American Jurisprudence
Pleading and Practice Forms
Annotated

VOLUME 1 PART 1

ABANDONED, LOST, AND UNCLAIMED PROPERTY
I. Abandoned Property
II. Lost and Unclaimed Property
ABATEMENT, REVIVAL, AND STAY
I. Abatement and Stay
II. Revival and Continuance of Actions by or Against Successors in Interest or Substituted Parties
ABORTION
I. General Considerations
II. Blockade and Harassment of Abortion Clinics
III. Parental Consent of Minor's Abortion
IV. Medical Malpractice Involving Abortion
V. Restrictions on Abortion Rights
ABSENTEES
I. General Considerations
II. Conservation of Estate
III. Administration of Estate
ABSTRACTS OF TITLE
I. General Considerations
II. Liability of Abstractor
ABUSE OF PROCESS
I. Process in Civil Proceedings
II. Criminal and Civil Arrest
III. Instructions to Jury

VOLUME 1 PART 2

ACCORD AND SATISFACTION
I. General Considerations
II. Enforcement of Original Agreement
III. Actions to Enforce Accord
ACCOUNTANTS
I. In General
II. Regulation and Licensing
III. Rights and Duties of Accountants
ACCOUNTS AND ACCOUNTING
I. General Considerations
II. Actions on Account
III. Account Stated
IV. Accounting

ACKNOWLEDGMENTS
I. General Considerations
II. Liability of Notary or Notary's Surety

ACTIONS
I. In General
II. Consolidation and Co-ordination of Actions
III. Severance

VOLUME 1A

ADJOINING LANDOWNERS
I. In General
II. Lateral and Subjacent Support
III. Light, Air, and View; Spite Structures
IV. Encroachment
V. Property Invasions Other Than Encroachment
ADMINISTRATIVE LAW
I. In General
II. Operation and Functioning of Administrative Agencies
III. Court Review of, or Relief Against, Administrative Action
IV. Remedy as Within Administrative or Judicial Forum
V. Liability of Administrative Officers or Agencies

VOLUME 1B

ADMIRALTY
I. In General
II. Forms
III. Process in Rem
IV. Repair, Supply, and Reconstruction of Vessels
V. Maritime Carriage of Cargo
VI. Navigation and Collision
VII. Possessory, Petitory, and Partition Actions
VIII. Bottomry and Respondentia; Liens on Vessels
ADOPTION
I. Adoption of Minors
II. Adoption of Adults
III. Vacation or Annulment of Adoption
IV. Actions Arising Under Adoption Decree or Agreement
ADVERSE POSSESSION
I. Adverse Possession
II. Elements and Requisites
III. Particular Persons and Properties Affected
ADVERTISING
I. In General
II. Advertising Contracts
III. Nuisances
IV. False and Misleading Advertising

VOLUME 1C

AFFIDAVITS
I. In General
II. Constituent Parts of Affidavits
III. Complete Forms

AGENCY
I. In General
II. Rights, Duties, and Liabilities Between Principal and Agent
III. Rights, Duties, and Liabilities Between Principal or Agent and Third Person
AGREED CASE
I. General Considerations
II. Submission of Controversy Without Action
III. Submission of Controversy After Bringing Action
IV. Withdrawal and Dismissal
ALIENS AND CITIZENS
I. General Considerations
II. Admission of Aliens
III. Exclusion and Removal
IV. Nationality and Naturalization
ALTERATION OF INSTRUMENTS
I. General Considerations
II. Pleading Forms
III. Jury Instructions
ALTERNATIVE DISPUTE RESOLUTION
I. General Considerations
II. Mediation
III. Minitrial; Summary Jury or Bench Trial
AMICUS CURIAE
I. General Considerations
II. Forms

VOLUME 1D

AMUSEMENTS AND EXHIBITIONS
I. General Considerations
II. Contractual Liability
III. Public Regulation and Control
IV. Liability for Personal Injuries
V. Equitable Remedies, and Damages, Arising from Particular Activities
ANIMALS
I. General Considerations
II. Governmental Regulation and Control; Diseased Animals
III. Animals Running at Large or Trespassing
IV. Bailment of Animals; Agistment
V. Injuries by Animals
VI. Injuries to Animals
ANNUITIES
I. General Considerations
II. Annuity Contracts
ANNULMENT OF MARRIAGE
I. General Considerations
II. Grounds for Annulment
III. Custody of Children, Support, and Litigation Expenses
IV. Judgment or Decree

VOLUME 2

APPEAL AND ERROR
- Part One. Institution of Review; Security and Supersedeas
  - I. Appeal
  - II. Writ of Error
  - III. Bonds or Other Security; Stay of Execution
- Part Two. Record on Appeal
  - IV. Records and Transcripts Generally
  - V. Transcripts
  - VI. Exhibits
  - VII. Bill of Exceptions and Other Similar Devices
  - VIII. Extension of Time for Filing
  - IX. Amendment, Correction, or Augmentation by Order of Reviewing Court
  - X. Assignment of Errors
- Part Three. Proceedings in Reviewing Court
  - XI. In General
  - XII. Briefs
  - XIII. Failure or Loss of Appeal
  - XIV. Consolidation of Appeals
  - XV. Hearing of Intermediate Appellate Court
  - XVI. Certified Cases or Questions
  - XVII. Result of Review; Enforcement
  - XVIII. Costs
- Part Four. Proceedings Subsequent to Mandate
  - XIX. Rendition of Judgment Directed
  - XX. Restitution of Benefits from Erroneous Judgment

APPEARANCE
- I. General Considerations
- II. Special Appearance
- III. General Appearance
- IV. Withdrawal or Vacation of Appearance

VOLUME 2A PART 1

ARBITRATION AND AWARD
- I. In General
- II. Arbitration Agreements
- III. Arbitration Proceedings
- IV. Award; Subsequent Proceedings

ARCHITECTS
- I. In General; Regulation and Licensing
- II. Rights of Architects; Compensation
- III. Duties and Liabilities of Architects

ARREST
- I. In General
- II. Complaints and Affidavits for Order or Writ of Arrest
- III. Bonds and Undertakings of Plaintiff
- IV. Order or Writ of Arrest
- V. Discharge from Custody or Imprisonment
- VI. Actions for Injuries Suffered During Arrest

VOLUME 2A PART 2

ASSAULT AND BATTERY
I. In General
II. Acts Causing Apprehension of Offensive or Harmful Contact
III. Acts Culminating in Offensive or Harmful Contact
IV. Defenses
ASSIGNMENTS
I. In General; Form and Requisites; Operation and Effect
II. Subject Matter
III. Parties to Actions; Substitution

VOLUME 2B

ASSIGNMENTS FOR BENEFIT OF CREDITORS
I. In General
II. Appointment and Removal; Judicial Supervision
III. Administration of Estate
IV. Actions by Assignee
V. Actions by Creditors and Third Persons
ASSISTANCE, WRIT OF
I. Procedure to Obtain Writ
II. Issuance of Writ; Execution
ASSOCIATIONS AND CLUBS
I. General Considerations; Captions; Capacity and Party Allegations; Officers, Members, or Committee as Parties; Class Actions
II. Powers and Rights of Associations and Clubs
III. Members and Membership; Discriminatory Policies
IV. Liabilities to Members and Third Persons
ASSUMPSIT
I. In General
II. Indebitatus Assumpsit
III. Money Counts
ATOMIC ENERGY
I. In General
II. Regulation and Control
III. Patents and Inventions
IV. Civil Liability for Injuries from Radiation or Nuclear Explosions
V. Whistle-blower Protection
ATTACHMENT AND GARNISHMENT
I. General Considerations
II. Attachment
III. Garnishment

VOLUME 2C

ATTACHMENT AND GARNISHMENT *(Continued)*
III. Garnishment *(Continued)*
IV. Bonds in Attachment and Garnishment Proceedings
V. Proceedings in Aid of or in Opposition to Attachment or Garnishment
VI. Custody and Disposition of Property
VII. Claims of Third Persons
VIII. Dissolution, Release, or Discharge of Attachment or Garnishment

IX. Wrongful Attachment or Garnishment

ATTORNEYS-AT-LAW
I. In General
II. Judicial Supervision of Legal Profession
III. Attorney-Client Relationship
IV. Malpractice
V. Compensation and Fees
AUCTIONS AND AUCTIONEERS
I. General Considerations
II. Licensing and Regulation of Auction Sales
III. Duties and Liabilities of Auctioneers
IV. Duties and Liabilities of Sellers and Buyers

