

went considerable development, it was not until after the beginning of the twentieth century that the development of gas engines of large power and small proportionate weight has permitted the purposeful navigation of the air. The airship has come into existence, and, serious accidents notwithstanding, the highest hopes are entertained of its ultimate wide usefulness, though it is rather to the aeroplane that public attention has been directed. It was only in 1903 that men first left the earth supported by an apparatus displacing less than its weight of air, and Bleriot's famous flight across the Channel only thirteen years ago is still fresh in everybody's memory. Perhaps public attention has been rather attracted to the heavier-than-air machine by its striking use during the war, which doubtless altered the direction of the development of air navigation. It is said that *inter arma leges silent*, but the statement contains only a half-truth. So far as air navigation is concerned the law did intervene in the war, but only to prohibit civil flying, with the result that the war's conclusion found a developed air interest with which it was necessary for the law to deal not merely negatively but constructively. Last summer there were in Canada twenty-nine commercial companies owning or operating aircraft, and in addition the Air Board was, with great success, carrying out surveying, patrol and other operations for purely administrative purposes with twenty-four machines operated from six stations, of which the most westerly was Vancouver and the most easterly Halifax. The number of commercial companies interested in aviation has since slightly increased.

The legal problems air navigation presents are primarily divisible into two classes: those which relate only to municipal and those which relate to international law. It will be convenient to consider the first class independently of the provisions of the Convention relating to International Air Navigation, although these have an important bearing upon purely domestic legal problems. All that is necessary to say at this point is that while before 1914 the fundamental question of national jurisdiction over the air space had been the subject of debate both by diplomatic and