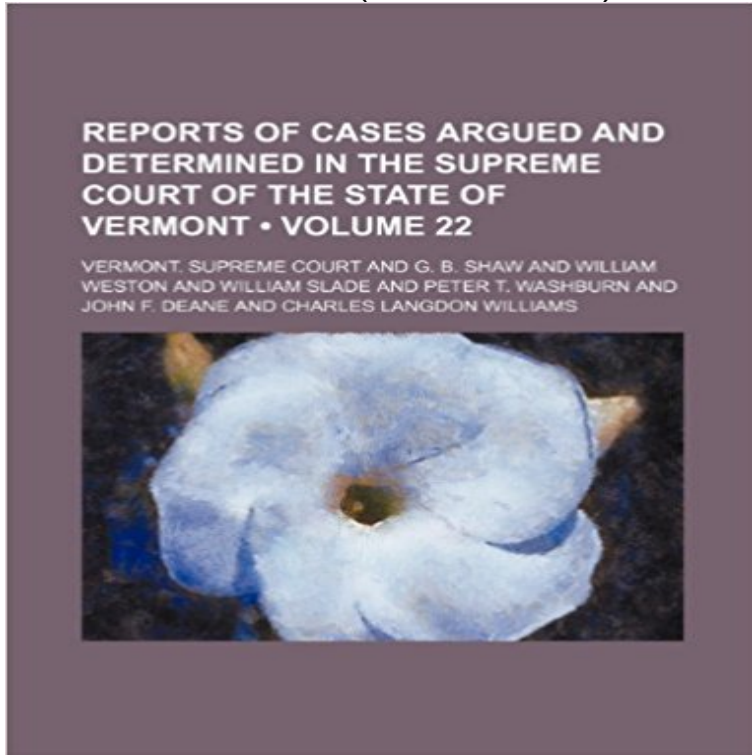


## Reports of Cases Argued and Determined in the Supreme Court of the State of Vermont (Volume 22 )



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1851. Excerpt: ... Porter et al. r. Monger. modified by the decisions made within a few years; and a party is not allowed to claim the benefit of any such forfeiture, except when there has been a clear breach shown on the part of the party who has performed the service. From the facts reported we think, the auditor correctly allowed the plaintiff for his labor, and the judgment of the county court accepting his report is affirmed. Porter & Ballard V. Carlton A. Munger. Where one offered as a witness is incompetent through interest, and he executes a release of his interest to the party calling him, and the act is apparently for the advantage of the party, the law will presume his assent to it, and a delivery of the instrument to his attorney will be sufficient. Interest is allowed in this state, upon the price of goods sold upon a credit, after the time of credit has expired. And the same rule will be applied to contracts made in another state and to be performed there, but put in suit in this state, unless it be shown, that the *lex loci* requires a different rule. In an action upon book account the plaintiff may recover for all of his account, which is due at the time of the hearing before the auditor, notwithstanding a portion of the account consists of charges for property sold upon a credit after the commencement of the suit, and notwithstanding the contract was made in a state, where no form of action is known, in which a recovery can be had for property sold after the suit is commenced. The question is one relating to the remedy, and is governed by the *lex fori*. Where property is sold, with an agreement that payment shall be made by the note of the vendee, payable at a future day, and indorsed by a third person, and payment is

not made in the manner agreed, the vendor...

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recent weeks and as a financially strong building society with no external shareholders to satisfy we have the ability to  
pass this on to borrowers.” After the 2-year period the mortgage will revert to the lender’s standard variable rate, which  
is currently 4.74%. Rachel Springall, finance expert at Moneyfacts, said: “It’s fantastic to see such low rates on offer  
from Yorkshire Building Society and the choice between variable or fixed deal will appeal to different types of  
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some security could choose the fixed rate. “In such a low interest rate environment it would be ideal for borrowers to  
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