

1930

Monday Morning Session

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PROCEEDINGS OF THE FIRST NATIONAL LEGISLATIVE AIR CONFERENCE AUGUST 18-20, 1930

MONDAY MORNING SESSION

August 18, 1930

The first session of the First National Legislative Air Conference, held at the Law School, Northwestern University, Chicago, Illinois, convened at ten-thirty o'clock, Major Reed G. Landis presiding.

CHAIRMAN LANDIS: Ladies and Gentlemen: It is my privilege to call the First National Legislative Air Conference to order, and to introduce to you Dean Green, of the School of Law, Northwestern University, who will welcome you to Northwestern University.

DEAN LEON GREEN: I expected, ladies and gentlemen, that his introduction would carry along a while. The brevity of it reminds me of a Swede's introduction of a speaker in Nebraska. He said, "Ladies and Gentlemen, it is my privilege to introduce the speaker of the evening. I have now did it; he will now done it."

An address of welcome is something like an after-dinner speech in this country. You all recall the story of the Emperor who was putting on quite a fete. The lions had been properly starved, the victim properly dressed. At the right moment the lion came out and dashed at the victim. The victim put up his hand and whispered into the lion's ear. The lion backed off and shrank away, and they could not understand it. They called the victim before the Emperor, and he said, "I will give you your freedom if you will tell me how you did that."

"Well, I told him that if he partook of the feast, he would have to hear the speeches," and so, if you come to one of the opening sessions of a conference like this you have to listen to the address of welcome.

A year ago, when the Air Law Institute was launched, we had very serious doubts as to whether we could find enough to do. We did the unprecedented thing of turning over one of our most valuable professors to devote practically his full time to the development of air law, of which there was very little.

We still have doubts, but they are of another sort. This professor has found enough things to do to keep probably a staff of three or four professors like himself busy, and I even think he might use a half dozen more graduate

students so our doubts have turned the other way, as to whether we can keep up with the program that we started.

Now it is frequently wondered why a university would have any interest in a matter like this of yours. What can a Law School's interest be in a subject like Air Law, which is in such an immature state? The question is an easy one; probably the story would be too long to tell you here. Briefly, the Law Schools over the country are beginning to develop as a distinct branch of the legal profession. We of the legal profession think that we have to do with the more important problems of business and of government, and therefore the Law School, when a subject matter like Air Law comes on the horizon, immediately gets busy to establish some means of bringing together the learning and the scientific thought of the world, so that those who are to deal with the new problems may have something to go on, and that is exactly what the Air Law Institute here has been serving. We have brought together here the talent, probably, of this country and of other countries, and in such a way that I think it will amount to a good start in the handling of Air Law problems.

Your conference here is something of the same sort, as I understand it, and I should say it is the proper way to begin. Law Schools are serving a proper function in taking on these new developments.

Take the aeroplane and air transportation; I dare say it will be in a few years, if not already, the largest single force that has come into our lives for several centuries, probably for all time. I can well see how it will unsettle every single human relation. In other words, in the days when it took three months to go to Nevada it was all right to have a six months' residence as a prerequisite for a divorce, because you would have to rest up quite a while after your long journey to that state, but where you can leave New York at sun-up and land in Nevada before sun-down, I can see no reason, it not being a happy place to stay for too long a time, Nevada may not increase the speed of things. It may make one month's residence sufficient for divorce.

That is just one of the possibilities. There are many others. Certainly in commercial law, in banking, in sales, in all sorts of contracts, in international law, in most every field of commercial law, which is our largest single field, we can expect tremendous changes.

And so, in your coming here to study the problems of Air Law legislation you are simply one of the fulfillments of our hopes that we had a year ago. More than that, I should say that through this Institute and the beginning that we have made here at this Law School, through the efforts of this Institute, we hope to make it possible for all such bodies to find a good place to conduct their round-tables and their negotiations about the matters of Air Law.

It is no little wonder, then, that no one is surprised that we are very much pleased that you should be here this morning. Our facilities are at your command. If there is any use you can make of them we will be glad for you to make that use. More than that, hereafter, when you think of Air Law problems we want you to think of us, and if you have any need to call on anyone, any service that you wish performed, any institution that you think can help you out, we shall be glad to serve your purposes in any way we can.

We are delighted to have you here. From your program, I can see your time will indeed be well employed. I am pleased to welcome you here in the name of the University and in the name of the Law School. (Applause.)

