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Book Reviews

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BOOK REVIEWS

DOMESTIC MAIL RATE DECISIONS, by Frederic P. Kimball. (Published by author at 400 Benedict Avenue, Tarrytown, New York 1949, pp. 258, \$175.)

It is often noted that the body of literature on the regulatory problems of the airlines is lagging behind the remarkable evolution of American civil air transport services. To the specialists, experts and scholars concerned with and troubled by the fundamental questions of economic policy, this definitive survey of those opinions of the Civil Aeronautics Board granting permanent mail rates for domestic carriers will be both welcome and useful.

The author, an experienced economic consultant on airline problems, has utilized an effective "subject" breakdown of the sixteen Board decisions affecting nine trunklines and six feeder carriers. The fourteen sections cover CAB determinations on decisions and rates, comparable services, schedules, equipment, non-mail revenues, general operating expenses, flying expenses, direct maintenance expense, depreciation of flight equipment, ground and indirect expense, miscellaneous costs and credits, recognized investments, detailed investment adjustments, and determination of mail rates.

The final section "proves out" the rates established and offers a statistical description of the sliding scale formulae without the complexities of reference to designated mileage. As each opinion ordinarily sets both a retroactive rate and a future one, some thirty-three are treated with a minimum of editorializing and/or prophetic judgment. Yet careful study of this handily cross-indexed tome will certainly provide the specialist with a number of clues to present views and probable attitudes.

While the detailed nature and relatively high price may limit the circulation of Mr. Kimball's analytical study, this book seems likely to receive a good deal of attention from carriers and counsel involved in domestic mail rate proceedings before the Civil Aeronautics Board. Scholars and research personnel may be encouraged to learn that some reduction in price for universities and eleemosynary institutions is contemplated.

EDWARD C. SWEENEY

LE CABOTAGE AERIEN, by Dr. Alex Meyer. Paris, 1948: Les Editions Internationales. 84 pages, with an extensive bibliography, index, and table of abbreviations.

This is an excellent study of the problem of the Five Freedoms—more especially the fifth. For while cabotage in river and coastwise law means local traffic along the edges of the free high seas and international areas, cabotage in air law means domestic as opposed to boundary-crossing aviation. After an introductory account of cabotage or the coastwise privilege in maritime law, and the corresponding solutions discussed and attained for the European river systems, Dr. Meyer plunges into the story of the struggle between those who would keep the foreign aviators out, and those who would let them in—from the Paris Conference of 1910 to the Chicago Conference of 1944 and its aftermath. The statements are copiously and well documented; Dr. Meyer has long been a student of air law, and his mind

is well stocked with information. He is generous in making these facts conveniently available to the new generation of administrators and experts in air law.

Those who regulate our aviation often seem to be too much interested in telling us what we shall not do. Air carriers—like all carriers—exist to serve the public which wants to be transported. Dr. Meyer aptly re-tells the story of the bull-fighter who wanted to go from Madrid to Barcelona to appear in the bull-ring, and found that the local flight of the domestic airline happened to be cancelled. However, the Swedish plane on the Madrid-Barcelona-Geneva-Stockholm route was about to depart, and he sought a ticket. Under the cabotage rules he was turned away; so he bought a ticket to Geneva and got aboard. At Barcelona, they would not let him land until he announced his intention to continue to Geneva the next day. This sets the key for much of what the author has to say about cabotage—the effort to throw business to the local airline and to place economic burdens on the foreigner, sometimes without much thought about the convenience of the travelling public.

Cabotage is capable of many refinements of meaning. Indeed, the “five” freedoms stated at Chicago do not exhaust the possibilities. Most valuable therefore is that part of Dr. Meyer’s study which discusses these details. We say that the domestic privilege is reserved as to domestic transport; just what is this? The Chicago text says it is carriage for remuneration or hire. Earlier texts spoke of commercial transport. When an industrial unit uses airplanes to transport company goods and personnel, or when Mr. Rich charters an airplane to take a party of friends on an international tour, is it commerce? Is it for hire? What of a travel agency which uses aircraft for its group of tourists?

Looking at other forms of transportation, we see that cabotage is often limited to goods, as distinguished from passengers; and sometimes limited to goods of domestic origin or manufacture. Cabotage may deny or limit the right to trans-ship and to warehouse in transit. If a foreign airplane crossing my country breaks down, may the foreigner send in another ship to pick up the goods and take them to destination? Or do I insist that the on-carriage must be in my domestic ships? Among the eighty-odd sovereign States now in control of the over-land airspaces of this globe, there can be numerous shades of meaning for cabotage as stated in Article 7 of the Chicago Convention. Each can admit what it pleases; the sole restriction is that there shall be no exclusive rights—such as China has given the U.S.S.R.

