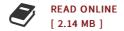


Kentucky Pleading, Practice and Forms Under the Civil Code Volume 2

By John E. Newman

RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 364 pages. Dimensions: 9.7in. x 7.4in. x 0.8in.This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1916 edition. Excerpt: . . . and, under it, the defendant could not only compel the plaintiff to prove a right of entry, but could defeat the action by proving a right of entry in himself; or, unless he had entered on the plaintiffs actual possession, by proving a right of entry in a stranger. (See cases cited in 773, ante.) An act of 1800 (M. and B. S83) authorized the defendant in ejectment to plead not guilty, or plead his title according to its truth. Under the Code, which has abolished the general issue, an answer specifically traversing the plaintiffs allegations, in an action for land, would throw on him the burden of proof; but, if he should make out a prima facie case, as, by proving title in himself under a grant from the Commonwealth, it seems that the defendant, having merely traversed the allegations of the...



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