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## Editorial

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# THE JOURNAL OF AIR LAW

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## EDITORIALS

### NEW EDITORIAL BOARD MEMBERS

With this issue, several important additions have been made to the editorial board of the Journal. Associated with the Air Law

Institute, and directing the editorial work in the field of radio law is Mr. Louis G. Caldwell, formerly General Counsel for the Federal Radio Commission, and now Chairman of the American Bar Association Committee on Radio Law. He will also represent Northwestern University on the board.

Other experts on radio law include Commander Craven, Hon. Stephen Davis, Dr. Willy Hoffmann, Hon. Ira E. Robinson, William R. Vallance, and Hon. Wallace H. White, Jr., the last mentioned having drafted the House bill which, by amalgamation with Senator Dill's bill in the Senate, became the Radio Act of 1927.

In aeronautical law, the Journal is fortunate in having the valued assistance of representatives from three foreign countries, as follows: Brig.-General The Rt. Hon. Lord Thomson of Cardington, C. B. E., D. S. O., Secretary of State for Air, of Great Britain; M. Albert Roper, Secretary-General of the International Aerial Navigation Commission; Professor André Henry-Coüannier, editor of the French Air Law Journal, *Droit Aérien*; and, representing Germany, Dr. Alfred Wegerdt, Ministerial Counsellor at the Ministry of Communications of the Reich, Berlin.

The July issue will carry additional names of experts invited to serve on the board, but whose acceptances have not yet reached the editors. Representatives of Italy have already indicated a willingness to cooperate in the publication of this Journal and definite word will soon be had from them. The willingness of all these esteemed gentlemen to offer their assistance shows the real need for such a Journal devoted to air law in all its phases.

### THE SUMMER INSTITUTE

The Summer Institute will be held in Chicago, August sixth to nineteenth, inclusive, and it has just been decided that the first National Air Parley will be held during the three days from August eighteenth to twentieth. The Institute and the National Parley will hold joint meetings during this period. The annual meeting of the American Bar Association, with members of the English, Scotch, Irish, and Paris Bars and invited guests, will come from August twentieth to twenty-third, followed by the National Air Races—all to be held in Chicago. August will be *Aviation Month* for Chicago!

The Summer Institute will be conducted for the needs of all parties interested. Regular courses of instruction on the fundamental principles of American air law will be given for lawyers,

laymen, and law students who are not familiar with the development of this field of law. Other courses of instruction will be given by foreign experts who will bring to this country for the first time the results of European air development. Another course will be conducted as a seminar on teaching problems for the benefit of law school professors who are interested in offering similar work in the law schools throughout the country.

The course instructors who have consented to offer this work include the following experts: Dr. A. D. McNair, of Gonville and Caius Colleges, Cambridge, England, representing the British Bar; Captain Albert Roper, Secretary-General, International Air Navigation Commission, Paris, France; Dr. Hans Oppikofer, Director, Institut für Luftrecht, Königsberg, i. Prussia; and Dr. Antonio Ambrosini, Director, Instituto Int. di Diritto Aeronautico. The American instructors include Mr. George B. Logan, Chairman, Legislative Committee, St. Louis Air Board and member of the Aeronautical Committee of the American Bar Association; and Professor Carl Zollmann, Marquette University School of Law.

The Round-Table Discussions will be primarily for those who are already familiar with the principles of law, but who are more interested in some of the difficult problems requiring solution. These discussions, following papers presented by recognized experts, should be extremely valuable to all present.

Those invited to participate in the round-table discussions include the leading experts—from Department of Commerce officials, to lawyers, State Commissioners, and operators. The list is too long to mention here. A detailed program will be published as soon as all arrangements for exact dates and times of meeting can be completed. From the response already received, and from the willingness of all parties to offer their assistance, this first Summer Institute and National Parley—offering an unparalleled opportunity for an exchange of expert ideas—should prove instructive and of national benefit. Since nothing of this kind has been offered in any other country, it might even be considered as an historic event!

F. D. F.

#### MIDWEST LEGISLATIVE AIR PARLEY

On February 24 and 25, delegates from some fifteen states met at Milwaukee for the first Legislative Air Parley of Midwest States, called and sponsored by Governor Walter J. Kohler, the Wisconsin

Legislative Interim Committee on Aviation and the Milwaukee Chapter of the National Aeronautical Association.

This meeting marks a definite forward step in the matter of co-operation between the States in solving their aviation problems. It afforded an excellent opportunity for an exchange of ideas and experiences. The papers presented were constructive,\* and the results obtained from the conference were so worth while that a national meeting has been proposed. Wisconsin is to be congratulated!

The following resolutions were adopted:\*\*

#### I.

WHEREAS, The Governor of Wisconsin, Walter J. Kohler, the Wisconsin Legislative Interim Committee on Aviation and the Milwaukee Chapter of the N. A. A. have all cooperated in the calling and sponsoring of the Legislative Air Parley of Midwest States; therefore be it

RESOLVED, That a vote of thanks be expressed to them for the hospitality and pleasure afforded to those attending this Parley.

