

that *Hortulanus* Vieillot, 1807, had no standing under the new Article 30 of the International Code of Zoölogical Nomenclature, inasmuch as the author failed to designate its type when founding it, and later ignored it, transferring its three original species to other genera founded by him later, one of these species becoming the type of another genus, and the other two becoming types by subsequent designation of still other genera, the genus *Hortulanus* not having in the meantime been cited by any other author, except in synonymy, and without designation of a type. Since the publication of this dictum several correspondents have written to me taking exception to it, on the basis, apparently, that a genus properly published cannot be ignored, and if not a homonym must be retained for some one of its original species. (See A. O. U. Code, Canon XIX.)

As already shown elsewhere,<sup>1</sup> the three original species of *Hortulanus* are (1) *Hortulanus erythrophthalmus* (= *Fringilla erythrophthalma* Linn.), which became the monotypic type of *Pipilo* Vieill. in 1816. (2) *Hortulanus albicollis* (= *Fringilla albicollis* Gmel.), which became type by designation of *Zonotrichia* Swains. 1831 in 1832. (3) *Hortulanus nigricollis* (= *Emberiza americana* Gmel.), which became the type of *Spiza* Bonap. 1824 by subsequent designation of the founder in 1827.

If *Hortulanus* is to be retained as a properly founded generic name, the application of the rule of priority to the case would make *Fringilla albicollis* the type, and *Zonotrichia* a synonym of *Hortulanus*.—J. A. ALLEN, *American Museum of Natural History, New York City.*

**The Accidental Occurrence of the Green-tailed Towhee (*Oreospiza chlorura*) in Virginia.**—Mr. John B. Lewis captured a male of this species at his home, one mile west of Bower's Hill, Virginia, on January 26, 1908, which was subsequently sent to me for identification. The bird was first discovered by his fourteen year old son, in company with White-throated Sparrows, in a thicket along the edge of an open field, and Mr. Lewis stated that its actions resembled very closely those of the sparrows. Bower's Hill is about seven miles southwest of Portsmouth, and within a mile of the border of the Dismal Swamp.

So far as I can find, there is no other published record of the Green-tailed Towhee east of San Antonio, Texas.

The specimen in question, although in very poor condition when received, was immediately preserved and is now in the writer's collection.—G. C. EMBODY, *Ashland, Va.*

**Type Locality of *Vireo pusillus*.**—It is unfortunate that Mr. Grinnell (see Auk, January, 1908, pp. 85, 86) was not able to consult the original description of *Vireo pusillus*, for if he had done so it would have been quite clear to him that the type specimen — that is, the specimen on which the description was based — is given as "No. 16,954, Smiths. Register, ♂,

<sup>1</sup> Bull. Amer. Mus. Nat. Hist., XXIII, p. 360, April 15, 1907.