VOLUME 3

AUTOMOBILE INSURANCE
I. General Considerations
II. Representations, Warranties, and Conditions
III. Risks and Coverage
IV. Rights and Obligations of Insured After Accident
V. Rights and Obligations of Insurer After Accident
VI. Apportionment and Contribution
VII. Subrogation or Reimbursement of Insurer and Others
AUTOMOBILES AND HIGHWAY TRAFFIC
Part One. In General
I. Title and Ownership; Transfers and Encumbrances
II. Licensing and Registration
III. Financial Responsibility or Security Requirements
IV. Breach of Warranty (Non-Personal Injury)
V. Constructive or Substituted Service of Process on Nonresident Motorist or Resident Motorist Who Has Left State

VOLUME 3A

AUTOMOBILES AND HIGHWAY TRAFFIC *(Continued)*
Part Two. Liability for Injury and Damage from Operation of Vehicles
VI. Complaints, Petitions, or Declarations

VOLUME 3B

AUTOMOBILES AND HIGHWAY TRAFFIC *(Continued)*
Part Two. Liability for Injury and Damage from Operation of Vehicles *(Continued)*
VI. Complaints, Petitions, or Declarations *(Continued)*
VII. Complaints, Petitions, or Declarations; Specific Allegations
VIII. Demurrers and Motions; Discovery
IX. Answers, Counterclaims, and Replies
X. Instructions

VOLUME 4

AVIATION
- I. In General
- II. Aircraft and Property Rights in Aircraft
- III. Products Liability
- IV. Airports and Related Facilities
- V. Rights in Airspace; Relative Rights of Surface Proprietors
- VI. Liability for Injury or Damage from Operation of Aircraft
- VII. Governmental Regulation and Control

BAIL AND RECOGNIZANCE
- I. Introduction
- II. The Undertaking
- III. Exoneration and Disposition of Bail
- IV. Liability of Surety; Forfeiture of Bail

BAILMENTS
- I. In General
- II. Rights, Duties, and Liabilities as Between Bailor and Bailee
- III. Rights, Duties, and Liabilities as Between Bailor or Bailee and Third Persons

VOLUME 4A

BANKRUPTCY
- I. Introduction
- II. General Forms
- III. Liquidation Proceedings
- IV. Adjustment of Debts of Municipality
- V. Reorganization Under Chapter 11
- VI. Railroad Reorganization
- VII. Adjustment of Debts of Individual with Regular Income
- VIII. Family Farmer Debt Adjustment Plans
- IX. Appeal and Review

BANKS
- I. In General
- II. Shares and Shareholders
- III. Directors, Officers, and Agents
- IV. Safe Deposit Business and Boxes
- V. Withdrawals and Payments
- VI. Recovery of Deposits
- VII. Insolvency, Liquidation, and Dissolution

VOLUME 5

BARBERS AND COSMETOLOGISTS
- I. General Considerations
- II. Licensing and Regulation
- III. Injuries to Patrons and Others

BASTARDS
- I. General Considerations
- II. Legitimation of Child
- III. Support; Custody
- IV. Filiation or Paternity Proceedings

BILLS AND NOTES
I. General Considerations
II. Nature and General Operation of Instruments
III. Rights and Liabilities of Parties
IV. Presentment, Notice of Dishonor, and Protest; Acceptance of Drafts
V. Discharge
BOATS AND BOATING
I. General Considerations
II. Personal Injuries
III. Property Damage
BONDS
I. General Considerations
II. Forms
BOUNDARIES
I. General Considerations
II. Interference with or Destruction of Existing Boundaries
III. Establishment of Boundaries by Agreement or Acts of Parties
IV. Judicial Determination of Boundaries
BOUNTIES
I. General Considerations
II. Forms
BREACH OF PROMISE
I. General Considerations
II. Agreement of Parties; Breach
III. Defenses
IV. Damages
BROKERS
I. General Considerations
II. Licensing and Regulation
III. Compensation and Reimbursement of Brokers
IV. Duties and Liabilities of Brokers
BUILDING AND CONSTRUCTION CONTRACTS
I. General Considerations
II. Actions Against Contractors
III. Actions by Contractors
IV. Tort Liability of Contractors
BUILDING AND LOAN ASSOCIATIONS
I. General Considerations
II. Formation and Organization
III. Directors and Officers
IV. Shares and Shareholders
V. Reorganization and Insolvency
VI. Services on Deposits and Accounts

VOLUME 5A

BUILDINGS
I. General Considerations
II. Building Regulations
III. Tort Liability for Violation of Building Regulations
IV. Liability for Repairs

BUSINESS TRUSTS
I. General Considerations
II. Actions Involving a Business Trust
CANCELLATION OF INSTRUMENTS
I. General Considerations
II. In General; Rescission and Restoration of Status Quo
III. Grounds for Cancellation
IV. Judgment or Decree
CAPTIONS, PRAYERS, AND FORMAL PARTS
I. Captions
II. Address; Introduction
III. Statement of Residence or Citizenship
IV. Prayers or Requests for Relief
V. Signature
VI. Verification; Certification or Declaration under Penalty of Perjury
CARRIERS
I. General Considerations
II. Carriage of Passengers
III. Carriage of Property
IV. Injuries to Nonpassengers
CEMETERIES
I. General Considerations
II. Establishment and Maintenance
III. Abandonment or Discontinuance
IV. Tort Liability of Operator or Proprietor of Cemetery
V. Property Rights in Lots or Mausoleums; Burial Rights

VOLUME 5B

CENSUS
I. General Considerations
II. Forms
CERTIORARI
I. General Considerations
II. General Aspects of Certiorari
III. Proceedings Prior to Issuance of Writ
IV. Writ of Certiorari or Review
V. Proceedings Subsequent to Issuance of Writ
CHAMPERTY AND MAINTENANCE
I. General Considerations
II. Actions to Recover for Champerty or Maintenance
III. Champerty as a Defense
CHARITIES
I. General Considerations
II. Charitable Gifts and Trusts
III. Charitable Purpose
IV. Tort Liability
CIVIL RIGHTS
I. General Considerations
II. Redress for Violation of Civil Rights, Generally
III. Discrimination In Particular Matters

CIVIL SERVICE
I. General Considerations
II. Rights Associated With Civil Service Status
III. Removal and Discharge of Employee
IV. Reinstatement of Discharged Employee
CLERKS OF COURT
I. General Considerations
II. Forms
COLLECTION AND CREDIT AGENCIES
I. In General
II. Regulation and Licensing
III. Rights, Duties, and Liabilities
COLLEGES AND UNIVERSITIES
I. General Considerations
II. Governance and Conduct of School
III. Property and Funds
IV. Tort Liability
COMMERCE
I. General Considerations
II. Federal and State Power of Regulation
III. Subjects of Commerce and Regulation
IV. Means, Kinds, and Extent of Regulation
V. Judicial Proceedings as Burdens on Commerce

VOLUME 6

COMMERCIAL CODE
Article 1. General Provisions
I. In General
II. Application and Construction of Code
III. Definitions and Principles of Interpretation
Article 2. Sales
I. In General
II. Code Terminology; Applicability [U.C.C. §§2-102, 2-105, 2-106, 2-107]
III. Form, Formation, and Readjustment of Contract
IV. General Obligations and Construction of Contract
V. Title, Creditors, and Good Faith Purchasers
VI. Performance

VOLUME 6A

COMMERCIAL CODE *(Continued)*
Article 2. Sales *(Continued)*
VII. Breach, Repudiation, and Excuse
VIII. Remedies
Article 2A. Leases
I. General Provisions [U.C.C. §§2A-101 to 2A-109]
II. Formation and Construction of Lease Contract [U.C.C. §§2A-201 to 2A-221]
III. Effect of Lease Contract [U.C.C. §§2A-301 to 2A-311]
IV. Performance of Lease Contract: Repudiated, Substituted and Excused [U.C.C. §§2A-401 to 2A-407]
V. Default [U.C.C. §§2A-501 to 2A-532]

VOLUME 6B

COMMERCIAL CODE *(Continued)*

Article 3. Negotiable Instruments
- I. General Considerations
- II. Form and Interpretation
- III. Transfer and Negotiation
- IV. Rights of a Holder
- V. Liability of Parties
- VI. Presentment, Notice of Dishonor, and Protest
- VII. Discharge

Article 4. Bank Deposits and Collections
- I. General Considerations
- II. General Provisions and Definitions
- III. Collection of Items; Depositary and Collecting Banks
- IV. Collection of Items; Payor Banks
- V. Relationship Between Payor Bank and Customer
- VI. Collection of Documentary Drafts

Article 4A. Funds Transfers
- I. General Considerations
- II. Execution and Payment of Orders

Article 5. Letters of Credit
- I. General Considerations
- II. Rights and Obligations of Parties
- III. Honor and Dishonor
- IV. Transfer and Assignment

