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Book Reviews

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BOOK REVIEWS

THE SOCIAL EFFECTS OF AVIATION, by William Fielding Ogburn.
(Boston: Houghton Mifflin Co. 1946. pp. iv, 755. \$5.00.)

In this study Professor Ogburn attempts "to foresee the changes that are coming because of aviation." He suggests that the book, "though viewed as a contribution to social science, should be of value to all who look ahead and want to know how their lives, their businesses, their institutions, and their plans will be affected by this great new transportation invention."

The book is divided into three divisions. Part I provides a general background. The author discusses the social effects of the automobile, and reviews the development of airplanes and the growth of the air transport industry in the United States. To clarify the procedure in later sections, a chapter is presented on the methodology and limitations of forecasting in the field of social sciences. This is followed by a consideration of the special problems in predicting the social effects of inventions.

Part II is a study of various aspects of air transportation. Chapters are presented on aircraft, transportation of passengers, mail and goods, airports, feeder lines, private flying, air routes, and international travel. Recent trends are analyzed and a forecast is presented in each of these chapters.

Following these predictions, Part III considers the effects of air transportation on our daily life, our customs, and interests. The inquiry concludes with an excellent bibliography and index.

According to Dr. Ogburn, the influence of aviation will be felt materially in education, government, public administration, international relations, recreation, religion, medicine, marketing, mining, real estate, agriculture, forestry, newspapers, stock raising, the configuration of cities, and the competitive railroad and ocean shipping industries. It will probably have little influence on population, crime, and manufacturing.

This book will be particularly helpful to people who are interested in a source which provides a broad perspective of probable developments in air transportation, and of the influence which the industry is likely to exert on various social and economic groups. Good use has been made of material previously published, and the results of original research also are presented, as in the chapter on newspapers. Recent traffic data indicate that the traffic forecasts were conservative.

The author has done a commendable job on the task set for himself.

H.W.T.

THE BUSINESS LAW OF AVIATION, by Gerald O. Dykstra and Lillian G. Dykstra. (New York: McGraw-Hill Book Company, Inc., 1946, pp. 523. \$5.00.)

This book, containing text material and court decisions, is designed to present the legal background of problems arising in aviation law. The authors have limited the selection of cases to those indicating the trends which various jurisdictions may be expected to follow in the future, and which may affect the average citizen in his dealings with any aspect of aviation.

This study has been divided into the following sections: Part I, Introduction, scope, and definitions; Part II, Jurisdiction and Regulation, covering Federal, State, and municipal control, including eminent domain; Part III, Major Torts, dealing with trespass, nuisance, and negligence; Part IV, Common Carriers; Part V, Insurance and Workmen's Compensation; Part VI, Contractual Relationships, including contracts and bailments; Part VII,

Penalties and Crimes; and Part VIII, International Aspects, covering the Warsaw, Rome and Brussels Conventions.

The purpose of the book is "to present a convenient compilation of the leading court decisions which have involved some aspect of aviation and to call attention to the Federal and State statutes which govern this field of business. The analyses and discussions of the Federal and State aeronautical statutes and court decisions are written in simple, concise language which the student and layman can easily understand. Special attention is given to recent advances in the field and an entire chapter has been devoted to the international aspects as involved in the CITEJA Conventions." Consistent with their purpose, the authors have filled a genuine need by providing a book which is readily adaptable as a text for an introductory course in aviation law. Their book is fairly broad in scope, presents the fundamental problems arising in the field, and includes, at the end of each chapter, ample material for class-room discussion and examination in the form of questions drawn from the facts of reported cases.

Other books on aviation law, such as those written by Fixel and Hotchkiss, refer to cases only in footnotes to give authority for statements of legal principles made in the text. On the other hand, most legal text books, designed for students of law, present the material as cases, or case studies. The Dykstras, however, have combined text material with reported cases, and by so doing have somewhat lessened the value inherent in either method of presentation.

The layman who is engaged in some phase of the aviation industry, upon reading a law case is likely to become confused or disinterested to the point that he does not recognize the legal principles set forth. If he does find a statement of facts similar to his own, he must still seek legal advice for the full ramification and meaning of the law as it applies to his situation. By presenting and then discussing cases, the authors have endeavored to clarify the resulting principles of law so that they may be better understood by the average citizen. Whether or not the layman can, in many instances, find the solution to his individual problem with the aid of this text alone remains to be seen.

While this book can be used to advantage by students, it is not sufficiently thorough to be used as a reference book or text by the members of the legal profession. It does not contain a really exhaustive study of the many problems of air law, nor have the authors cited any of the documentary material and articles published in the various law reviews and current periodicals.

As far as it goes, this book can be useful to many people, laymen and students, and may stimulate the interest of others in the vast problems of aviation law.

LOUIS E. BLACK, JR.*

* Member of West Virginia Bar; Graduate Student, Northwestern University School of Law.

