extreme problems require extreme solutions. The problem of *Acacia* sensu lato is unique in the size and importance of the group and the geographical distributions of the segregate genera, and how we solve it is very unlikely to impact on other names in the future. The following solution should satisfy both