Article 6. Bulk Sales
- I. General Considerations
- II. Transactions Affected by Bulk Sales Law
- III. Compliance Requirements
- IV. Application of Proceeds
- V. Bulk Sales Conducted by Auctioneer or Liquidator

Article 7. Warehouse Receipts, Bills of Lading, and Other Documents of Title
- I. General Considerations
- II. Warehouse Receipts and Bills of Lading: Miscellaneous Provisions
- III. Warehouse Receipts: Special Provisions
- IV. Bills of Lading: Special Provisions
- V. Warehouse Receipts and Bills of Lading: General Obligations
- VI. Warehouse Receipts and Bills of Lading: Negotiation and Transfer

VOLUME 6C

COMMERCIAL CODE *(Continued)*

Article 8. Investment Securities
- I. General Considerations
- II. Applicability and Definitions
- III. Effect of Overissue
- IV. Issue-Issuer
- V. Transfer
- VI. Registration
- VII. Security Entitlements

Article 9. Secured Transactions, Sales of Accounts (Contract Rights), and Chattel Paper
I. General Considerations
II. Applicability and Definitions
III. Validity of Security Agreement and Rights of Parties
IV. Rights of Third Persons; Perfected and Unperfected Security Interests; Rules of Priority
V. Filing
VI. Default

VOLUME 7 PART 1

COMMUNITY PROPERTY
I. In General; Actions Between Husband and Wife While Living Apart Without Legal Separation
II. Actions Against or by Third Persons During Marriage
III. Actions or Proceedings in Connection with or After Divorce or Other Legal Separation
IV. Actions After Death of One Spouse
V. Management of Community Property by Spouse Where Other Spouse Absent or Incompetent
VI. Instructions to Jury

COMPOSITION WITH CREDITORS
I. In General; Checklists
II. Procedural Forms

COMPROMISE AND SETTLEMENT
I. General Considerations
II. Settlement Agreements and Related Papers
III. Judicial Approval of Settlement Agreements Made by Guardians
IV. Compromise and Settlement of Wrongful Death Actions
V. Operation and Effect
VI. Invalid and Defective Agreements

CONDOMINIUMS AND COOPERATIVE APARTMENTS
I. General Considerations; Checklists
II. Rights of Owners Among Themselves; Management and Control; Litigation by and Against Association
III. Rights and Obligations Between Owners and Third Persons

VOLUME 7 PART 2

CONFLICT OF LAWS
I. In General; Raising Issue of Conflict of Laws
II. Defensive Pleadings; Jury Instruction

CONSPIRACY
I. Civil Conspiracy Generally
II. Particular Conspiracies

CONSTITUTIONAL LAW
I. General Considerations
II. Legislation
III. Acts of Public Officers and Agencies

CONTEMPT
I. General Considerations
II. Proceedings to Punish for Contempt
III. Proceedings in Avoidance or to Obtain Release

VOLUME 7A PART 1

CONTINUANCE
I. In General
II. Civil Proceedings
III. Criminal Proceedings
CONTRACTORS' BONDS
I. In General; Private Construction Work and Contracts
II. Public Construction Work and Contracts; State Law
III. Public Construction Work and Contracts; Federal Miller Act
CONTRACTS
I. In General; Formation and Execution
II. Consideration
III. Performance
IV. Breach of Contract
V. Modification and Extinguishment of Contracts; Termination and Abandonment
CONTRIBUTION
I. Joint Debtors and Co-Obligors
II. Joint Tortfeasors
III. Special Remedies After Judgment

VOLUME 7A PART 2

CONVERSION
I. General Considerations
II. Elements of Conversion
III. Who May Bring Action; Parties Liable
IV. Property Subject to Conversion
COOPERATIVE ASSOCIATIONS
I. General Considerations
II. Rights and Liabilities of Members
III. Marketing Agreements
COPYRIGHT AND LITERARY PROPERTY
I. General Considerations
II. Action for Infringement of Copyright
III. Declaratory Judgment Actions Involving Copyright
IV. Proceedings Before Copyright Royalty Tribunal
V. Rights Arising from Copyright

VOLUME 7B

CORAM NOBIS AND ALLIED STATUTORY REMEDIES
I. General Considerations
II. Application for Relief, Generally
III. In Criminal Practice
IV. In Civil Practice
CORONERS OR MEDICAL EXAMINERS
I. General Considerations
II. Autopsies
III. Inquests
IV. Liability of Coroner or Medical Examined; Injunctive Relief
CORPORATIONS
I. General Considerations
II. Corporate Name

III. Actions by and Against Corporations
IV. Disregard of Corporate Entity
V. Issuance of Shares and Certificates
VI. Subscription to Shares
VII. Transfer of Shares
VIII. Fraud in Subscription to, or Sale or Purchase of, Shares
IX. Stockholders' Nonderivative Actions
X. Stockholders' Derivative Actions
XI. Right of Inspection of Corporate Records
XII. Stockholders' Individual Liability
XIII. Promoters
XIV. Directors, Officers, and Agents
XV. Dividends
XVI. Acquisition, Consolidation, and Merger
XVII. Reorganization and Transfer of Assets
XVIII. Voluntary Dissolution of Corporation
XIX. Involuntary Dissolution of Corporation
XX. Forfeiture of Corporate Charter

VOLUME 7C

COSTS
I. In General
II. Security for Costs
III. Proceedings in Forma Pauperis
IV. Award and Taxation of Costs
V. Enforcement of Payment

COTENANCY AND JOINT OWNERSHIP
I. In General
II. Actions Between Cotenants; Absence of Cotenancy
III. Actions by and Against Third Parties
IV. Termination of Cotenancy

COUNTERCLAIM, RECOUPMENT, AND SETOFF
I. In General
II. Practice and Procedure; Motions

COURTS
I. In General
II. Jurisdiction as Affected by Value or Amount in Controversy
III. Removal and Transfer of Actions
IV. Extension of Term

COVENANTS, CONDITIONS, AND RESTRICTIONS
I. In General
II. Covenants of Title
III. Covenants Restricting Use of Land; Building Restrictions

CREDIT CARDS
I. In General
II. Actions Involving Use of Credit Cards
III. Actions Involving Issuance of or Application for Credit Card

CREDITORS' BILLS
I. In General
II. Complaints, Petitions, and Related Matters
III. Defenses; Equitable Relief

VOLUME 7D

CRIMINAL PROCEDURE
- I. In General
- II. Bail and Recognizance
- III. Counsel and Other Assistance
- IV. Accusatory Pleading
- V. Venue
- VI. Pleas
- VII. Continuance
- VIII. Mental Competency of Accused
- IX. Evidence
- X. Trial
- XI. Arrest of Judgment; New Trial
- XII. Judgment and Sentence
- XIII. Appeal
- XIV. Expungement of Record

CROPS
- I. General Considerations
- II. Abatement of and Equitable Relief for Agricultural Nuisances
- III. Sharecropping Agreements
- IV. Contracts for Sale of Crops Growing or to Be Grown
- V. Damages for Destruction of or Injury to Crops

CUSTOMS AND USAGES
- I. General Considerations
- II. Procedural Forms

VOLUME 8

CUSTOMS DUTIES AND IMPORT REGULATIONS
- I. General Considerations
- II. Administrative Proceedings; Protests
- III. Proceedings in United States Court of International Trade

DAMAGES
- I. In General
- II. Compensatory Damages
- III. Exemplary or Punitive Damages; Statutory Damages
- IV. Mitigation of Damages; Other Defenses; Excessive or Inadequate Damages
- V. Instructions to Jury

DEAD BODIES
- I. General Considerations
- II. Actions Concerning Burial
- III. Injuries to Corpse

DEATH
- I. General Considerations
- II. Actions for Wrongful Death
- III. Presumption of Death and Survivorship

DECLARATORY JUDGMENTS
- I. In General
- II. Forms

DEDICATION
- I. General Considerations
- II. Forms

DEEDS
I. General Considerations
II. Execution and Delivery
III. Validity

VOLUME 8A

DEPOSITIONS AND DISCOVERY
I. General Considerations
II. Discovery in General; Preliminary Discovery
III. Stipulations Relating to Depositions
IV. Depositions Pending Action
V. Depositions Before Action or Pending Appeal
VI. Persons Before Whom Depositions May Be Taken
VII. Depositions on Oral Examination
VIII. Depositions on Written Questions
IX. Objection to Errors or Irregularities Relating to Depositions
X. Protective Orders as to Depositions
XI. Interrogatories to Parties
XII. Production of Documents or Things, and Entry on Land or Other Property
XIII. Examination of Persons
XIV. Admission of Facts and of Genuineness of Documents
XV. Compelling Discovery; Sanctions for Failure to Make Discovery
XVI. Actions to Perpetuate Testimony; Equitable Bills of Discovery

