

Rules to Govern World's Air Traffic Are Disclosed

Details of Convention Kept Secret by U. S. Revealed When Copies Published in England Reach Here

Arms Carrying Barred Freedom of Air Guaranteed; Every State a Sovereign Over Its Own Territory

By Theodore M. Knappen

WASHINGTON, Aug. 24.—Although the American Aviation Commission, which recently returned from Europe, brought back official copies of the international air convention agreed upon by the peace conference aviation sub-committee, they are treated as confidential documents and access to them is refused by the War Department, although full copies were given out for publication in Europe in the middle of July. Copies as published in England have been received in Washington, however, and an officer of the air service admitted to-day that the official copies which are withheld from the public are identical with the agreement laws of the basic international law of the air and creates the international commission for air navigation, which will be dominated by France, Italy, Japan, the British Empire and the United States. Provision is made for the adherence of other nations to the agreement, but it is expressly provided that the voting in the

commission shall be so arranged that the five powers named shall always have a surplus of one vote over the combined votes of the rest of the world. As in the League of Nations proper, all the British dominions have separate representation and votes. The agreement becomes effective between the subscribing nations as of the date of ratification, but no permanent international air rights are granted in the territories of the signatory powers to nations that do not belong to the commission.

Neutral Nations Admitted Nations that were neutral during the war may be admitted to representation in the commission upon application; nations that participated in the war but did not participate in the negotiations for air navigation may join the commission if they are members of the league of nations. It will take a unanimous vote of the nations adhering to the convention to admit the nations of the neutral group before January 1, 1923, and a three-fourths vote after that time.

Article 1 of the convention reads: "The contracting states recognize that every state has complete and exclusive sovereignty in the air space above its territory and territorial waters," but the right to take air is guaranteed to the states adhering to the convention by the declaration in Article XV of Chapter 1 that "every aircraft of a contracting state has the right to cross another state without landing, with the proviso that in doing so it shall follow the international route prescribed by the state over which the flight takes place." Further, that a plane in such a flight for reasons of general security shall land if ordered to do so.

This provision, together with others that stipulate that it is impossible for intervening nations to take toll of through aerial commerce between contracting nations or in any way use their geographical position to restrict completely freedom of aerial navigation for the citizens of the subscribing nations. It is understood that one or more



The Curtiss Oriole, in which Jack Binns will cover flight of army and civilian machines to Toronto. Brigadier General William Mitchell, at left, and Roland Rohlfis, pilot, at right.

The Tribune Plane in Great Aerial Race To-day



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European nations, lying across direct international air routes, had planned to assume control of the air to its top and impose charges for crossing their territory, but the freedom-of-air provision blocks such an ambition unless the nation entertaining it elects to stay out in the cold and be denied all international rights by the contracting states. So far as the latter are concerned the air now becomes an internationally free sea, and puts every nation on a short line via the air to every other nation.

Article 16 of the same chapter provides that each contracting party shall make them effective as against the national aircraft of the carriage of persons and goods for hire between two points on its own territory. The next article, however, states that should any other state apply the same restrictions to the aircraft of such state without making them effective as against the aircraft of other nations.

Article 17 of the same chapter provides that the passage of any aircraft over a nation's territory, with or without landing, shall not entail seizure or detention on the ground that the machine in question in any way infringes on patents.

How Laws Are Applied Persons flying over foreign territory, from frontier to frontier, are required to conform to the laws and regulations of the country underneath, but legal relations between the passengers are governed by the laws of the nation to which the aviation belongs. In cases where, however, that the flying party is international in composition and a crime or misdemeanor is committed against one belonging to the state over which the plane is flying at the time, its laws apply, provided the plane subsequently should land in that state.

The state over which a violation with regard to every breach of its laws for the public safety and its military and fiscal laws, also its regulations concerning air navigation.

Foreign aircraft landing in any state are entitled to the same assistance that nationals would have, and every public airfield which is open to use of the nationals of a state shall also be open to foreigners on the same conditions. The tariff charges shall make no distinction between nationals and aliens.

The carriage of arms and munitions of war and explosives is forbidden in international air navigation. This is, of course, intended to make it difficult for filibustering expeditions to resort to the air route.

