



Reports of Cases Argued and Determined in the Court of Common Pleas, Vol. 3: Of the City and County of New York (Classic Reprint)

Charles P. Daly

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Excerpt from Reports of Cases Argued and Determined in the Court of Common Pleas, Vol. 3: Of the City and County of New York

Held, That in laying an assessment of fifteen per cent, instead of ten per cent., the defendants violated no contract with the plaintiff, and a court of equity will not on that ground interfere to restrain a forfeiture and sale of the pew.

Held further, That the plaintiff, in asking a court of equity to interfere by its junction in such a case, should show either payment or offer of payment of so much of the assessment admitted by him to be duly laid.

It seems, however, that, even in case of payment or offer of payment, the court will not interfere, because the forfeiture and sale threatened by the defendant.

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