



Trial Evidence Volume 2; The Rules of Evidence Applicable on the Trial of Civil Actions: Including Both Causes of Action and Defenses at Common Law, in Equity and Under the Codes of Procedure

By Austin Abbott

Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.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. 1918 Excerpt: .evidence,58 as already stated. It is not necessary for him to show that he has divested himself of a paper title and a legal right.59 Defendant is not liable on parol evidence merely that he took a general assignment of all the lessee s property in trust. 0 If the lease is not specified in the assignment, the assignee in trust is not liable without evidence manifesting an intent to accept the lease;61 and he may rebut the presumption arising from his temporary occupation, and prove that he did not accept the lease under the assignment.61 18. Demand. In an action for rent, as distinguished from a proceeding to forfeit the term for non-payment, a demand need not be that. he held under the lease (Main v. Davis, 32 Barb. 461, and cases cited; Van Rensselaer r. Secor, Id. 469); or that he paid rent upon...



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