#### II.

RESOLVED,

- 1—That the Legislative Air Parley of the Midwest States recommends each State provide by law for the purchasing or leasing of ground for Airports by Municipalities.
- 2—That each State provide for the promulgation of regulations setting forth the minimum requirements to be met by all airports and landing fields with suitable provisions covering fields for emergency and temporary use; said regulations to conform to the requirements and recommendations of the United States Department of Commerce.
- 3—That each State should undertake the development of a State System of Airways and connect with and conform to the standards of the Federal System and should grant State aid, first, in completing airports on the Federal Airway System and, second, in completing the State Airway System.
- 4—That each State require by law the air marking of airports according to the uniform standards laid down by the U. S. Department of Commerce.
- 5—That each State require by law marking of Municipalities, said marking to conform to the standard recommended by the U. S. Department of Commerce.
- 6—That a competent State official have authority to remove confusing air markings.

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\*Parts of some of the papers are included in this issue. Unfortunately some of the very valuable ones were not available in written form, and so could not be here published.

\*\*These resolutions are published through the courtesy of Col. John M. H. Nichols, Chairman of the Parley, who forwarded a copy to the editors. Mr. Rowland W. Fixel was Chairman of the Committee on Resolutions.

7—That the Conference recommends the gasoline tax as the most equitable form of taxation for aviation and that the income derived from any aviation taxation be expended solely for the encouragement and development of aviation.

### III.

WHEREAS, The increased safety of the air traveling public and the security of the aviation industry depends in large part upon the establishment and maintenance of air-ways linking up all centers of population and,

WHEREAS, The system of State and Federal cooperation in development of good roads, outlined in the Federal Road Act of 1916 and Amendments thereto has produced such generally satisfactory results; be it

RESOLVED, That it is the sense of the meetings of the Midwest States Air Parley that it go on record as endorsing the principle of the Federal Road Act applied to the establishment of a National system of Airways and recommend to Congress the passage of such Federal enabling act, and be it further

RESOLVED, That a copy of this resolution be sent to all members of Congress.

### IV.

WHEREAS, The Honorable Louis L. Emmerson, Governor of the State of Illinois, through the Illinois Aerial Navigation Commission and the Chicago Association of Commerce, through its Aviation Committee have tendered an invitation to the Legislative Air Parley of Midwest States, convened in Milwaukee, February 24th and 25th, 1930, to attend a National conference on Aerial Legislation in Chicago in conjunction with the National Air Races, August 23rd to Sept. 1st, 1930, and in collaboration with the Air Law Institute of Northwestern University and,

WHEREAS, It is the purpose of this Air Parley to advance the aviation industry through intelligent and uniform aerial legislation in each of the States; therefore, be it

RESOLVED, That this Legislative Air Parley of Midwest States, now convened, go on record as favoring such a National Conference; and be it further

RESOLVED, That the invitation to this National Conference on Aerial Legislation in Chicago be accepted and each delegate hereto be urged to further this National Conference in every way possible.

### V.

RESOLVED, That the Governor of each of the Midwest States represented at this conference be requested to appoint one or more persons (each State to have but one vote) to constitute a Midwest States Aeronautical Council; and it is further recommended that the first appointee of the Governor of Wisconsin, serve as the first temporary chairman of such Council; therefore be it

RESOLVED, That a permanent organization be created and that the membership of this Council be appointed in accordance with the provisions set forth in the preceding paragraph.

## VI.

WHEREAS, There is now pending in Congress a bill, H. R. 9500 known as the Wattres bill, providing for the change of payment for carrying Air Mail from the poundage basis to a basis of rental of definite spaces as the railroads are now paid, per mile, and,

WHEREAS, In view of the explanation of this measure by the Post Office Department in testimony before the Post Roads Committee of Congress it appears that its purpose and effect will be to equalize payment for carrying mails between all operators and that it will give many more cities the advantages of Air Mail and will encourage and stabilize passenger service and,

WHEREAS, No operator has opposed this measure but representatives of almost all the principal lines appeared before the Committee and urged the bill's passage; be it

RESOLVED, That the Middle States Air Parley endorse H. R. 9500 and urge its early passage, and, be it further

RESOLVED, That a copy of this resolution be sent to members of Congress.

## VII.

RESOLVED, That this Conference recommend Legislation by each State requiring:

- 1—Federal license for all aircraft and airmen in the State and,
- 2—Suitable regulations requiring all aircraft to be operated in accordance with the air traffic rules and regulations of the United State Department of Commerce.

At the invitation of Governor Louis L. Emmerson and the Illinois Aerial Navigation Commission, the next meeting will be held in Chicago during the month of August, and the Air Law Institute has been honored by the pledge of support from the Legislative Air Parley for its Summer Institute in August.

F. D. F.