VOLUME 8B

DEPOSITS IN COURT
I. Deposit of Money or Property in Court
II. Withdrawal and Distribution of Deposits
DESCENT AND DISTRIBUTION
I. Initial Pleadings and Responses
II. Hearings on Determination of Heirship
III. Orders, Findings, and Judgments
IV. Actions Related to Intestate Succession
DESERTION AND NONSUPPORT
Proceedings for Child Support
DISMISSAL, DISCONTINUANCE, AND NONSUIT
I. General Considerations
II. Voluntary Termination of Action
III. Involuntary Termination of Action
IV. Reinstatement of Terminated Action
DIVORCE AND SEPARATION
I. General Considerations
II. Actions for Divorce and Separation
III. Ancillary Proceedings and Orders for Temporary Relief

VOLUME 8C

DIVORCE AND SEPARATION *(Continued)*
IV. Findings, Judgments, and Decrees
V. Proceedings to Enforce Judgments, Orders, and Decrees
VI. Proceedings to Modify or Vacate Orders and Decrees
VII. Proceedings to Enforce or Set Aside Separation Agreements

VIII. Proceedings Relating to Orders or Decrees of Foreign Jurisdictions
IX. Conciliation and Mediation Proceedings
DOMICIL
I. General Considerations

DOWER AND CURTESY
I. General Considerations
II. Designation and Assignment
III. Damages for Withholding
IV. Extinguishment or Loss of Rights of Surviving Spouse
DRAINS AND DRAINAGE DISTRICTS
I. General Considerations
II. Drainage District
III. Construction, Maintenance, and Operation of Drains or Sewers
IV. Liability for Damages
DRUGS, NARCOTICS, AND POISONS
I. General Considerations
II. Licensing and Regulation
III. Liability for Injuries Arising from Sale and Distribution of Drugs and Poisons
DURESS AND UNDUE INFLUENCE
I. General Considerations
II. Duress
III. Undue Influence

VOLUME 9

EASEMENTS AND LICENSES
I. General Considerations
II. Creation and Duration of Easements
III. Remedies for Interference With and Misuse of Easements
A. In General
B. Easements by Express Grant
C. Easements by Implication
D. Easements by Estoppel
E. Easements by Prescription
IV. Licenses in Real Property
EJECTMENT
I. General Considerations
II. General Forms
III. Actions Against Particular Persons
IV. Enforcement of Judgment in Ejectment Action; New Trial
ELECTION OF REMEDIES
I. General Considerations
II. Forms
ELECTIONS
I. General Considerations
II. Electoral System
III. Candidates
IV. Conduct of Elections
V. Election Contests
ELECTRICITY, GAS, AND STEAM
I. General Considerations
II. Production and Distribution
III. Rights of Way; Eminent Domain
IV. Provision and Maintenance of Service
V. Tort Liability

ELEVATORS AND ESCALATORS
I. General Considerations
II. Elevators
III. Escalators

VOLUME 9A

EMINENT DOMAIN
I. General Considerations
II. Commencement of Condemnation Proceedings
III. Preliminary Questions
IV. Valuation, Compensation, and Damages—Deposit With Court
V. Abandonment, Discontinuance, or Dismissal
VI. Condemnee's Pleadings—Replications of Condemnor
EMPLOYMENT AGENCIES
I. General Considerations
II. Actions by Employment Agencies
III. Actions Against Employment Agencies
EQUITABLE CONVERSION
I. General Considerations
II. Procedural Forms
EQUITY
I. General Considerations
II. Pleadings Seeking Equitable Relief
III. Defensive Pleadings
IV. Transfer of Cause
V. Amendments
VI. Disposal of Case
ESCAPE, PRISON BREAKING, AND RESCUE
I. General Considerations
II. Procedural Forms
ESCHEAT
I. General Considerations
II. Forms
ESCROW
I. General Considerations
II. Procedural Forms
ESTATES
I. General Considerations
II. Forms
ESTOPPEL AND WAIVER
I. General Considerations
II. Estoppel
III. Waiver
EVIDENCE
I. General Considerations
II. Judicial Notice
III. Admissibility
IV. Best and Secondary Evidence
V. Presumptions and Inferences
VI. Burden and Degree of Proof
VII. Weight and Sufficiency

EXCHANGE OF PROPERTY
I. General Considerations
II. Forms

VOLUME 10

EXECUTIONS
I. General Considerations
II. Forms
EXECUTORS AND ADMINISTRATORS
I. In General
II. Appointment, Qualification, and Tenure
III. Administration Bonds
IV. Inventory and Appraisal
V. Awards to Surviving Spouse and Family—Exempt Property
VI. Management of Estate
VII. Contracts of Decedent
VIII. Presentation and Allowance of Claims
IX. Disposal of Property by Sale, Mortgage, Lease, or Exchange
X. Payment of Debts and Obligations

VOLUME 10A

EXECUTORS AND ADMINISTRATORS *(Continued)*
XI. Accounting, Settlement, and Distribution
XII. Successor Representatives
XIII. Special or Temporary Administrators
XIV. Public Administrators
XV. Ancillary Administration
XVI. Small Estates—Summary and Independent Administration
XVII. Insolvent Estates
XVIII. Compensation and Allowances
XIX. Actions
EXEMPTIONS
I. General Considerations
II. Forms
EXPERT AND OPINION EVIDENCE
I. General Considerations
II. Appointment of Expert Witnesses
III. Designation and Pretrial Examination of Expert Witnesses
IV. Weight and Sufficiency of Testimony of Expert Witnesses
V. Compensation of Expert Witnesses
EXPLOSIONS AND EXPLOSIVES
I. General Considerations
II. Liability For Injuries From Particular Activities
III. Liability of Manufacturer or Seller
FACTORS AND COMMISSION MERCHANTS
I. General Considerations
II. Forms
FAIR TRADE LAWS
I. General Considerations
II. Forms

FALSE IMPRISONMENT

I. General Considerations
II. Cause of Action for False Imprisonment, Generally
III. Arrest or Imprisonment by Private Individual
IV. Instigation of or Participation in Arrest or Imprisonment by Private Individual
V. Arrest or Imprisonment by Law Enforcement Officer
VI. Arrest or Imprisonment by Judicial or Quasi-Judicial Officer
VII. Criminal Proceedings

VOLUME 11

FEDERAL CRIMINAL PROCEDURE

I. General Considerations
II. Complaint; Arrest and Warrant or Summons
III. Counsel
IV. Pretrial Bail and Recognizance
V. Preliminary Examination and Commitment to Another District
VI. Accusatory Pleading; Indictment and Information
VII. Arraignment and Plea
VIII. Venue
IX. Joinder and Severance
X. Discovery and Inspection
XI. Depositions
XII. Evidence and Witnesses
XIII. Mental Competency of Defendant
XIV. Pretrial Conference
XV. Pretrial Continuance
XVI. Trial
XVII. New Trial
XVIII. Arrest of Judgment
XIX. Vacation, Correction, and Modification of Judgment and Sentence

FEDERAL EMPLOYERS' LIABILITY AND COMPENSATION ACTS

I. General Considerations
II. Liability for Injury to or Death of Railroad Employee; Federal Employers' Liability Act (FELA)
III. Liability for Injury to or Death of Seaman; Jones Act

FEDERAL PRACTICE AND PROCEDURE

I. General Considerations
II. Pleadings

VOLUME 11A

FEDERAL PRACTICE AND PROCEDURE *(Continued)*

III. Summons and Process; Service of Pleadings
IV. Venue
V. Appearance
VI. Removal of Actions from State to Federal Court
VII. Dismissal
VIII. Motion Practice, Generally
IX. Motions Directed to Pleadings
X. Third-Party Practice
XI. Intervention
XII. Interpleader
XIII. Parties

XIV. Motions to Enlarge or Reduce Time
XV. Continuances
XVI. Depositions and Discovery

VOLUME 11B

FEDERAL PRACTICE AND PROCEDURE *(Continued)*
XVI. Depositions and Discovery *(Continued)*
XVII. Pretrial Conference and Orders
XVIII. Security; Deposits in Court
XIX. Trial
XX. Verdicts
XXI. Judgments
XXII. New Trial
XXIII. Injunctions
XXIV. Declaratory Judgments
XXV. Derivative Actions by Shareholders
XXVI. Class Actions

VOLUME 11C

FEDERAL PRACTICE AND PROCEDURE *(Continued)*
XXVII. Condemnation of Property
XXVIII. Reference and Referees; Masters
XXIX. Appeal, Certiorari, and Review

FEDERAL TAXATION
I. General Considerations
II. Tax Court Practice and Procedure
III. Income Taxes
IV. Estate and Gift Taxes

