

*Held, also*, that the grantee, although not in fact a licensed attorney, but only practising in justices' courts, was in principle clearly within the rule applicable to attorneys: *Id.*

*Pleading—Complaint.*—In an action to recover back money paid on compulsion, or by duress of goods, the complaint should state the facts, and not a mere conclusion of law. The court must be able to see from the facts stated that the payment was in fact compulsory, and compelled by duress of the party's goods: *Commercial Bank of Rochester vs. City of Rochester.*

It is not sufficient simply to allege, in a general way, that the payment was compulsory, and not voluntary: *Id.*

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### NOTICES OF NEW BOOKS.

REPORTS OF CASES DETERMINED IN THE SUPREME COURT OF ILLINOIS. By E. PECK, Counsellor at Law. Volume XXX. Chicago: E. B. Myers, 1864.

This volume is understood to comprise all the cases reported by the late learned reporter of the state, Mr. Peck, not published in his previous volumes

We have so frequently, during the past year, noticed the volumes of this series, that it is now needful only to say that the concluding one fully sustains the reputation earned for the reporter by those which preceded it. Since Mr. Peck, in 1852, entered upon his laborious office, Illinois has completed the transition from a merely agricultural to a great commercial state. Parallel with this course has been that of her jurisprudence, from the adjudication of land causes and the simpler classes of actions *ex contractu*, to the important ones growing out of an immense marine and railroad interest. To give shape to the law in its progress to what it is, the sole reporter of the decisions of her highest court has been in a position to contribute much. How faithfully Mr. Peck has labored to this end, the eighteen volumes of his reporting are the best evidence.

This volume is a very neat specimen of printing and binding.

J. A. J.

REPORTS OF CASES IN LAW AND EQUITY, DETERMINED IN THE SUPREME COURT OF THE STATE OF IOWA. By THO. F. WITHROW, Reporter. Volume VI., being volume XIV. of the series. Des Moines: 1864.

We have just received this volume of Mr. Withrow's Reports, containing decisions of the court in the years 1862 and 1863, which is bringing the date of the decisions much nearer the date of the reports than is done

in some of the states. But an improvement in that respect may still be looked for when its importance becomes fully appreciated. As the decisions in most of the states first become accessible in the authorized reports, it becomes specially important that all reasonable exertions be made to present them at as early a day as practicable. We have looked into a large number of the decisions in this volume, and find no occasion to question their soundness, or if any, with rare exceptions. The majority of the cases involve no new principle, or any new application of old ones. But this is true of all our reports. There are some cases in this volume of great interest to those engaged in commercial enterprises, especially that of *The Bank of Indiana vs. Anderson*, where the mortgage security attaching to negotiable paper was held liable to be discharged by the original payee after the paper was negotiated. One of the judges dissented; but we should incline to the opinion of the majority of the court, who held such title dependent upon the evidence of the registry. This volume, on every page almost, contains evidences of the laborious faithfulness and constant watchfulness of the reporter. We wish we could prevail upon all the reporters in the country to adopt the practice of the late English reporters, which has been adopted by many of the American reporters, and by Mr. Withrow, of giving the point of their head notes in a single word or two at the beginning of the note. We think it is scarcely less than an abuse of the profession to omit such a matter, which could only be done to save labor to the reporter, at the expense of those who have occasion to consult the book. One who has not been compelled, as we have, to verify proofs by referring to fifty or a hundred volumes, on a single occasion, and to see that the citation is in point in every case, where the head notes sometimes extend to nearly a score of points, every one of which it may become necessary to read at length, could not comprehend the importance of these "catch-words." But there is no doubt they are, in a greater or less degree, valuable to every one who consults law books, and in some cases almost indispensable. In citing an authority in the course of an argument, if there is no such "catch-word," it must be supplied either by pencil on the margin of the book, or else upon the brief.

There is another small matter which we have found in some few volumes of reports, *e. g.*, in Sumner's edition of Vesey, where the page of the opinion from which the head note comes is printed at the end of the note. Such small mechanical matters, so to speak, save immense labor, and cost almost nothing, and ought to be found in all books of such constant use as law books.

I. F. R.