Each state is free to prohibit or regulate the carriage and use of photographic apparatus. As a measure of public safety any state may regulate or restrict the carriage of other articles than those mentioned in the preceding sentence, but all such international regulations shall apply to citizens and aliens alike.

All state-owned or controlled aircraft other than military, police and customs, shall have the same rights and privileges abroad as private aircraft.

No military aircraft will be permitted to fly over or into foreign territory without express authorization from the government of that territory. Such an aircraft, if forced or ordered to land, shall have no rights of extrajurisdiction. Agreements between interested states shall govern the crossing boundary rights of police and customs.

The contracting states agree that, except by special and temporary authorization, no aircraft of a nation not subscribing to the convention shall be allowed to fly above the territories of the signatory nations. This is expected to have the effect of forcing all nations into the convention. Every aircraft participating in international flight shall be registered in the nation where it is owned, and there only, and no corporation is permitted to register a vessel outside of the nation in which it is established. This provision makes it impossible for an American company, for instance, to own ships under the British flag.

Every nation has the right to establish prohibited areas, but the prohibition must apply to its own people equally with foreigners. Recognition of certificates of worthiness, compe-

teney and flying licenses is made mutual, except that any state may refuse recognition to documents granted to one of its states by another nation. No wireless apparatus may be carried without special license, and every aircraft used in public transport and capable of carrying ten or more passengers shall be equipped with wireless apparatus when the methods of employing such apparatus have been determined by the International Commission for Air Navigation.

How far the convention goes in regulating a trade that has scarcely begun as yet may be gathered from the following list of documents with which an international navigator must be possessed before making a trip:

- (a) With a certificate of registration.
(b) With a certificate of airworthiness.
(c) With certificates and licenses for the commanding officers, pilots and crew.
(d) If the airplane carries passengers, with a list of their names.
(e) If it carries freight, with bills of lading and manifest.
(f) If equipped with wireless, with the special license in such cases required.

The agreement creates a permanent organization to be known as the International Commission for Air Navigation. This commission is to be composed of two representatives of the United States, France, Italy and Japan, one of Great Britain and one each of the British dominions and India; one representative of each of the other contracting states, but the voting strength is so arranged that the five first named will always have a majority of one vote. In general it will be the business of the commission to administer the convention, to amend the provisions of the technical annexes of the convention proper, and to act as a general clearing house for aeronautical wireless and meteorological information.

Rules Governing Amendments The commission may receive proposals, or make them for the amending of the convention. No such proposals shall be submitted to the states for adoption unless they have first been approved by a vote of the commission equivalent to a majority of two-thirds if all the states' members were present. It will not become effective thereafter unless adopted by all the states. Modifications of the technical annexes do not, however, require approval by the states, but only a three-fourths vote of the commission.

Any state which took part in the war, but did not participate in the negotiation of the convention, may be admitted upon application if it is a member of the league of nations; or, until January 1, 1923, by a unanimous vote of the signatory and adhering states; or, after January 1, 1923, by an affirmative vote of the commission.

The annexes are lengthy, and deal with such subjects as the marking and registration of aircraft, with airworthiness, log books and rules of the air. The latter follow those of sea navigation in general. Balloons and airships have the right of way over heavier than air machines, and the rule of the road is in their favor.

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Cooper, Noted Consulting Engineer, Dead at 80

Public Library Building and First "L" Among Works On Which He Advised

Theodore Cooper, who died last evening at his home, at 353 West Fifty-seventh Street, was one of the oldest and best known consulting engineers in the United States. He was born at Cooper's Plains, N. Y., on January 13, 1839, son of John and Elizabeth (Evans) Cooper, and was graduated from the Rensselaer Polytechnic Institute at the age of nineteen. From 1861 to 1872 he was an engineer officer of the United States navy, and in 1865 to 1868 was an assistant professor in the Naval Academy at Annapolis.

Retiring from a government service in 1872, he became associated with Captain James B. Eads, and was in charge of the manufacturing and erection of the great St. Louis bridge across the Mississippi River, and for some time thereafter was its superintendent. He then became superintendent of the Delaware Bridge Company's shops, and superintendent of the Keystone Bridge Company.