Dr. Meyer reminds us of the fluctuating struggle between those who would limit the cabotage local monopolies to “*marchandises*,” goods or cargo, and others who would apply it to “*choses*” or things generally. Again, there is the argument about the factors which affect the nationality of an airplane. Some States wish to look behind the document of national registration, and judge who really owns it, where the money comes from, where the commander and crew are domiciled and how they have been trained. When a man registers and operates a plane under some foreign flag, what are the rights of his enterprise in his own country? Under the heading “international transport,” the author discusses the status of an airplane arriving from a ship at sea or in the territorial waters of some State, including those of the State where the airplane descends.

The meaning of the word “territory” requires analysis; so does “*escale intermediaire*” or intermediate stop. There is strong difference of opinion among high authorities as to the status of a circular or sight-seeing flight—

"baptêmes de l'air"—which returns to the starting point. And there is the problem of the legal status of air mail transport. In resumé, the author finds that the language of Article 7 of the Chicago Convention expresses suitable and flexible principles, and urges liberal interpretations of the restrictive powers granted.

An English language version of this study would be useful.

ARNOLD W. KNAUTH*

PRIVATE PILOT TRAINING, Edited by Harold E. Baughman and Iris C. Critchell. (Published by Aviation Sales Corporation, Los Angeles, California, 1949, pp. 374. \$4.00.)

Private Pilot Training does not pretend to be completely original in context. It demands attention, however, as a compilation of authoritative source material arranged for logical instruction.

The editors, Harold E. Baughman and Iris C. Critchell, have achieved a horizontal organization of material at the private pilot's level which, as a single text, should prove much more satisfactory than the customary excerpts from several texts that are vertical organizations of material by subject. The student no longer has to determine how much of the navigation text he should cover to meet the needs of private flying, or how much of the meteorology text he can reasonably overlook as being beyond his needs. The pertinent material is exceptionally well covered in *Private Pilot Training*.

From the standpoint of the student, it is excellent. It includes all subjects which are essential to piloting, yet the scope of each subject is limited to the material which is useful to the *private* pilot. The book is very well illustrated with photographs, charts, and diagrams which make it easy for the student to grasp the subject matter. The value of the theory presented is enhanced by practical interpretations showing specific applications to *private* flying. The editors obviously have considerable experience in the type of flying about which they are writing, and thereby achieve a refreshing balance of theoretical and practical information.

An instructor with a knowledge of the subject matter can quickly locate any item in the well organized text, but the curious student, for whom the book was primarily written, may well have his question unanswered by want of an index. Many instructors will miss a good set of study questions at the end of each chapter. These are the only major points of criticism that most teachers will have with the text.

Again, the text is well adapted to the needs of the instructor. The material is divided into six parts which correspond to the six curriculum requirements laid down by the Civil Aeronautics Administration for approved basic ground schools. These six parts are titles in the text as follows: Part I, Civil Air Regulations; Part II, Air Navigation; Part III, Meteorology; Part IV, General Service of Aircraft; Part V, Aeronautical Radio; Part VI, Flight Training. The treatment of each part is characterized by (1) authoritative source material with excellent interpretation, and (2) exceptional thoroughness within the realm of utility to the *private* pilot.

A great portion of the material has been taken from the many Civil Aeronautics Bulletins published by the federal government dealing with

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pilot training, air navigation, aerodynamics, aircraft and engines, radio and meteorology. Other material was freely used wherever needed to complete the treatment of the subject.

The publishers have set for themselves the goal of frequent revision of the text to keep the subject matter continually up-to-date. This is a commendable goal and their success can only be judged by future editions. The size of the problem is best indicated by the fact that although the first edition was apparently correct in every detail at the time of publication in 1948, it is now, only a few months later, already incorrect in its explanation of some phases of teletype weather reports, and the interpretation of coded information on the weather map.

The publishers have developed a clever device to provide the users of the text with current Civil Air Regulations, and the latest aeronautical charts. When the student or instructor is about to begin the study of Civil Air Regulations, he merely clips a coupon in the back of the text and sends it to the publisher, who then sends him the latest copy of the Civil Air Regulations with all amendments. In like manner, before beginning the study of navigation, a similar coupon will bring the latest editions of the two aeronautical charts used in the illustrative navigation problems.

If the plans of the publishers materialize, this will be only the first in a series of texts to cover separately the ground school material required for four different pilot ratings. The other three ratings are (1) Commercial, (2) Instrument, and (3) Instructor.

Private Pilot Training, published by Aviation Sales Corporation, Los Angeles, succeeds in its purpose of being a unified, authoritative text. Although it can be improved, it is the best textbook on the subject available to date.

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