sional or unethical act or conduct of the lawyer." And the court concludes with a statement that it is the corresponding duty of the bar association, as the organized representative of the profession, to examine and inquire into the subject-matter of such a communication in order that the alleged grievance may be redressed or corrected.

The prevailing rule or principle has been announced to be that a publication is conditionally, or qualifiedly privileged, "whenever the author and publisher of the alleged slander acted in the bona fide discharge of a public or private duty, legal or moral; or in the prosecution of his own rights or interest." *White v. Nicholls* (U. S. 1845) 3 How. 266; Townhend, SLANDER AND LIBEL (4th ed. 1890) secs. 209, 237; 32 C. J. 1241. "A publication is therefore *prima facie* qualifiedly privileged where circumstances obtain with respect to a right or duty to communicate to others what, of right, they ought to know, even though it is not a legal, but only a moral or social duty of imperfect obligation." *State ex rel. Zorn v. Cox* (1927) 318 Mo. 112, 298 S. W. 837. "Privilege rebuts the presumption of malice, and the burden of proof is cast upon the plaintiff to prove express malice." *Sullivan v. Commission Co.* (1899) 152 Mo. 268, 53 S. W. 912. The case at bar is, however, a step beyond certain of the authorities relied upon, in that in the cases involving communications to a medical society or a church body the communicant seems to have been a member of the group rather than an independent layman. *McKnight v. Hasbrouck* (1890) 17 R. I. 70, 20 Atl. 95; *Farnsworth v. Storrs* (Mass. 1850) 5 Cush. 412. A number of recent cases have held that voluntary communications to proper authorities of violations of the National Prohibition Act are qualifiedly privileged. *Wasylenko v. Frysky* (1927) 130 Misc. 716, 224 N. Y. S. 329; *Popke v. Hoffman* (1926) 21 Ohio App. 454, 153 N. E. 248.

The decision would seem, then, to be an extension of an accepted rule into an essentially similar, though new, field of activity. The policy of aiding to uphold the standards of legal profession is undoubtedly sound. If the publication of such communications is not qualifiedly privileged the usefulness of organizations of professional men and women is limited to a mere exchange of ideas or social intercourse, or the correction of misconduct occurring directly within the sphere of the association's cognizance.

C. V. E., '31.

MUNICIPAL CORPORATIONS—REGULATIONS OF STREETS—PROHIBITIONS OF PARKING.—The recent ordinance prohibiting parking of automobiles in the downtown district of Chicago during business hours, in the opinion of the Supreme Court of Illinois was an unreasonable exercise of the power of the municipality to regulate traffic. The arrest and fine of a local attorney who left his car outside his downtown office while engaged in a thirty-minute conference with a client brought the validity of the enactment before the court. The decision invalidated legislation which was the result of a survey of traffic congestion conditions which had cost the city over $50,000. *Haggenjos v. City of Chicago* (1929) 336 Ill. 573, 168 N. E. 661.

The ordinance in question applied to the "loop," a downtown business district about nine blocks in length by eight blocks in width, between the hours of 7 and 6 on any regular business day, Saturday afternoons and holidays being excepted. The enactment did not apply to ambulances, emergency vehicles of the United States, City of Chicago, or Cook County, or to public utility vehicles while the operator thereof was engaged in emergency duties.

The argument in the opinion is devoid of support for the conclusion reached. In holding the ordinance to be void the court concedes a number of propositions which could well have formed the basis of the opposite ruling. The court recognizes that a municipality has the power to regulate the use of its streets and the traffic upon them, and points out that modern conditions call for drastic restrictions. The court concedes quite properly and reasonably, that the ordinance notwithstanding its literal terms, did not prohibit the stops permitted or directed by other ordinances such as those for loading and unloading merchandise, stops in traffic, and other necessary stops.

Citation of authorities is rather unnecessary to demonstrate that this decision is undoubtedly out of line with the modern viewpoint, but a few recent cases may be helpful. Ordinances prohibiting parking in certain restricted localities between certain hours, or at all times, or limiting the parking privilege to one hour, thirty minutes, or even a shorter period are common and have been sustained. *Pugh v. City of Des Moines* (1916) 176 Iowa 593, 156 N. W. 892; *Welsh v. Town of Morristown* (N. J. 1923) 121 Atl. 697, affirmed in *Welsh v. Potts* (1924) 99 N. J. L. 528, 124 Atl. 926; *Cavanaugh v. Gerk* (1926) 313 Mo. 375, 280 S. W. 51. Prohibition of taxicab stands in certain areas and on certain streets has been uniformly upheld. *City of New Orleans v. Calamari* (1922) 150 La. 737, 91 So. 172; *Sanders v. Atlanta* (1918) 147 Ga. 819, 95 S. E. 695. In the same way other vehicles have been prohibited from the use of portions of streets designated as taxicab stands. *Commonwealth v. Rice* (1927) 261 Mass. 340, 158 N. E. 797. Certain types of vehicles have been prohibited from using streets in certain areas at any time. *Smallwood v. District of Columbia* (Dist. Col. 1927) 17 F. (2) 210. To relieve congestion cities have been permitted to designate streets for one-way traffic only. *Commonwealth v. Nolan* (1920) 189 Ky. 34, 224 S. W. 506. It has been held within the police power of a city to regulate traffic on particular streets, even to complete exclusion of busses therefrom. *Peoples' Rapid Transit Co. v. Atlantic City* (N. J. 1929) 144 Atl. 630. While the enactment in the principal case is perhaps wider in its scope than those in certain of the above cases, to declare it unreasonable and invalid seems as lacking in legal justification as it is unmindful of practical metropolitan traffic conditions. C. V. E., '31.

TORTS—APPLICATION OF FLETCHER V. RYLANDS PRINCIPLE TO PIPE LINE COMPANIES.—In the case of *Behle v. Shell Pipe Line Co.* (Mo. 1929) 17 S. W. (2d) 1056, the question involved was the defendant's liability for damage to plaintiff's land caused by the escape of oil through a leak or break in defendant's pipe line. The case went to the jury on a presumption of negli-