

Cases on Air Law (2nd Ed.) (Book Review)

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DAS RECHT DER VEREINIGTEN STAATEN VON AMERIKA. Part 1. ERBRECHT UND NACHLASSEBEHANDLUNG. By Carl G. Grossman in collaboration with Eugen Will, Carl L. Schurz and Karl v. Lewinski. DIE ERBSCHAFTSBESTEuerung. By Hans Krüger. Edited by Franz Leske and W. Loewenfeld. Berlin: Carl Heymanns Verlag, 1930, pp. XIV, 349.

If a Berlin *Bürger* thirsts for knowledge of the rules of intestacy of the Indian reservations, he may quench his thirst by looking at page 35 of this volume. If a Prussian *Jurist* would know the rules of intestacy of the Philippine Islands, he may find satisfaction when he reads page 96. His quest for certainty as to the law of inheritance and intestacy of every one of the *Vereinigten Staaten von Amerika* will be attained by reaching out for this volume. Here, too, he will find an open sesame to the inheritance tax laws of the United States—witness the text of the Federal Revenue Act set forth in the appendix (*Anhang*). He may find comfort, solace and peace by examining the tables of the inheritance tax laws of every one of the *Vereinigten Staaten von Amerika*. The inheritance tax tables of the District of Columbia, Hawaii, the Philippine Islands and Puerto Rico have not been forgotten—though I miss in the second part of this volume reference to the inheritance tax laws of the Indian Reservations. Heaven forbid that Congress or the State Legislature amend any of them.

This volume is intended to be a guide to the perplexed respecting the state of the American law of inheritance, intestacy and inheritance taxation. It is intended primarily for home consumption, *i.e.*, for German lawyers and laymen. It took fifty years to prepare and publish it. In the preface we are told of the publisher's difficulties "in the beginning of the 80th year of the last century" to find an author competent for the project. More time was consumed in a recognition of the enormity of the task involved in stating the laws of "the more than 40 states of the Union." After much travail, the manuscript was completed, only, however, to have its appearance intercepted by the Great War. We are told that no printers were then to be had and paper was scarce. In 1930 it made its debut.

We are promised the appearance of like volumes on other aspects of American law. We shall have little cause for complaint if the succeeding volume makes its appearance in 1980. Two such volumes in a century can do but little harm.

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CASES ON AIR LAW. By Carl Zollmann, 2d ed. St. Paul, Minn.: West Publishing Co., 1932, pp. XVI, 612.

Professor Zollmann pioneered his first edition of *Cases on Air Law* in 1930. Since there has been an amazing development in both aviation and radio law within the past two years the new edition is not only justified but imperative as a means of organizing the large body of new material.

In some quarters complaint is made that there is no relationship between aviation law and radio law, such that both should be compressed within the covers of one book. It must be admitted that there is considerable merit in the

complaint; but convenience and surface similarities furnish ample excuse for the present arrangement. Within five years, the number of decided cases in each field will settle the problem by compelling careful selection and condensation to limit the law of each subject to a single volume of usable size.

Part I of the cases is composed of eleven chapters covering various aspects of aviation law. This division is sensible and has been largely used by the reviewer for two years in teaching the subject, with favorable results. The chapter on airspace rights would present a better picture of the present status of thought on the subject if the case of *Smith v. New England Aircraft Co.*, 170 N. E. 385, and the decision of the U. S. District Court in *Swetland v. Curtiss Airports Corp.*, 41 F. (2d) 929, were reported in full text.

Part II consists of thirteen chapters dealing with radio law and procedure. The outline employed has been used, with some variation, in the classroom with satisfactory results. The new chapter on Licenses would perhaps be more effective if a copy of the official Rules and Regulations governing procedure by the Federal Radio Commission were included in the Appendix.

The inclusion of foreign decisions adds interest to a study of the American decisions and offers an opportunity for comparison of domestic and European law as applied to aviation and radio.

Professor Zollmann has exercised great care in listing analogous cases, and pertinent citations from law reviews, and other publications more or less professional in character. These references will afford great comfort to teacher and student alike in the study of particular problems in aviation law, and in radio law as well.

On the whole, the new edition is an excellent piece of work and deserves unqualified commendation.

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CARMODY ON PRACTICE. Edited by B. G. Bonomi. New York: Clark Boardman Co., 1932, vol. 4, pp. XV, 3471.

The latest volume of this interesting practice series is devoted wholly to the subject of trials. Beginning with the matter of selection of proper place and tribunal of trial, the work deals copiously with the various steps leading up to the trial of an issue. The increasing practice of examinations before trial and of discovery and inspection are amply developed and clearly explained. So also as to the subject of change of venue and the methods for obtaining a preference of trial in the various city counties as well as the other districts, both of which are fully discussed. The various rules and practice incident to the conduct of a trial are completely covered. A chapter dealing with motions during the course of the trial seems of a special value and well merits a careful reading even by accomplished trial counsel or experienced judge. Trials of non-jury