

1939

## Editorials

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## EDITORIALS

### GOODS BY AIR

The policy of air transport development in the United States, both private and governmental, has been that of having air mail pay to carriers not exceed air mail revenues. Although there is yet some controversy on the subject, the domestic carriers have attained this goal substantially and as a result, extension of air mail service, including feeder service, is in the offing. This result has been accomplished in large degree by the magnificent increase in passenger business produced by the air carriers. While the saturation point in passenger traffic has not been reached, it is to be noted that the revenue passenger load factor for the first six months of 1939 was 53.84 per cent, an increase of 13.83 per cent over the same period in 1938. Any good operations manager will tell you that when you have more than 60 per cent of your seats regularly occupied, you are confronted with the problem of added schedules and second sections if you are to take care of all of those increasing surges of unexpected and emergency traffic and not lose passengers to other forms of transportation. Therefore with Douglas DC-3 aircraft as standard equipment for air carriers for a year or two yet to come, there is a problem as to what revenues may be produced from sources other than passengers and mail.

The air transport industry has slowly increased its revenues for the carriage of goods from less than 1 per cent of total revenue to but approximately 3 per cent, and the goods carried have been so limited in size and weight as to be called "air express". In the first two years following the air mail cancellation air express pounds carried showed a greater percentage of increase each successive year than did passengers carried, but beginning with 1937 the annual percentage increases for express pounds carried have fallen behind, and this during a period when the Railway Express Agency, taking over the air express field, added a complete country-wide coverage with an excellent pick-up and delivery service. The contrast just pointed out either means that there is no great opportunity for the carriage of goods by air or that the field has been inadequately explored. To the end that the question may be examined there is published in this issue the painstaking and interesting article of William M. Sheehan on "Air Freight for the United

States." It is hoped that it will be the forerunner of other contributions in this field.

### HURRY UP CAPA

We invite you to read most carefully the article in this issue by Samuel E. Gates, Chief, International Division, Civil Aeronautics Authority, on "International Control of Aviation in Time of Peace." From it you will see that the United States has already entered into nearly one hundred international treaties which affect the national air sovereignty of the United States, the registration and airworthiness of our aircraft, the competency of our airmen, the prohibition of the transport of certain kinds of articles, and the liability of the air carrier to passengers and shippers. To these should be added the pending proposals to establish rules for the determination of damages to persons and property on the ground and for collision, for mortgagees of aircraft, for salvage, for lessors and lessees, for attachment of aircraft, and in connection with aircraft personnel's contract of employment and the aircraft commander's authority. Practically all of these treaty commitments and proposals have been patterned after the so-called CINA, an international organization dealing with public air law and of which the United States is not a member, and the so-called CITEJA, an international organization dealing with private air law and with which the United States became officially identified in 1935. Both of these organizations had their origin in Europe and have their main offices there and are staffed by Europeans. It was inevitable that the underlying tenets of the treaties have had a distinct European flavor and background.

Now that World War II is on Mr. Gates' article and any discussion of the subject matter may at first blush seem moot, but just the contrary is true. The Europeans are so busy with the military, which has always been their prime air objective rather than commercial development, that they have ceased to press their civil international proposals, as evidenced by the postponement of the CITEJA meeting in Luxembourg and the New York meeting of the International Air Traffic Association (the first to be held on American soil), both scheduled for September of this year. On the other hand, at the Inter-American Technical Aviation Conference at Lima, Peru, in 1937 a resolution was adopted for the creation of the Permanent American Aeronautical Commission, commonly called CAPA from the first letters of its official name, *Comision Aeronautica Permanente Americana*. This is an organization designed

to cover both public and private air law for the two American continents. It will come into being when national commissions composed of aviation experts are organized in at least seven American republics irrespective of their participation at Lima. Within twelve months after that takes place the first session of CAPA will be held at Bogota, Colombia. So far as can now be ascertained the United States Commission has not been named. However, this could easily and quickly be done with the cooperation of the leading aeronautical groups of the United States, and, with Pan American unity as never before, the permanent inter-continental organization could be set up and functioning. Best of all this can be done with almost no European influence, which no one will now deny was most active in South America in every respect prior to World War II.

#### THE CAA CHOOSES A GENERAL COUNSEL

The Civil Aeronautics Authority has recently announced its appointment of L. W. Pogue as its General Counsel. The choice is a happy one and brings much satisfaction and comfort to everybody connected with aeronautics. For the past year Mr. Pogue as Assistant General Counsel has carried the burden of the office with patience, ability, and a most refreshing good humor in the face of the many obstacles that arose in connection with a new law, a new agency, and a national program of aviation expansion. Mr. Pogue not only has the necessary ability, but he is an unusual listener, a good learner, and with it all young enough to be thoroughly in sympathy with the new problems of aviation and to recognize that they are neither to be fettered by ancient precedents nor to be treated as freaks.