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Book Reviews

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BOOK REVIEWS

Department Editor.....FRANK E. QUINDRY

1933 UNITED STATES AVIATION REPORTS. Edited by Arnold W. Knauth, Henry G. Hotchkiss, and Emory H. Niles. Baltimore: J. H. Furst Co., 1933. Pp. xlvii, 581.

Forty principal court decisions, three supplementary cases, and four official opinions are reported in this year's volume of this distinctive set of books. The comparatively large number of cases includes those on common carriers and negligence which seem to predominate, gasoline tax cases which also occupy the foreground, and others covering various phases of airport law, law violations, workmen's compensation, trespass, other forms of taxation, titles, conditional sales, and patents. Among them is an English case dealing with the liability of an airline with regard to the carriage of goods. (*Aslan v. Imperial Airways, Ltd.*, note: 4 JOURNAL OF AIR LAW 424.) Another English case is included, as well as the British Carriage By Air Act, 1932.

Other features include the Report of the Committee on Aeronautical Law of the American Bar Association, the Rome Convention of 1933, and arrangements between the United States and Germany, the Netherlands, Sweden and Belgium.

Federal Statutes include the Independent Office's Appropriation Act, 1934, and the Navy Procurement Act. The revised Air Commerce Regulations, School Supplement, Interstate Transport Regulations, and Parachute Supplement are shown at considerable length on pages 323 to 392.

Statutes of twenty-four states are set forth, the length of some of them indicating increased attention to aeronautics on the part of legislators.

The digest covers only the one volume, and the pink sheet cumulative indexes and tables are arranged in the same manner as in last year's volume.

It is suggested that by next year it should be feasible to annotate the principal cases with, at least, citations to other similar ones already published in the series. This would add to its usefulness although, of course, in its present state it is of immense value to the person engaged in research.

FRANK E. QUINDRY.

LA CONVENTION DE VARSOVIE ET LES RÈGLES DU TRANSPORT AÉRIEN INTERNATIONAL. By Yvonne-J. Blanc-Dannery. Paris: A. Pedone, 1933. Pp. 108.

It is to be expected that any international convention dealing with such an important subject of aeronautics as the Warsaw Convention would serve as the starting point for a host of comments, articles and monographs. The present volume undertakes a rather detailed analysis of the provisions of the convention and, in form, the book follows rather closely the subject matter of the convention. Eight chapters deal with the following topics: (1) scope of the convention, (2) transportation documents, (3) rights and obligations

of the parties, (4) basis of air transport liability, (5) limitations of liability, (6) types of carrier liability, (7) procedural provisions relative to liability, and (8) connecting carriers—by air, or other than air carriers.

From the reader's viewpoint, the volume would be much more useful as a reference manual if the text of the convention had been set out in distinctive type—section by section—immediately preceding the comment. As published, it is difficult to distinguish text from comment. However, no one interested in the field of international control should overlook this valuable monograph.

The book contains a full reprint of the convention together with a short bibliography.

FRED D. FAGG, JR.

INTERNATIONAL CODE OF AVIATION: By Francesco Cosentini.
"Rivadeneira," Mexico, 1933. Pp. 200.

The introductory article, "Air Law and Comparative Law," preceding and in explanation of the International Code of Aviation, was originally published in the December, 1932, issue of the *Tulane Law Review*, though the comparative treatment of the code itself appears here for the first time.

This preliminary discussion comments primarily upon the need for uniformity, not only between nations but also, as in the case of the United States, between the integral parts of nations. Mr. Cosentini sees no purpose in a variety of state laws in this country, thus agreeing with the aims and efforts of many state leaders to build uniform laws, and he believes that such a uniform code would "stop as useless, the centrifugal movement of state legislation." The code as drawn up leaves much leeway for further detailed regulation by states and nations, as necessitated by the peculiar conditions of their particular territories. Following this comment, there is a brief description of each of the chapters of the code, dealing with, (1) international law and the sovereignty of airspace, (2) the national organization and flight conditions, (3) the various elements constituting aviation, such as airlines, aircraft, airports, airmen, and so forth, (4) wrecks and jettison, (5) customs regulations, (6) contract of carriage (wherein Mr. Cosentini criticizes the Warsaw Convention for identifying the bill of lading with the way-bill in the name of the latter, thus abolishing the most important document, the bill of lading), (7) accidents, liability and insurance, (8) private law and property rights (wherein the landowner can claim the airspace above his land only to a useable height), (9) penalties, and (10) jurisdiction. (This does not follow the numerical order in the code but is a general classification by the reviewer.) There is then a brief conclusion which states that this is the "first organic attempt at systematization of air law considered in all its parts, in all the complexities of its problems. . . . Air law and its future development find a start here." This first section, together with a table of conventions and laws compared in the code, comprise the first 38 pages of the book, the remainder of the 200 being taken up with the code itself, an index and table of contents.

While the volume indicates a tremendous amount of labor in collecting and organizing the various materials set forth in the proposed code, its usefulness will be found to lie more in its cross reference value than as an

aeronautical code. From the latter standpoint, the most that can be said is that it is an interesting document somewhat barren of practical possibilities.

KATHERINE FRITTS.

A GUIDE TO AIR FORCE LAW PROCEDURE. By A. G. Somerhough.
London: Gale & Polden, Ltd., 1932. Pp. 58.

As stated in the preface, "The object of this book is to correlate into one small volume all the information existing upon the procedure for dealing with offenses in the Air Force in their early stages.

"The information has been extracted from King's Regulations, the Manual of Air Force Law, and the Air Force Act, and the appropriate reference will be found in the margin throughout the book. It has been designed so as to simplify the task which comes to every R. A. F. officer, the task of dealing with service offenses."

INSTITUTE OF THE AERONAUTICAL SCIENCES—PROCEEDINGS,
1933. New York: Published by the Institute, 1933. Pp. 64.

This little volume contains the proceedings of the Founder's Meeting of the Institute which include a very interesting collection of short essays dealing with various aeronautical engineering, and other, problems, reports of the Institute, together with a list and descriptive index of its members.