He was prominently associated with the erection and equipment of the first of the existing elevated railroads in this city; one of the five engineers appointed by the President to determine the span of the proposed Hudson River bridge; consulting engineer for the New York Public Library Building and for the Quebec bridge and member of the board of experts on the Manhattan Bridge plan in 1903. He was a member of the American Society of Civil Engineers.

Curtis, Bank President, Saved From Surf, Dies Rescued From Drowning, He Expires From Heart Disease on Shore

N. Willard Curtis, president of the East New York Savings Bank, died Saturday in Belle Harbor, L. I., his summer home, of heart disease, while bathing in the ocean. Mr. Curtis went beyond his depth, and when he discovered his danger shouted for help. James H. Brand swam to his rescue. On reaching shore Mr. Curtis died.

He was born in Babylon, N. Y. He was a resident of Brooklyn most of his life. He was a member of the lumber firm of Curtis Brothers, from which he withdrew about six years ago. For many years he was a trustee of the East New York Savings Bank, and last March was elected president. He was connected with several other savings institutions.

Mr. Curtis was a commodore of the Belle Harbor Yacht Club and a member of the Crescent Athletic Club. He is survived by his widow and a daughter, Mrs. Walter S. Ward, of New Rochelle.

MELVIN VILLAGE, N. H., Aug. 24.—Charles D. Lakey, veteran insurance journalist, died here to-day in his eighty-seventh year. Mr. Lakey was the father of Alice Lakey, the pure food specialist who is chairman of the food committee of the National Consumers' League. Funeral services will be held at Cranford, N. J., Wednesday.

EZRA M. WILKINS An Ezra Manderville Wilkins, fifty, assistant advertising manager of "the New York Times," with which he had been connected for many years, died yesterday at his home, 235 West Seventy-fifth Street. The body was taken to the Campbell Funeral Church.

HUGH L. DOHERTY Word has been received of the death at Broadstairs, a summer resort in Kent, England, of Hugh L. Doherty, formerly lawn tennis champion of Eng-

land. With his brother, Reginald F. Doherty, Hugh held the singles and doubles lawn tennis world championships for several years. In 1901 they came into prominence when they won over all comers in London.

SAMUEL M. KNOWLES PLAINFIELD, Conn., Aug. 24.—Samuel M. Knowles, eighty-five, formerly a Connecticut state senator, is dead at East Greenwich, R. I. Mr. Knowles was president of the Bank of Plainfield for fifty-one years. He had been town treasurer and president of the town council of Plainfield. Mr. Knowles's father and grandfather were senators from Plainfield.

WILLIAM P. HICKOK William Pease Hickok, sixty, for several years manager of the purchasing department of the National Tuberculosis Association, died Saturday night in the Mount Vernon Hospital after a short illness. Mr. Hickok was active in the civil affairs of the town of Vernon where he lived for thirty-four years. He was well known throughout the country as the secretary of the Correspondence Chess League of America, into which he merged the four leading organizations of this kind in North America. Mr. Hickok was a printer for many years. The funeral services will be held at Trinity Church, Mount Vernon, at 3 p. m. to-morrow and interment will take place in Woodlawn Cemetery.

GEN. LE MOUÏN DE BOISDEFRERE PARIS, Aug. 24 (Havas).—General Le Mouï de Boisdefre, former Chief of Staff of the French army, died to-day.

General Raoul François Charles Le Mouï de Boisdefre was born at Alençon eighty years ago. He studied at Saint Cyr, the French national military academy, and was appointed a second lieutenant in 1860. He became a general of brigade in 1875, a general of division in 1892, and finally chief of staff. He had seen active service in the campaign in Algeria in 1864 and in the Franco-Prussian War.

General Boisdefre figured conspicuously in the Dreyfus case. As Chief of Staff he was one of the officers accused by Emil Zola in his famous "J'accuse" letter of having been a party to the condemnation. Boisdefre induced the jury to convict Zola by telling them that if they did not do so the whole General Staff would resign and the army would be demoralized. After the retrial and vindication of Dreyfus, General Boisdefre passed out of public notice.