FEDERAL TAX ENFORCEMENT
I. General Considerations
II. Civil Actions by United States
III. Civil Actions by Taxpayers and Third Parties
IV. Criminal Prosecutions

FEDERAL TORT CLAIMS ACT
I. General Considerations
II. Pleadings in Actions against United States
III. Removal of Actions against Government Employees

VOLUME 12

FENCES
I. General Considerations
II. Placement of Fence; Encroachment; Removal
III. Establishment and Maintenance of Partition or Division Fence
IV. Personal Injuries Caused by Defective or Unsafe Fence

FERRIES
I. General Considerations
II. Licensing and Regulation
III. Liability for Personal Injuries and for Loss of or Damage to Property

FIDELITY BONDS AND INSURANCE
I. General Considerations
II. Actions against Surety or Underwriter
III. Rights and Remedies of Surety or Underwriter
FIRES
I. General Considerations
II. Actions for Fire Loss Generally
III. Fires Caused by Railroad Operation or Originating on Railroad Property
FISH AND GAME
I. General Considerations
II. Injury to Fishing Rights
III. Injury to Hunting Rights
IV. Taking for Other Purposes
FIXTURES
I. General Considerations
II. Status of Object; Rights as between Parties
III. Security Interest in Fixtures
FOOD
I. General Considerations
II. Regulation
III. Judicial Review of Action of Food and Drug Administration
IV. Civil Liability
FORCIBLE ENTRY AND DETAINER
I. General Considerations
II. Notices and Demands
III. Summary Proceedings to Recover Possession of Realty
IV. Summons; Possession before Trial
V. Judgments; Writs of Restitution or Execution
VI. Undertakings on Appeal

VOLUME 12A

FOREIGN CORPORATIONS
I. General Considerations
II. Corporate Existence; Verification of Pleadings
III. Jurisdiction and Process
IV. Compliance with Local Regulatory Laws
V. Judicial Control over Internal Affairs; Inspection of Books and Property
FORFEITURES AND PENALTIES
I. Forfeitures
II. Penalties
FRANCHISES FROM PUBLIC ENTITIES
I. General Considerations
II. Grant and Validity of Franchise; Operation, Generally
III. Unauthorized Competition
FRATERNAL ASSOCIATIONS, ORDERS AND BENEFIT SOCIETIES
I. General Considerations
II. Actions to Recover on Benefit Certificates or Policies
III. Actions to Recover on Endowment Certificates or Policies
IV. Suspension or Expulsion of Members
V. Suspension or Expulsion of Subordinate Lodges
VI. Proprietary Right to Name, Titles, and Other Paraphernalia

VII. Actions by or Against Fraternal Organizations Based on Discriminatory Practices
VIII. Other Actions by or Against Fraternal Organizations
FRAUD AND DECEIT
I. In General
II. Fraud in Sale of Personal Property
III. Fraud in Sale of Real Property
IV. Fraud as a Defense
V. Instructions

VOLUME 12B

FRAUDULENT CONVEYANCES
I. General Considerations
II. Rights, Liabilities, and Defenses of Fraudulent Transferee
III. Instructions to Jury
IV. Judgments and Orders
FREEDOM OF INFORMATION ACTS
I. Federal Freedom of Information Act (FOIA) and Privacy Act
II. State Freedom of Information and Privacy Acts
FRIGHT, SHOCK, AND MENTAL DISTURBANCE
I. General Considerations
II. Negligence
III. Intentional Conduct
FUNERAL DIRECTORS AND EMBALMERS
I. In General; Governmental Regulation
II. Civil Liability and Rights
GAMBLING
I. Regulation and Licensing
II. Rights and Liabilities Arising from Gambling Transactions
III. Liability for Personal Injuries

VOLUME 12C

GARAGES, SERVICE STATIONS, AND PARKING FACILITIES
I. In General; Construction and Operation of Facilities
II. Liability for Loss of or Damage to Vehicle
III. Liability for Personal Injury
GAS AND OIL
I. In General; Public Regulation
II. Ownership; Accounting
III. Drilling and Maintenance
IV. Leases; Royalties
V. Conveyances; Assignments
VI. Storing, Selling, and Distributing
GIFTS
I. In General; Gifts Inter Vivos and Causa Mortis
II. Gifts in Contemplation of Marriage
III. Uniform Transfers to Minors Act
GOODWILL
I. In General; Anticompetitive Covenant Ancillary to Sale of Business or Practice
II. Transfer
III. Damage to Goodwill; Improper Use of Name

GRAND JURY
I. General Considerations
II. Discovery of Grand Jury Evidence
GUARANTY
I. General Considerations
II. Creditor's Remedies Against Guarantor
III. Guarantor's Rights and Remedies

VOLUME 13

GUARDIAN AND WARD
I. General Considerations
II. Nomination of Guardian by Minor
III. Appointment of Guardian
IV. Qualification of Guardian
V. Transfer of Proceedings
VI. Tenure
VII. General Powers and Duties
VIII. Powers over Property of Ward
IX. Accounts, Reimbursement, and Compensation
X. Reimbursement and Compensation
XI. Foreign Guardians
XII. Actions
HABEAS CORPUS
I. In General
II. Application for Writ
III. Writ, Notice, and Service
IV. Return and Other Pleadings; Disobedience to Writ
V. Judgment
VI. Proceedings for Custody of Minors

VOLUME 13A

HEALTH
I. General Considerations
II. Measures and Regulations
III. Rights, Duties, and Liabilities
IV. Vital Statistics
HIGHWAYS, STREETS, AND BRIDGES
I. General Considerations
II. Streets and Highways
III. Sidewalks
IV. Bridges
V. Protection of Public and Private Interests
HOMESTEAD
I. General Considerations
II. Proceedings for Appraisal and Setting Aside of Homestead Exemption; for Sale and Application of Excess to Indebtedness
III. Preventing or Setting Aside Forced Sale of Homestead
IV. Conveyance or Encumbrance of Homestead Where Spouse Incompetent
V. Homestead Exemption for Benefit of Surviving Members of Family
VI. Termination of Homestead

VOLUME 13B

HOSPITALS
- I. General Considerations
- II. Licensing and Regulation
- III. Management and Operation
- IV. Liability for Injuries

HOTELS, MOTELS, AND RESTAURANTS
- I. In General
- II. Actions by Proprietors
- III. Actions against Proprietors
- IV. Answers and Defenses
- V. Instructions to Jury

HOUSING LAWS AND URBAN REDEVELOPMENT
- I. In General
- II. Urban Redevelopment
- III. Publicly Subsidized Housing
- IV. Housing Discrimination

VOLUME 14

HUSBAND AND WIFE
- I. In General
- II. Property Rights and Interests of Spouses
- III. Settlements and Agreements as to Property Rights of Spouses
- IV. Duty of Support
- V. Liability to Third Persons for Goods and Necessaries
- VI. Injury to Spouse
- VII. Torts and Actions Ex Delicto by One Spouse Against Other
- VIII. Alienation of Affections and Criminal Conversation

IMPROVEMENTS
- I. General Considerations
- II. Complaints, Petitions, or Declarations
- III. Answers and Counterclaims
- IV. Judgments or Decrees

INCOMPETENT PERSONS
- I. In General
- II. Initiation of Proceedings to Determine Competency; Conservatorship
- III. Apprehension and Detention of Alleged Incompetent by Warrant, Writ, or Court Order
- IV. Examination and Hearing to Determine Competency
- V. Adjudication of Competency
- VI. Costs of Incompetency Proceedings
- VII. Expenses of Support and Treatment of Incompetent
- VIII. Release, Discharge, or Recommitment of Incompetent
- IX. Review of Civil Commitment Order; Restoration to Competency
- X. Appointment of Guardian Ad Litem for Incompetent
- XI. Particular Actions and Proceedings by and Against Incompetents

INDEMNITY
- I. General Considerations
- II. Express Contracts
- III. In Absence of Express Contracts

INDEPENDENT CONTRACTORS
I. General Considerations
II. Indicia of Relationship
III. Rights, Duties, and Liabilities of Employer
IV. Rights, Duties, and Liabilities of Independent Contractor
INDIANS, AMERICAN
I. General Considerations
II. Status, Rights, and Disabilities
III. Probate of American Indian Estates
IV. Indian Lands

