

1974

Front Matter

Follow this and additional works at: <https://scholar.smu.edu/jalc>

Recommended Citation

Front Matter, 40 J. AIR L. & COM. i (1974)
<https://scholar.smu.edu/jalc/vol40/iss2/1>

This Front Matter is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in Journal of Air Law and Commerce by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

The Journal of Air Law and Commerce

VOLUME 40 ISSUE 2

SPRING 1974

TABLE OF CONTENTS

RECENT PROPOSALS FOR CONCERTED ACTION AGAINST STATES IN RESPECT OF UNLAWFUL INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION *Gerald F. FitzGerald* 161

AMENDMENTS TO THE CHICAGO CONVENTION: LESSONS FROM PROPOSALS THAT FAILED . *Dr. Z. Joseph Gertler* 225

REGULATION OF STRATOSPHERIC FLIGHTS IN ORDER TO CONTROL ADVERSE ENVIRONMENTAL EFFECTS *Paul B. Larsen and Edgar S. Faggen* 259

CASE NOTES

SEARCH AND SEIZURE—AIRPORTS—Search of Two Defendants and Seizure of Heroin Did Not Violate Fourth Amendment Rights Since the Search and Seizure Were Reasonable in Light of the Threat of Hijacking. *United States v. Legato*, 480 F.2d 408 (5th Cir. 1973). 301

CONSTITUTIONAL LAW—THE TWENTY-FIRST AMENDMENT—State Law Relating to Sale of Alcoholic Beverages Applies to AMTRAK. *National R.R. Passenger Corp. v. Miller*, 358 F. Supp. 1321 (D.C. Kan. 1973), *aff'd*, 414 U.S. 948 (1973). *National R.R. Passenger Corp. v. Harris*, 354 F. Supp. 887 (W.D. Okla. 1972), *rev'd*, 490 F.2d 572 (10th Cir. 1974). 309

CLASS ACTION—MASS ACCIDENT LITIGATION—Class Action is Appropriate Procedure for the Determination of Severed Liability Issue in Mass Accident Litigation Arising Out of a Mid-Air Collision. *Petition of Gabel*, 350 F. Supp. 624 (C.D. Cal. 1972). 320

Joseph Webb McKnight, B.A., B.A. (Oxon.), B.C.L., LL.M., *Professor of Law*
Charles J. Morris, B.A., LL.B., *Professor of Law*
Joe Scott Morris, B.A., LL.B., LL.M., *Professor of Law*
Julio Cueto Rua, Doctor of Law, LL.M., *Visiting Professor of Law*
Peter W. Schroth, A.B., J.D., M.C.L., *Assistant Professor of Law*
Ellen Solender, B.A., J.D., *Assistant Professor of Law*
Walter W. Steele, Jr., LL.B., LL.M., *Professor of Law*
William P. Streng, B.A., J.D., *Associate Professor of Law*
Howard J. Taubenfeld, A.B., LL.B., Ph.D., *Professor of Law*
A. J. Thomas, Jr., B.S., LL.B., LL.M., S.J.D., *William Hawley Atwell Professor
of Constitutional Law*
Cliff F. Thompson, A.B., M.A., J.D., *Professor of Law*
Harvey Wingo, B.A., M.A., J.D., *Professor of Law*
Peter Winship, B.A., LL.B., LL.M., *Assistant Professor of Law*

FIFTH AMENDMENT TAKING—INVERSE CONDEMNATION
 —Before a Taking Under the Inverse Condemnation Theory
 Will Be Found, Permanence Must Be Established Both in
 the Federal Activity Alleged To Have Caused the Damage
 and in the Resulting Burden Placed on Private Property.
Wilfong v. United States, 480 F.2d 1326 (Ct. Cl. 1973). . 332

FEDERAL PRE-EMPTION—AVIATION NOISE CONTROL—
 The Federal Aviation Administration, Monitored by the En-
 vironmental Protection Agency, Has Full Control Over
 Aviation Noise, Pre-empting State and Local Control, In-
 cluding a Municipal Ordinance Which Imposed a Curfew on
 Certain Jet Take-offs During Certain Night-time Hours. *City
 of Burbank v. Lockheed Air Terminal, Inc.*, 411 U.S. 624
 (1973) 341

CURRENT LITERATURE

BOOK REVIEW

AIR TRANSPORTATION *Robert M. Kane and Allan D. Vose* 353

BIBLIOGRAPHY 357

Subscription prices: United States, \$12.00 per year, \$33.00 for three years; for-
 eign, \$13.00 per year, \$36.00 for three years. Replacement copies are sent to
 subscribers upon prompt notification of non-receipt or defective copies. Single
 copies of issues from Volume 28 (1962) through Volume 33 (1967), \$5.00. Vol-
 ume 34 to date, \$4.50.

Subscriptions are renewed automatically upon expiration unless the subscriber
 sends timely notice of termination. All notifications of change of address should
 include old address, including zip code, and new address, including zip code.
 Please notify one month in advance to insure prompt delivery.

Address inquiries to *The Journal of Air Law and Commerce*, School of Law,
 Southern Methodist University, Dallas, Texas 75275.

Published four times a year by Southern Methodist University Law students.

© Copyright 1974 by the School of Law, Southern Methodist University

Second-class postage paid at Dallas, Texas

ADVISORS

- Richard J. Barber
President, Richard J. Barber
Associates, Inc.
Economic Counsel
Washington, D.C.
- The Honorable James R. Browning
Circuit Judge
United States Court of Appeals for
the Ninth Circuit
San Francisco, California
- Harold Caplan
International Insurance
Services
London, England
- The Honorable
J. Braxton Craven, Jr.
Circuit Judge
United States Court of Appeals
for the Fourth Circuit
Asheville, North Carolina
- Carl J. Fulda
School of Law
University of Texas
Austin, Texas
- The Honorable Floyd R. Gibson
Circuit Judge
United States Court of Appeals
for the Eighth Circuit
Kansas City, Missouri
- The Honorable Irving L. Goldberg
Circuit Judge
United States Court of Appeals
for the Fifth Circuit
Dallas, Texas
- Lucile S. Keyes
Economist
Washington, D.C.
- Andreas F. Lowenfeld
School of Law
New York University
New York City, New York
- Paul B. Larsen
Department of Transportation
Washington, D.C.
- Eugene Jericho
Attorney at Law
Dallas, Texas
- R. H. Mankiewicz
Faculte de Droit
University of Paris
Paris, France
- The Honorable
Charles M. Merrill
Circuit Judge
United States Court of Appeals
for the Ninth Circuit
San Francisco, California
- The Honorable Alfred P. Murrah
Chief Judge
United States Court of Appeals
for the Tenth Circuit
Oklahoma City, Oklahoma
Chairman
Committee of the Judicial Conference
of the United States
Washington, D.C.
- The Honorable John W. Peck
Circuit Judge
United States Court of Appeals
for the Sixth Circuit
Cincinnati, Ohio
- The Honorable
Sterry R. Waterman
Circuit Judge
United States Court of Appeals
for the Second Circuit
St. Johnsbury, Vermont