CAPTAIN ARTHUR L. STORY Captain Arthur L. Story, for more than twenty years chief of the state police force in Connecticut, died yesterday at his home in Hartford, Conn. Captain Story was sixty-nine years old.

MRS. R. A. ALGER, SR. DETROIT, Aug. 24.—Mrs. Russell Alexander Alger, sr., died at her home here to-day, aged seventy-nine. She

was formerly Miss Annette Henry, of Grand Rapids. In April, 1861, she was married to the late Russell Alexander Alger, who was a commander of the famous Michigan cavalry in the Civil War, Governor of Michigan, Secretary of War under President McKinley, and United States Senator. Nine children were born to her, of whom five lived to maturity. One of her sons, Russell A. Alger, jr., is one of the foremost business men of Detroit, interested in lumbering, paper manufacturing, auto, and other important industries.

LILLIAN GILMORE YATES, thirty-three, wife of Job Yates, is dead at her home, 4122 Fresh Pond Road, Brooklyn. Her husband is survived also by two sons and her parents.

RUTH HAVEN BLACK, twenty-one, daughter of William Clayton Black and Mrs. C. B. Black, died Friday at her home, 2 Ocean Avenue, Brooklyn. She was a pupil of Erasmus Hall High School several years in France.

ERWIN D. FARNSWORTH, sixty-five, a banker of East Orange, N. J., died Saturday night of bronchial pneumonia at Lake Waramaug, Conn.

MRS. KETURAH PALMER, fifty-seven, wife of Henry P. Palmer, died Saturday night at her home, 1200 Lexington Avenue, Plainfield, N. J. She was a member of the Society of Friends. Mrs. Palmer is survived by her husband, two sons, two daughters and two brothers.

WILLIAM ELLSWORTH CRAMER, sixty-six, who owned a drug store at Seventy-third Street and Lexington Avenue, died suddenly of apoplexy Saturday at his home, 1022 Lexington Avenue. His wife and two daughters survive him. Mr. Cramer's only son, Lieutenant Murray Cramer, of the Seventh Regiment, was killed in action last year in France.

Wentz Baby Carriage Empty Promise to Place Child in It New Disappointment

Mrs. August Wentz, whose infant son, Arthur, was kidnapped several weeks ago, hastened at daylight yesterday to the scene of the kidnaping, 150th Street and Third Avenue, to see if her son was in his perambulator. As instructed in an anonymous letter, promising the return of the boy, she left on Saturday night the carriage empty. On her dawn visit she found it still there, empty.

Then Mrs. Wentz hurried to the Cumberland Street Hospital, Brooklyn, where a founding had been made. Disappointment met her again in the afternoon. Mrs. Wentz saw two women near her home, one of whom carried a baby that she thought was hers. Before she could reach them the woman disappeared. The police were urged to trace them.

OBITUARY NOTES MICHAEL SCHWIND, fifty-one, a member of Olive Council No. 155, C. E. L., died Friday at his home, 20 Sutton Street, Brooklyn.

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EDWARD WACKERHAGEN, fifty-three, a member of the ribbon manufacturing firm of Walter & Kaufman, is dead at his home in France. He is survived by his wife, two sons and two daughters.

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Freak Rain in The Bronx North Sections Flooded but South Doesn't Get a Drop

A severe thunder storm swept the northern part of The Bronx last night. The southern part of the borough did not get a drop of rain and subway and elevated passengers were stranded in an unprecedented manner. The rain that came down from the north, Tremont, Fordham, Kingsbridge, Spuyten Duyvil, Riverdale, Bedford Park, Woodlawn, Williamsbridge, Wakefield, Westchester and City Island were the districts the storm visited.

Lightning struck a new three-story frame house at 330 City Island Avenue, starting a fire in the top floor. The damage was slight. The City Island Homes Company owns the house. A fence on Valentine Avenue, between Tremont Avenue and 178th Street, was blown flat.