VOLUME 14A

INFANTS
I. General Considerations
II. Removal of Disabilities
III. Actions Involving Infants
IV. Compromise and Settlement of Infant's Claims
INHERITANCE, ESTATE, AND GIFT TAXES
I. General Considerations
II. Successions, Transfers, Estates, and Property Subject to Tax
III. Assessment and Computation of Tax
IV. Payment and Collection of Tax
V. Refund or Recovery of Tax Paid
VI. Appeal and Review
VII. Gift Taxes
INITIATIVE AND REFERENDUM
I. General Considerations
II. Initiatory Petitions
III. Protests and Objections
IV. Judicial Control
INJUNCTIONS
I. General Considerations
II. Action or Application for Injunction
III. Bond or Other Security
IV. Continuance, Modification, or Dissolution of Restraining Order or Injunction
V. Action for Wrongful Issuance of Injunction; Recovery on Injunction Bond
INSOLVENCY
I. General Considerations
II. Insolvency Proceedings
INSPECTION LAWS
I. General Considerations
II. Inspection of Goods and Other Property
INSURANCE
I. General Considerations
II. Regulation of Insurance Companies
III. Agents and Brokers
IV. The Contract or Policy
V. Concealment, Representations, Warranties, and Conditions
VI. Premiums
VII. Policy Loans

VOLUME 14B

INSURANCE *(Continued)*

VIII. Assignment of Policy
IX. Notice and Proof of Loss
X. Duties of Parties to Liability Insurance After Loss
XI. Adjustment and Compromise; Appraisal and Arbitration
XII. Right to Proceeds
XIII. Enforcement of Insurer's Liability; Particular Risks and Coverage
XIV. Group Insurance
XV. Lloyd's Policies
XVI. Payment or Discharge of Liability
XVII. Apportionment and Contribution Between Insurers
XVIII. Subrogation
XIX. Reinsurance

VOLUME 14C

INTEREST AND USURY

I. In General
II. Rights to and Liabilities for Interest
III. Rights and Remedies as to Usury

INTERFERENCE

Interference with Business or Contractual Relationships

INTERPLEADER

I. In General
II. Equitable Interpleader
III. Statutory Interpleader

INTOXICATING LIQUORS

I. In General
II. Control and Regulation
III. Local Option
IV. Licenses
V. Enforcement of Restrictions and Regulations
VI. Seizure and Forfeiture
VII. Civil Incidents and Liabilities

VOLUME 15

INVESTMENT COMPANIES AND ADVISORS

I. General Considerations
II. Actions Involving Investment Companies and Advisers

IRRIGATION

I. General Considerations
II. Rights To Irrigation Water
III. Contracts and Licenses
IV. Works and Facilities
V. Irrigation Districts
VI. Irrigation Companies

JOINT-STOCK COMPANIES

I. General Considerations
II. Actions Involving Joint-stock Companies

JOINT VENTURES
I. General Considerations
II. Creation and Existence of Joint Venture
III. Rights, Duties, and Liabilities of Parties
IV. Duration and Termination
JUDGES
I. General Considerations
II. Disqualification to Act in Particular Case
III. Disability
IV. Other Matters
JUDGMENTS
I. General Considerations
II. Recordation and Certification
III. Correction and Amendment
IV. Operation and Effect of Judgments
V. Particular Kinds of Judgments
VI. Judgment After Hearing or Trial by Court Alone
VII. Judgment After Trial by Jury
VIII. Conclusiveness of Judgment
IX. Relief From Judgments and Verdicts

VOLUME 15A

JUDGMENTS *(Continued)*
IX. Relief From Judgments and Verdicts *(Continued)*
X. Assignment of Judgments
XI. Enforcement of Judgments
XII. Actions on Judgments
XIII. Satisfaction of Judgments
JUDICIAL SALES
I. General Considerations
II. Sales Prior to Final Judgment or Decree
III. Sales Subsequent to Final Judgment or Decree
IV. Vacation and Avoidance of Sale
V. Redemption
JURY
I. General Considerations
II. Right to Jury Trial
III. Selecting, Drawing, and Summoning of Jurors; Punishing and Excusing Jurors
IV. Impanelment, Challenges, and Swearing of Jurors
V. Compensation For Jury Service
JUSTICES OF THE PEACE
I. General Considerations
II. Liability of Justice and Sureties of Justice
III. Procedure Generally; Records and Proceedings
IV. Process
V. Judgment
VI. Execution
VII. Appeal
JUVENILE COURTS AND DELINQUENT AND DEPENDENT CHILDREN
I. General Considerations
II. Apprehension and Prehearing Detention

III. Initial Pleadings and Proceedings
IV. Hearing
V. Disposition
VI. Review
VII. Contributing to the Delinquency or Dependency of a Minor Child

VOLUME 16

LABOR AND LABOR RELATIONS
I. General Considerations
II. Parties Generally
III. Proceedings Before National Labor Relations Board; Temporary Injunctive Relief Pending Board Hearing; Judicial Enforcement and Review of Board Order; and Actions Against Board
IV. Enforcement of Collective-Bargaining Agreement
V. Actions Between Union and Member of Union
VI. Actions Under Federal Law
VII. Actions under State Law

VOLUME 16A

LANDLORD AND TENANT
I. In General
II. Liability for Rent
III. Enforcement of Landlord's Liens
IV. Landlord's Remedy of Distress
V. Landlord's Possessory Remedies
VI. Enforcement of Agreements Affecting Tenancies
VII. Personal Injuries
VIII. Damage to Tenant's Property

VOLUME 16B

LAUNDRIES, DYERS, AND DRY CLEANERS
I. In General; Licensing and Regulation
II. Liability for Loss or Injury
LEVEES AND FLOOD CONTROL
I. In General; Actions by and Against Governmental Agencies
II. Actions by and Against Private Persons
LIBEL AND SLANDER
I. In General; Defamation of Persons
II. Slander or Disparagement of Title or Property
LICENSES AND PERMITS
I. In General; Validity of Licensing Legislation
II. Administration of Licensing Legislation
III. Enforcement of Licensing Legislation
LIENS
I. In General; Creation and Perfection of Liens
II. Substitution of Bond for Lien
III. Rights of Lienholder After Loss or Relinquishment of Property Subject to Lien
IV. Enforcement of Liens
LIFE TENANTS AND REMAINDERMEN
I. In General; Protection of Present and Future Interests
II. Expenses and Charges Arising from Holding and Maintenance of Property of Estate
III. Conveyance, Sale, or Mortgage of Real Property Subject to Life Estates and Future Interests

VOLUME 17

LIMITATION OF ACTIONS
I. In General
II. Pleadings to Avoid Statute
III. Pleadings to Assert Statute
IV. Contractual Modification of Limitations
LIS PENDENS
I. In General
II. Inception of Operation of Doctrine
III. Extension of Operation of Doctrine
IV. Exceptions from Operation of Doctrine
V. Termination of Lis Pendens by Cancellation or Discharge of Notice
LOGS AND TIMBER
I. In General
II. Sale and Removal of Timber; Licenses
III. Logging Operations
IV. Injury to or Conversion of Timber
LOST AND DESTROYED INSTRUMENTS
I. In General
II. Restoration, Reexecution, and Similar Relief
III. Enforcement of Lost or Destroyed Instruments
MALICIOUS PROSECUTION
I. In General
II. Civil Proceedings
III. Criminal Proceedings
IV. Special Proceedings
V. Instructions to Jury
MANDAMUS
I. General Considerations
II. Proceedings Prior to Issuance of Writ of Mandamus
III. Alternative Writ of Mandamus
IV. Proceedings Subsequent to Issuance of Alternative Writ of Mandamus

VOLUME 17A

MARKETS AND MARKETING
I. In General
II. Establishment, Regulation, and Operation of Markets
III. Price Control and Equalization Pools
MARRIAGE
I. General Considerations
II. Creation and Validity
III. Liabilities in Connection with Contracting Marriage
MARSHALING ASSETS
I. In General
II. Marshaling Assets
III. Inverse Order of Alienation
MASTER AND SERVANT
I. In General
II. Contract of Employment
III. Compensation of Employee

IV. Apprentices
V. Employee's Duty to Employer
VI. Employer's Duty to Employee
VII. Liability of Employer for Injuries to Employee
VIII. Actions by Employers Against Third Persons Injuring Employees
IX. Wrongs to Third Persons Inflicted by Employees

VOLUME 17B

MASTER AND SERVANT *(Continued)*
X. Discrimination; Other Constitutional and Statutory Rights
MECHANICS' LIENS
I. General Considerations
II. Right to Lien
III. Procedure for Obtaining or Perfecting Mechanic's Lien
IV. Loss or Extinguishment of Lien; Waiver, Satisfaction, Discharge, or Extinction
V. Enforcement of Lien
VI. Judgment or Decree; Proceedings Subsequent to Judgment or Decree
MILITARY; CIVIL DEFENSE
I. In General; Collateral Review of Military Proceedings
II. Civil Legal Proceedings Involving Armed Forces Personnel
III. Civil Defense
MINES AND MINERALS
I. General Considerations
II. Acquisition and Defense of Mining Rights and Titles
III. Trespass and Conversion
IV. Development and Operation of Mines
MOBILE HOMES AND TRAILER PARKS
I. In General
II. Regulation and Control
III. Nuisances and Their Abatement
IV. Civil Liability