CHAIRMAN LANDIS: In order that the conference may proceed under its own power and its own rules and desires the Chair is going to take the privilege of appointing a Committee on Rules, which will please retire as soon as it can break away from this very interesting meeting, to Booth Hall, to determine what rules will be in effect in our deliberations.

The Chairman will be Howard Knotts, of Illinois. He will have associated with him John M. Vorys, of Ohio, Rowland W. Fixel, of Michigan, Carl Zollmann, of Wisconsin, and T. H. Kennedy, of California.

The Resolutions Committee, which we hope will bring back some very worth while resolutions, will have as its Chairman Col. John M. H. Nichols, of Wisconsin, and associated with him Professor Fred D. Fagg, Jr., of Illinois; and Messrs. C. M. Knox, of Connecticut; G. B. Logan, of Missouri; T. G. Taylor, of Pennsylvania; Berry, of Ohio; Fay Harding, of North Dakota, and J. D. Wood, of Idaho.

We were to have been welcomed to Illinois by Governor Emmerson, of Illinois, but last week he was appointed chief "rain maker" for the state by President Hoover, and he is busily engaged in Springfield in bringing rain to such territories as are in need of it. He has wired me and expressed his genuine grief that he is not able to be here, and has asked me to say to you that he regrets very much that state business makes it impossible for him to be in Chicago to personally welcome you on behalf of the people of Illinois, and to express the hope of the state that from your deliberations will come suggestions for a code of air regulations which will be suitable to all of the states of the Union.

Chairman Landis read the following telegram from Governor Emmerson:
Springfield, Illinois.
August 16, 1930.

Major Reed G. Landis,
26 East Huron Street,
Chicago, Illinois.

I hope that you will in some way present my greetings to the National Legislative Air Conference in the following language:

"I regret very much that State business makes it impossible for me to be in Chicago to personally welcome you on behalf of The People of Illinois and to express the hope of the State that from your deliberations will come suggestions for a code of air regulations which will be acceptable to all The States of The Union and to The Federal Government. A few years ago aviation was of such little consequence that no laws governing it were needed. Today such legislation is becoming a necessity, while tomorrow it will be imperative. Not many years ago the public scoffed at the first daring men who drove automobiles through our streets, while in many quarters they were openly condemned. But the automobile filled a need in the National Life, creating a new industry which has taken first rank among the nation's activities. More than that it changed the habits of our Country and opened up new avenues of enjoyment and new fields of commerce. Hundreds of statutes have been added to the legal records of the Nation as a result. You members of the National Legislative Air Conference are privileged to be pioneers in influencing the legislation which will be adopted for the purpose of protecting and controlling aviation. Some of the suggestions resulting from your conference will undoubtedly be in effect long after avia-

tion has assumed a place of importance in the transportation world rivalling that of the railroad and the automobile. It is essential, therefore, that your recommendations envision the requirements of the future as well as the needs of today. Any suggested legislation should protect fully the interests of aviation in order that its development be not retarded by unnecessary restrictions, but at the same time the rights of the public must be fully safeguarded. Permit me to hope that from your deliberations will come the recommendations for such a code. You are gathered in Chicago, the Natural Aeronautical Center of The United States, which today is the center of interest in aviation because of the forthcoming National Air Races. In your conferences you have the best wishes, not only of Chicago, but of the entire State of Illinois."

(Signed) LOUIS L. EMMERSON,
Governor.

(Applause.)

CHAIRMAN LANDIS: Governor Emmerson has done a very fine thing for me in writing that telegram. I was to have the privilege of stating the objectives of this conference. He has done it for me, and I think if we follow out the ideas he has so ably expressed here that our conference will have contributed a very important and valuable worth-while group of facts and advice for the construction of a sound, substantial air transportation structure.

I think the obvious and immediate objectives of the conference are perfectly apparent. The papers themselves, and their titles, describe them, but I think we should keep in the back of our minds the thing beyond the ultimate objectives, that we really want to make it possible, soundly, sanely and profitably, to apply this new form of transportation to the comfort, security and prosperity of the people of the United States. If we keep that in mind, I am sure our deliberations will be properly resultful.

As a background for those deliberations, we are very much privileged to hear from a very distinguished English gentleman, Dr. Arnold D. McNair, of Cambridge University.

Dr. McNair has had a long and very wonderful record of public service for his own country. He has represented that country in very important official positions both at home and in international conferences. He will speak to us on, "The Beginnings and the Growth of Aeronautical Law." It gives me a great deal of pleasure to present Dr. McNair. (Applause.)