Boys Find Man Dead in Woods Boys found a man reclining against a tree in the Port Lee woods yesterday. He was George Wingland, of Sixth Street, Washington, Heights. Surprised that the man did not move at their approach, the boys tried to arouse him and found that he was dead. He had cyanide of potassium in his pocket and a physician who examined the body gave it as his opinion that death was caused by poisoning.

MANHATTAN Fourty Avenue, cor. 25th St. Eldridge St., cor. Rivington St. East Houston St., cor. Essex St. Seventh Av., bet. 45th & 49th St. Lexington Av., cor. 12th St. Grand St., cor. Clinton St. E. 72d St., bet. Lexington & 3 Ave. Eighth Av., cor. 127th St.

BROOKLYN Smith St., cor. Livingston St. Graham Av., cor. Debevoise St. Fifth Av., cor. B'way & 4th Av.

1% PER MONTH ON PLEDGE OF PERSONAL PROPERTY THE PROVIDENT LOAN SOCIETY OF NEW YORK Office Hours: 9 A. M. to 5 P. M. Saturdays, 9 A. M. to 4 P. M.; from first Saturday in June to first Saturday in September, both inclusive, 9 A. M. to 1 P. M.

ADVERTISING MANAGER OF THE "NEW YORK TIMES" WITH WHICH HE HAD BEEN CONNECTED FOR MANY YEARS, DIED YESTERDAY AT HIS HOME, 235 WEST SEVENTY-FIFTH STREET. THE BODY WAS TAKEN TO THE CAMPBELL FUNERAL CHURCH.

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TO BE SOLD BY THE ALIEN PROPERTY CUSTODIAN

337,766 Shares of the Common Stock of ROSELLE MINING COMPANY

99,996 Shares of the Common Stock of AMERICAN TUNGSTEN CONSOLIDATED CORPORATION

NOTICE IS HEREBY GIVEN that the undersigned, Francis P. Garvan, Alien Property Custodian, will offer for sale at public sale to the highest bidder, at the office of the Roselle Mining Company, 605 Columbia Building, Spokane, Washington, at 11 o'clock A. M. on the 27th day of September, 1919, 337,766 shares of the common stock, par value one dollar each, out of a total of 500,000 shares issued of the Roselle Mining Company, a corporation created and existing under and by virtue of the laws of the State of Washington; and 99,996 shares, par value ten dollars each, being all the outstanding stock of the American Tungsten Consolidated Corporation, a corporation created and existing under and by virtue of the laws of the State of Washington; and Certain certificates of delinquency, tax receipts, 260 out of an issue of 300 8% bonds of the Germania Mining Company, certain notes, interest in certain obligations, and other property, all as incorporated in the order of sale.

Full description of and information concerning the property to be sold, the terms and conditions of inspection and sale, and the order therefor, may be obtained by application to JOSEPH F. GUFFEY, Director, Bureau of Sales, 110 West 42nd Street, New York City.

FRANCIS P. GARVAN, Alien Property Custodian.

BIRTHS

STEIN—To Mr. and Mrs. Jerome Stein, of Brooklyn, Saturday, August 23, a son.

MARRIAGES

LOYD-SMITH-SPEAR—Miss H. Louise Spear, of Wilford L. Lloyd-Smith, of Stamford, Conn., August 23, 1919, by the Rev. G. C. Houghton, D. D., at Church of the Transfiguration.

SASSERATH-THEOBALD—Mr. and Mrs. F. J. Theobald, of New York City, announce the marriage of their daughter, Edna, to Ira A. Sasserath, August 23.

IN MEMORIAM

WILLCOX—In sad but loving memory of Stannard Anderson Willcox, who died August 25, 1919, eighteen years of age, the only child of Henry C. and Lucille M. Willcox.

DEATHS

ATWATER—On Friday, August 22, Marion Reed Atwater, wife of William C. Atwater, Jr., and daughter of Mr. and Mrs. William Reed, of New York City, died at her home, 417 East 17th St., Flatbush, Brooklyn, Monday, August 25, at 2 p. m.

BELMONT—On Saturday, August 23, Rayna Havens, beloved daughter of William Clayton and May Cook Black, funeral services for her late residence, 429 Ocean Ave., Brooklyn, Tuesday evening, August 26, at 8 o'clock. Interment Greenwood.