VOLUME 17C

MOBS AND RIOTS
I. General Considerations
II. Liability of Private Persons
III. Liability of Public Entities
MONEYLENDERS AND PAWNBROKERS
I. General Considerations
II. Licensing and Regulation
III. Enforcing Contracts of Pawn or Loan of Money
IV. Ownership Disputes
MONOPOLIES, RESTRAINTS OF TRADE, AND UNFAIR TRADE PRACTICES
I. Federal Antitrust Investigations
II. Monopolies and Restraints of Trade
III. Unfair Trade Practices

VOLUME 18

MORTGAGES
I. General Considerations
II. Payment, Satisfaction, and Discharge

III. Enforcement; Foreclosure
IV. Vacating and Setting Aside Foreclosure Sale
V. Transfer of Interests or Liabilities in Mortgaged Property

MOTIONS, RULES, AND ORDERS

I. General Considerations
II. Motions and Supporting Documents
III. Rules and Orders

MUNICIPAL CORPORATIONS, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS

I . General Considerations
II . Creation, Change of Status, and Disincorporation
III . Validity and Enforcement of Ordinances and Other Municipal or Local Legislation
IV . Wrongful Acts of Officers
V . Contracts and Contractual Liability
VI . Property
VII . Claims by and against Municipal Corporations and Counties

VOLUME 18A

MUNICIPAL, SCHOOL, AND STATE TORT LIABILITY

I. General Considerations
II. Notices, Claims, and Related Pleadings Generally
III. Crime Prevention and Control; Law Enforcement
IV. Construction, Maintenance, or Use of Public Property
V. Operation of Public Schools; School Grounds

NAME

I. General Considerations
II. Change of Name
III. Fictitious or Assumed Name

NE EXEAT

I. General Considerations
II. Issuance and Service of Writ
III. Defendant's Bond or Undertaking; Discharge of Writ

VOLUME 18B

NEGLIGENCE

I. General Considerations
II. General Aspects of Negligence
III. Particular Acts and Events
IV. Duty of Care
V. Degrees of Negligence; Willful and Wanton Acts
VI. Dangerous Agencies and Instrumentalities
VII. Proximate or Legal Cause
VIII. Unavoidable Accident
IX. Violation of Statute or Ordinance
X. Assumption of Risk
XI. Contributory Negligence
XII. Comparative Negligence
XIII. Doctrine of Last Clear Chance
XIV. Res Ipsa Loquitur
XV. Imputed Negligence
XVI. Actions in Federal Court
XVII. Interrogatories to Parties

NEWSPAPERS, PERIODICALS, AND PRESS ASSOCIATIONS
I. In General
II. Newspapers and Periodicals, Generally
III. Newspapers of General Circulation
IV. Press Associations
NEW TRIAL
I. General Considerations
II. Notices
III. Motions
IV. Orders
NOTARIES PUBLIC
I. General Considerations
II. Nature of Office; Compensation, Powers, and Authority
III. Liability For Notarial Acts

VOLUME 18C

NOTICE
I. General Considerations
II. Notice, Generally
III. Particular Notices
IV. Affidavits of Service of Notice
V. Jury Instructions
NOVATION
I. General Considerations
II. Plaintiff's Pleadings
III. Defendant's Pleadings
IV. Jury Instructions
NUISANCES
I. In General
II. Pollution
III. Noise, Vibration, and Other Objectionable Conduct
IV. Obscene and Other Similar Conduct
V. Encroachments and Fences
VI. Insects and Wildlife
VII. Water and Sewage
OATH AND AFFIRMATION
I. General Considerations
II. Forms
OCCUPATIONS, TRADES, AND PROFESSIONS
I. Regulation
II. Civil Rights and Liabilities
PARDON AND PAROLE
I. General Considerations
II. Pardon
III. Parole
IV. Revocation

VOLUME 19

PARENT AND CHILD
I. General Considerations
II. Actions Affecting the Parent-Child Relationship

III. Protection of Child in Emergency
IV. Liability of Parent for Acts of Child
V. Actions between Parent and Child
VI. Actions against Third Persons Based on Parent-Child Relationship
PARKS, SQUARES, AND PLAYGROUNDS
I. General Considerations
II. Establishment and Acquisition of Land
III. Use for Park Purposes
IV. Tort Liability
PARLIAMENTARY LAW
PARTIES
I. General Considerations
II. Identifying Parties
III. Class Actions
IV. Joinder of Parties
V. Intervention
VI. Changes in Parties
PARTITION
I. General Considerations
II. Voluntary Partition or Sale
III. Judicial Partition or Sale
IV. Interlocutory Orders and Judgments
V. Referees and Commissioners in Partition
VI. Final Orders and Judgments and Proceedings after Partition or Sale in Partition

VOLUME 19A

PARTNERSHIP
I. General Considerations
II. Partnership Rights and Liabilities in Relation to Third Persons
III. Rights and Duties of Partners Among Themselves
IV. Partner's Dissociation; Dissolution and Winding up of Partnership Business
V. Rights and Liabilities of Limited Partnership
PARTY WALLS
I. General Considerations
II. Construction and Use
PASSPORTS
I. General Considerations
II. Issuance or Denial
PATENTS
I. General Considerations
II. Judicial Review of Patent and Trademark Office Decisions
III. Infringement of Patents
IV. Rights under Contracts Involving Patents
PAYMENT
I. General Considerations
II. Payment in General
III. Manner of Payment
IV. Payment to Third Persons
V. Application of Payments

PEDDLERS, SOLICITORS, AND TRANSIENT DEALERS
I. General Considerations
II. Licensing and Regulation
PENAL AND CORRECTIONAL INSTITUTIONS
I. General Considerations
II. Liability for Injuries to Inmates
III. Liability of Custodian for Harm Caused by Escaped Prisoner
IV. Rights of Pretrial Detainees and Prisoners
V. Appointment of Representative of Estate of Life Convict
PENSIONS AND RETIREMENT FUNDS
I. General Considerations
II. State and Local Governmental Systems
III. Private Pension and Retirement Plans

VOLUME 19B

PHYSICIANS, SURGEONS, AND OTHER HEALERS
I. General Considerations
II. Regulation
III. Compensation
IV. Relation of Physician and Patient
V. Nonconsensual Treatment
VI. Express Warranty
VII. Care of Patients; Liability for Malpractice

VOLUME 19C

PIPELINES
I. General Considerations
II. Regulation and Control
III. Pipeline Rights-of-Way
IV. Liability of Pipeline Owner or Operator
PLEADING
I. General Considerations
II. Complaints, Petitions, or Declarations
III. Answers
IV. Replies and Related Matters
V. Amendment
VI. Supplemental Pleadings
VII. Meeting or Disposing of Pleading Defects or Requirements

POLLUTION CONTROL
I. General Considerations
II. General Environmental Litigation
III. Air Pollution
IV. Water Pollution
V. Noise Pollution
VI. Waste Disposal And Management
VII. Toxic Substances
VIII. Pesticides

VOLUME 20

POSTAL SERVICE
- I. General Considerations
- II. Administrative Proceedings
- III. Court Proceedings

POWERS
- I. General Considerations
- II. Pleading Forms

PREMISES LIABILITY
- I. General Considerations
- II. Injuries on Business and Commercial Premises
- III. Injuries Sustained on Residential Premises
- IV. Injuries to Persons Engaged in Specific Activities or on Particular Premises
- V. Off-Premises Injuries
- VI. Injuries to Children or Incompetents
- VII. Defensive Pleadings

PRENATAL INJURIES
- I. General Considerations
- II. Forms

VOLUME 20A

PRETRIAL CONFERENCE AND PROCEDURE
- I. General Considerations
- II. Preliminary Motions and Applications
- III. Notices of and Orders for Pretrial Conference
- IV. Pretrial Statements or Memoranda
- V. Pretrial Conference
- VI. Pretrial Conference Orders
- VII. Post-Conference Proceedings

PRIVACY
- I. General Considerations
- II. Extent of Right of Privacy
- III. Acts Violative of Right of Privacy
- IV. Limitations on Right of Privacy
- V. Right of Privacy as Affected by Governmental Acts or Conduct

PRIVATE FRANCHISE CONTRACTS
- I. General Considerations
- II. Franchise Agreement; Breach of Contract
- III. Termination or Nonrenewal of Franchise
- IV. Purchase and Sale of Franchise

PROCEDENDO

PROCESS
- I. General Considerations
- II. Preliminary Requests; Notice
- III. Requisites; Form and Contents
- IV. Amendment of Process and Return
- V. Service of Process; Mode, Manner, or Method of Effecting Service
- VI. Objections to Defects

