

661.6 “Enforceable duty” defined.

If such duty, the performance of which is sought to be compelled, is not one resulting from an office, trust, or station, it must be one for the breach of which a legal right to damages is already complete at the commencement of the action, and must also be a duty of which a court of equity would enforce the performance.

[R60, §3767; C73, §3375; C97, §4343; C24, 27, 31, 35, 39, §12445; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §661.6]