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Review of “Aircraft Law—Made Plain,” By George Logan

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find the essays in this book as stimulating as any that he has yet read in the field of legal history.

ISRAEL TREIMAN.

St. Louis, Missouri.

AIRCRAFT LAW—MADE PLAIN, by *George B. Logan*. St. Louis, 1928. Pp. 155.

It should be a satisfaction to the Bar of St. Louis that one of its members has written one of the pioneer works on the subject of Aviation Law. We read almost daily of new enterprises in the aircraft industry and in air transportation which are to center in St. Louis, and Mr. Logan's book offers to the practitioner and to the layman an agreeable opportunity to learn the up-to-date developments in the law affecting this new science and industry.

In the welter of dry legal treatises, it is most refreshing to find a book written in the lively style of Mr. Logan's volume. The author's style is untrammelled by the ponderous manner of our legal Scribes and Pharisees; he makes no bones about relegating the "ad coelum" maxim of ownership of the air spaces to the domain of "legal gossip." In the interests of veracity we can even pardon him a certain disrespect for the noble profession when he compares the lawyer to the night watchman because "he prefers to do no more work than necessary."

But it is not to be assumed, because he occasionally indulges in the vernacular, that Mr. Logan has failed in scholarly consideration of his subject. He covers not merely the specific decisions and theories applicable to aircraft law, but also briefly reviews, for the benefit of the layman, some of the fundamental rules of the Common Law relevant to the operation of aircraft and air ports. Moreover, and notwithstanding the popular character of the work, Mr. Logan cites the conclusions and principles developed by European scholars and courts with reference to aircraft law.

The book is divided into five parts, covering (first) problems of trespass and nuisance in flying, (second) police regulations, Federal, State and International, (third) liability to groundsmen, employees, passengers and shippers, (fourth) the effect upon insurance of participation in aviation, and (fifth) venue and jurisdiction in aircraft cases.

One of the most interesting discussions has reference to the as yet uncrystallized rules of liability of the aviator and plane owner to the groundsmen, for damage to person or property on the ground. Mr. Logan (perhaps with undue conservatism) characterizes as "heresy, treason and anarchy" his theory that on account of difficulties of evidence, a rule of absolute liability should be adopted in such cases. It appears that the rule for which he contends has in substance been incorporated in the Uniform State Law of Aeronautics now in effect in ten or more states of the Union. Mr. Logan does not, however, contend for the extension of such a rule to criminal cases. The case of *People v. Crossan* (Cal., 1927), 261 P. 532, a manslaughter case, offers an interesting commentary upon the suggested rule of evidence in its application to criminal cases.

Mr. Logan's book, omitting the appendix (a digest of state Statutes, including the Air Commerce Act of 1926), comprises only about one hundred pages, and is recommended as an instructive and entertaining work, well worth the time required for its perusal.

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