BOEMS—Algebra, August 23, at 10:30 a. m. THE BURIAL CHURCH (Campbell's), Broadway, 64th St.

COOPER—Theodore, consulting engineer, died Sunday night at his residence, 353 West 75th St., at 11:30 p. m. Interment at Forest Lawn, later. It is requested that no flowers be sent.

CRAIG—Suddenly, August 23, 1919, William E. Craig, aged 72, late George Kayne, Sarah Bartlett Cramer, at his residence, 1522 Lexington Av., funeral private, Monday, August 25, Interment Holy Cross, N. Y. Dutchess County papers please copy.

CURTIS—Suddenly, on August 23, N. Willard Curtis, in his 54th year, beloved husband of Laura A. Curtis. Funeral services at his late residence, 429 Ocean Ave., Brooklyn, Monday, August 25, at 11 a. m. Burial Holy Cross, N. Y. Dutchess County papers please copy.

EAYME—On Friday, August 23, Emma Eayme, beloved wife of George Eayme, funeral services Monday at 1 p. m. at her late residence, 1312 Park St., Brooklyn. Interment Evergreen Cemetery.

ELMENDORF—Mabel D., suddenly, at Hunter, N. Y. Notice of funeral hereafter.

FARNSWORTH—Suddenly, at Lake Waramaug, Conn., Saturday, August 23, 1919. Erwin D. Farnsworth, late of East Orange, N. J. Notice of funeral hereafter.

GABN—On Friday, August 22, 1919, at the residence of her niece, Mrs. H. W. Janssen, in Park Ave., New York City, Jane Farnsworth Gabn, in her 75th year. Funeral at above residence on Monday, August 25, at 2 p. m.

HICKOK—William Pease Hickok, of Mount Vernon, N. Y., Saturday, in his sixty-third year. Funeral services Tuesday, 3 p. m. Trinity Church, Mount Vernon. Interment at Woodlawn, Worcester, Mass. Papers please copy.

HUGHES—On August 20, Patrick J., beloved husband of Margaret Hughes and ex-Captain Engine Company 164, N. Y. D. Funeral from his late residence, 1054 Chav. av., on Monday, mass of solemn church of St. Peter and Paul at 4 p. m.

KALTWASSER—On Saturday, August 23, 1919, Louise Kaltwasser, in her 70th year, after a short illness. Funeral services Monday, 1 p. m. at 1054 Lexington Av. Interment private, Greenwood Cemetery.

LAUTERBACH—Mary, in the 62d year of her age, died at her home, 41 Colonial Ave., New Rochelle, widow of Sebastian Lauterbach, survived by a daughter, Mrs. Edwin W. Humphreys, and two sons, Henry Lauterbach, a minister, Conn., and Jacob S. Lauterbach, of Mount Vernon, N. Y. Funeral services Monday afternoon at her late residence at 2 o'clock. Interment Woodlawn.

WATON—On August 22, 1919, at her summer home, Elizabethtown, Adirondacks, Mrs. M. C. Waton, daughter of the late General Robert Anderson and widow of James M. Waton. Funeral service at her summer home, Elizabethtown, Sunday, August 24, at 2 p. m. Interment West Point, N. Y. Monks, at 4 p. m.

WTON—The Daughters of the Cincinnati announce with sincere sorrow and deep regret the death of their beloved founder and honorary president, Mrs. M. M. Waton, of Elizabethtown, Adirondacks.

THE WOODLAWN CEMETERY, 232d St. By Harlem Train and by Trolley, Lots for sale. Office, 40 East 25th St., N. Y.

YOUR SUMMER HOME IS JUST AS NEAR TO US AS YOUR CITY HOME. Your Telephone connects us with either. A Call to our New York Office Brings our Representative with the least possible delay. We have our own representatives almost everywhere. Call "Columbus 8200." Any Hour, Day or Night. FRANK E. CAMPBELL THE FUNERAL CHURCH 150 W. 42nd St. Broadway at 66th St. 23rd Street at 8th Ave. Flowers for all occasions. Artistic Funeral Disposal our Specialty.

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