

opinion handed down by Judge J. Earl Major in U. S. District Court in Springfield, Ill.

Dismissing a bill of complaint asking that federal officers be enjoined from enforcing this year's waterfowl-hunting regulations, Judge Major declared that the plaintiffs had no property right in the migratory birds but "only such permissive privileges as the governmental authorities may decree."

Led by G. G. Brandenburg, president of the Illinois Sportsmen's Association, and including five of that state's hunting clubs, the plaintiffs had alleged that the enforcement of the regulations would cause a depreciation in the value of property which they had acquired as hunting grounds. The judge, however, pointed out that "those who spend large sums of money in the purchase of land and in improving and equipping the same for the hunting and taking of migratory birds must have done so with the knowledge, actual or implied, that they had no property right" in the birds.

The "matter in controversy," the judge concluded, was not the damage alleged to be sustained in property depreciation, but rather the restriction on the plaintiff's taking and possessing waterfowl. Damage or injury suffered because of decreased real estate values he considered "purely incidental or collateral to the object and purposes of the suit." Ruling that such damage could not be taken into consideration in determining the amount in controversy, Judge Major reached the conclusion that this did not exceed \$3,000 and was therefore outside the jurisdiction of the Federal Court.

This conclusion, together with the ruling that no property right justifying an injunction was involved, according to the judge, precluded the consideration of other questions presented, including the allegation that the regulations were made without regard to zones of temperature or to the distribution, abundance, economic value, breeding habits and migrations of the birds. Biological Survey naturalists who were in court prepared to present the data used in formulating the regulations, and local sportsmen who supported the conservation policies of the bureau were thus not called upon to testify.

This year's regulations were based on the results of extensive investigations showing that the alarming condition of the birds made a short season with severe restrictions the only alternative to a complete prohibition of hunting. Though interested primarily in the protection of the birds, the Biological Survey points

out that only the necessary restrictions indicated by the condition of the species are recommended, and the restrictions are for the purpose of perpetuating the sport of wildfowling rather than of interfering with it.

THE PRESIDENT OF THE AMERICAN CHEMICAL SOCIETY

DR. EDWARD R. WEIDLEIN, director of the Mellon Institute of Industrial Research, Pittsburgh, has been elected president of the American Chemical Society for 1937. Dr. Weidlein was nominated in a national poll of the 19,000 members. The final choice was made by the society's council from the four nominees receiving the largest number of votes. Dr. Weidlein will serve as president-elect during 1936.

On January 1, Professor Edward Bartow, head of the department of chemistry and chemical engineering in the State University of Iowa, now president-elect, will take office as president of the society, succeeding Professor Roger Adams, of the University of Illinois.

Dr. Weidlein was born in Augusta, Kansas, July 14, 1887. He was graduated from the University of Kansas in 1909, and received the master of arts degree in 1910. He was industrial fellow of the university from 1909 to 1912. He holds the honorary degree of doctor of science from Tufts College, 1924, and of doctor of laws from the University of Pittsburgh, 1930.

Dr. Weidlein became associate director of the Mellon Institute in 1916, after serving four years as senior industrial fellow. In 1921 he was named director. His research has been chiefly in the fields of heat insulation materials, hydrometallurgy, camphor and epinephrine. Recently he has devoted himself to the methodology of industrial research.

Dr. Weidlein was chairman of the fuel committee of the National Research Council in 1918, and is now a member of the central petroleum committee and of its division of engineering industrial research. He was a chemical expert to the War Industries Board in 1918 and 1919.

He is a past president and director of the American Institute of Chemical Engineers and a fellow of the American Association for the Advancement of Science and of the American Institute of Chemists, as well as a member of other organizations in this country and abroad. He is a trustee of the University of Pittsburgh and a director of the Forbes National Bank, Pittsburgh.

SCIENTIFIC NOTES AND NEWS

THE Penrose Medal of the Geological Society of America has been awarded to Dr. Reginald Aldworth Daly, Sturgis-Hooper professor in the department of

geology of Harvard University. It will be presented at the annual dinner of the society at the Waldorf-Astoria Hotel, New York City, on December 27. The