

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/iss4/1>

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 4

AUTUMN 1974

## TABLE OF CONTENTS

### CARL H. FULDA DEDICATION

THE AIRCRAFT MANUFACTURER'S LIABILITY FOR  
DESIGN AND PUNITIVE DAMAGES—THE INSURANCE  
POLICY AND THE PUBLIC POLICY . *Donald M. Haskell* 595

PROBLEMS OF FEDERAL AND STATE COURT  
JURISDICTION AND VENUE IN PRODUCTS  
LIABILITY LITIGATION—DEFENDANT'S  
VIEWPOINT . . . . . *Maurice L. Noyer* 637

FEDERAL COMMON LAW OF AVIATION AND  
THE ERIE DOCTRINE . . . . . *David E. Prewitt* 653

PRACTICAL ASPECTS OF GENERAL  
AVIATION LITIGATION . . . . . *Neil D. Reid* 661

### NOTES

AIR TRANSPORTATION OF RADIOACTIVE  
MATERIALS . . . . . *Eyberg* 681

CONSEQUENTIAL AND SPECIAL DAMAGES:  
TEMPEST IN THE TARIFF . . . . . *Johnston* 704

### CASE NOTES

AIR CARRIERS—TORT LIABILITY—An Air Carrier Is  
Obligated to Exercise a High Degree of Care, Not Only  
in the Transit Stage of its Operation, But in the Ticket-  
Selling Stage As Well. *Suarez v. Trans World Airlines,  
Inc.*, 498 F.2d 612 (7th Cir. 1974). . . . . 723

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*

AIR SERVICE—ROUTE CERTIFICATION—The Civil Aeronautics Board May Authoritatively Issue a Temporary Certificate of Public Convenience and Necessity Covering a Route From Which Two Permanently Certified Airlines Are Concurrently Suspended. <i>Western Air Lines, Inc. v. CAB</i> , 495 F.2d 145 (D.C. Cir. 1974). . . . .	735
CONSTITUTIONAL LAW—SUMMARY SEIZURE OF PROPERTY—The Statutory Scheme Authorizing The Seizure, Without Prior Notice Or Hearing, Of Aircraft Involved In Any Violation Of The Federal Aviation Act Is Constitutional. <i>Aircrane, Inc. v. Butterfield</i> , 369 F. Supp. 598 (E. D. Pa. 1974). . . . .	749
AIR CARRIERS—REFUSAL TO CARRY PASSENGER—DISCRIMINATION—49 U.S.C. § 1511 Allows a Common Carrier to Refuse Transportation to a Fugitive from an Indictment and FBI Warrant Without Liability for Discrimination Under 49 U.S.C. § 1374(b). <i>Williams v. Trans World Airlines, Inc.</i> , 369 F. Supp. 797 (S.D.N.Y. 1974). . . . .	767
 CURRENT LITERATURE	
BIBLIOGRAPHY . . . . .	783
INDEX—VOLUME 40 . . . . .	iii

Subscription prices: United States, \$12.00 per year, \$33.00 for three years; foreign, \$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. Volume 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 1975 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
- 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