

IF YOU BELIEVE THE EVIDENCE IN THIS CASE, I CHARGE
YOU THAT YOU MUST RETURN A VERDICT FOR THE
DEFENDANT

Refused
Jeffrey J. Marshall
Judge

PLAINTIFF'S REQUESTED CHARGE #1

No. 1

The situation, the relation, and circumstances of the parties and of the subject matter may be taken into consideration in determining the intention of the parties.

Given

Stephen J. Mable
Circuit Judge

PLAINTIFF'S REQUESTED CHARGE #2

No. 2

Ordinarily an unexplained payment of money will be presumed to be made in payment of a debt or a loan, and not as a gift. The one claiming that he has received a gift must establish all facts essential to the validity of the gift by clear and convincing proof. The burden of proof is on him.

Given

Jeffrey A. Mable
Circuit Judge