

MICHIGAN LAW REVIEW

PUBLISHED MONTHLY DURING THE ACADEMIC YEAR, EXCLUSIVE OF OCTOBER, BY THE
LAW FACULTY OF THE UNIVERSITY OF MICHIGAN

SUBSCRIPTION PRICE \$2.50 PER YEAR.

35 CENTS PER NUMBER

JAMES H. BREWSTER, Editor
EVANS HOLBROOK, Acting Editor

ADVISORY BOARD.

HENRY M. BATES

VICTOR H. LANE

HORACE L. WILGUS

Editorial Assistants, appointed by the Faculty from the Class of 1912:

GEORGE E. BRAND, of Michigan.

PHILIP H. CALB, of Illinois.

HAROLD R. CURTIS, of Rhode Island.

SIGMUND W. DAVID, of Illinois.

ALBERT R. DILLEY, of Kansas.

PAUL P. FARRENS, of Iowa.

NEWTON K. FOX, of District of Columbia.

GEORGE M. HUMPHREY, of Michigan.

VICTOR R. JOSE, JR., of Indiana.

ANDREW J. KOLYN, of Michigan.

LANGDON H. LARWILL, of Michigan.

AQUILLA C. LEWIS, of Illinois.

DEAN L. LUCKING, of Michigan.

LEONARD F. MARTIN, of Illinois.

WALLE W. MERRITT, of Minnesota.

WALTER R. METZ, of Nebraska.

ALBERT E. MEDER, of Michigan.

ELBERT C. MIDDELTON, of Minnesota.

STANISLAUS PIETRASZEWSKI, of New York.

ALBINO Z. SYCIP, of China.

NOTE AND COMMENT.

THE LAW SCHOOL.—The Law School reopens this fall with an attendance slightly larger than that of last fall. There are but few changes in the faculty: Professor Bradley M. Thompson, who was a member of the first graduating class of the Law School, and who since 1887 has been Jay Professor of Law, resigned at the end of the last college year, and the resulting vacancy in the faculty has been filled by the appointment of Mr. Edgar N. Durfee as Assistant Professor. Mr. Durfee is a graduate of Harvard College, was for one year a student in this Law School, and later graduated from the University of Chicago Law School; after engaging for two and a half years in the practice of law in Detroit, he went to the Law School of the University of Idaho as Associate Professor, where he spent one year before coming to Ann Arbor this fall. Professor Brewster is absent on leave for another year, but will return next fall to resume his work.

PLEADING ESTOPPEL.—The conflict of opinion on the question as to whether it is necessary to plead facts constituting an estoppel *in pais* still continues, if we are to judge from two cases, *John V. Schaefer, Jr. & Co. v. Ely et al.*