VOLUME 20B PART I

PRODUCTS LIABILITY
- I. General Considerations
- II. Jurisdiction and Pretrial Planning
- III. Bases of Liability
- IV. Liability for Particular Products

VOLUME 20B PART II

PRODUCTS LIABILITY *(Continued)*
- IV. Liability for Particular Products *(Continued)*

PROHIBITION
- I. General Considerations
- II. Proceedings Prior to Issuance of Writ
- III. Alternative Writ; Order to Show Cause
- IV. Proceedings Subsequent to Issuance of Alternative Writ
- V. Peremptory Writ

PROPERTY
- I. Background
- II. Forms

PUBLIC FUNDS
- I. General Considerations
- II. Depositories and Depository Bonds
- III. Appropriation and Expenditure of Public Funds

PUBLIC LANDS
- I. General Considerations
- II. Public Ownership and Control
- III. Grants and Patents
- IV. Grants and Leases by State

VOLUME 20C

PUBLIC OFFICERS AND EMPLOYEES
- I. General Considerations
- II. Public Officers
- III. Public Employees
- IV. Actions on Official Bonds

PUBLIC SECURITIES AND OBLIGATIONS
- I. Preliminary Proceedings
- II. Validation Proceedings
- III. Rights of Holders; Payment

PUBLIC UTILITIES
- I. General Considerations
- II. Public Service Commissions
- III. Rights, Duties, and Liabilities

VOLUME 20D

PUBLIC WORKS AND CONTRACTS
- I. General Considerations
- II. Competitive Bidding and Award of Contract
- III. Performance and Breach
- IV. Labor Regulations and Stipulations
- V. Liens of Subcontractors, Laborers, and Materialmen under Public Improvement Contracts

QUIETING TITLE AND DETERMINATION OF ADVERSE CLAIMS
I. General Considerations
II. Real Property
III. Personal Property
IV. Specific Statutory Remedies

VOLUME 21

QUO WARRANTO
I. General Considerations
II. Right and Leave to Institute Proceedings
III. Plaintiffs and Relators
IV. Grounds and Occasions for Remedy
RAILROADS
I. General Considerations
II. Service, Maintenance of Operations, and Public Regulation
III. Consolidation and Merger
IV. Railroad Property and Right-of-Way
V. Injuries to Persons
VI. Property Damage
RECEIVERS
I. In General
II. Appointment of Receivers

VOLUME 21A

RECEIVERS *(Continued)*
II. Appointment of Receivers *(Continued)*
III. Orders of Appointment
IV. Injunctive Relief Pending, Accompanying, or Subsequent to Appointment of Receiver
V. Administration of Receivership Estate
VI. Actions Involving Receiver
VII. Removal of Receiver
VIII. Resignation or Discharge of Receiver
RECORDS AND RECORDING LAWS
I. Public Records
II. Recording Laws and Instruments Entitled or Required to Be Recorded
REFERENCES
I. General Considerations
II. References by Consent or Stipulation
III. Proceedings for Reference
IV. The Referee
V. Hearings; Termination of Reference
VI. Reports and Findings
REFORMATION OF INSTRUMENTS
I. In General
II. Grounds for Reformation
III. Instruments Relating to Real Property

VOLUME 21B

REGISTRATION OF LAND TITLES
I. In General; Registration of Title

II. Proceedings Subsequent to Initial Registration
RELEASE
I. In General; Release or Covenant Not to Sue as Bar to Action
II. Avoidance of Release
RELIGIOUS SOCIETIES
I. In General; Organization
II. Property and Financial Management
III. Civil Liability
IV. Consolidation
V. Dissolution
VI. Constitutional Separation of Church and State
REPLEVIN
I. In General; Initiating, Defensive, and Other Responsive Pleading in Actions for Recovery of Property
II. Prejudgment Seizure or Repossession
III. Verdicts, Judgments, and Executions
RESTITUTION AND IMPLIED CONTRACTS
I. In General; Restitution and Unjust Enrichment
II. Compensation for Work, Labor, and Materials; Quantum Meruit
REWARDS
I. In General; Recovery of Reward
A. Plaintiff's Pleadings
B. Defensive and Responsive Pleadings
C. Jury Instructions

VOLUME 22

SALES AND USE TAXES
I. In General; Sales Taxes
II. Use Taxes
SALVAGE
I. In General; Actions and Proceedings for Salvage
II. Actions and Proceedings Ancillary to Salvage
SCHOOLS
I. Formation, Dissolution, and Administration of School Districts
II. Administrative Officers and Boards
III. School Property and Buildings
IV. Taxation by School Districts; Fees and Bonds
V. Expenditures and Use of School Funds
VI. Teachers and Other Employees
VII. Students
SEALS
SEARCHES AND SEIZURES
I. Requisites of Valid Search Warrant
II. Effect of Illegal Search and Seizure
III. Civil Liability for Wrongful Search and Seizure

VOLUME 22A PART I

SECURITIES REGULATION
I. General Considerations
II. Federal Regulation
III. State Regulation

SEDUCTION
SEQUESTRATION
I. In General
II. Issuance of Writ
III. Proceedings After Issuance of Writ

VOLUME 22A PART II

SHERIFFS, POLICE, AND CONSTABLES
I. In General
II. Right to and Removal from Office
III. Rights, Duties, and Liabilities of Sheriffs, Police, Constables, and Their Sureties
SHIPPING
I. In General
II. Maritime Actions
III. Nonmaritime Actions
IV. Limitation of Shipowner's Liability
SOCIAL SECURITY AND MEDICARE
I. In General
II. Administrative Proceedings
III. Court Actions
IV. Public Records

VOLUME 22B

SPACE LAW
I. In General
II. Civil Liability for Damage, Injury, or Death
III. Contracts; Procurement Process
IV. Public Records
SPECIAL OR LOCAL ASSESSMENTS
I. In General
II. Proceedings to Authorize Special Assessments
III. Enforcement of Assessment or Lien
IV. Relief from Assessment or Its Enforcement
SPECIFIC PERFORMANCE
I. In General
II. Pleadings; Requirements
III. Contracts Respecting Real Property
IV. Contracts Respecting Personal Property
V. Business Requirements or Output Contracts
SPENDTHRIFT TRUSTS
I. In General
II. Actions Pertaining to Spendthrift Trusts
STATE AND LOCAL TAXATION
I. General Considerations
II. Property Taxes
III. Income Taxes
IV. Excise Taxes
STATES, TERRITORIES, AND DEPENDENCIES
I. General Considerations
II. Notice of Claim

III. Claims
IV. Pleadings in Actions on Claims

VOLUME 23

STATUTE OF FRAUDS
I. In General
II. Complaints, Petitions or Declarations
III. Defensive Pleadings
IV. Instructions to Jury
V. Judgments or Decrees

STIPULATIONS
I. In General
II. Stipulations Respecting Pleadings
III. Stipulations Respecting Evidence
IV. Stipulations Respecting Facts and Issues
V. Relief from Stipulation

STOCK AND COMMODITY EXCHANGES
I. General Considerations
II. Commodity Futures Trading Commission Administrative and Enforcement Proceedings
III. Reparation Proceedings Before Commodity Futures Trading Commission
IV. Judicial Review of C.F.T.C. Orders
V. Actions for Violation of Commodity Exchange Act and Commodities Fraud
VI. Actions by and Against Exchange Members and Exchange

SUBROGATION
I. General Considerations
II. Subrogation, Generally
III. Sureties and Guarantors
IV. Taxes
V. Mortgages

SUBSCRIPTIONS
I. In General
II. Complaints, Petitions or Declarations
III. Defensive Pleadings

SUMMARY JUDGMENT
I. In General
II. Motions
III. Notices, Answers, and Collateral Motions
IV. Affidavits, Declarations, and Other Supporting Papers
V. Orders and Judgments

SUNDAYS AND HOLIDAYS
I. General Considerations
II. Judicial Proceedings
III. Sunday Observance Laws
IV. Sunday Contracts

SUPPORT OF PERSONS
I. In General
II. Complaints, Petitions or Declarations
III. Defensive Pleadings
IV. Instructions to Jury

SURETYSHIP
I. General Considerations

II. Rights and Remedies of Surety
III. Liabilities of Surety
IV. Justification of Sureties
TAXPAYERS' ACTIONS
I. General Considerations
II. Misapplication of Public Funds; Restoration
III. Unlawful Sale of Public Property
IV. Unlawful Public Debt
V. Unlawful Public Contracts
VI. Unlawful Levy or Remission of Taxes
VII. Unlawful Appointment of Public Officers or Employees
VIII. Intervention; Substitution of Parties

VOLUME 23A

TELECOMMUNICATION
I. General Considerations
II. Radio and Television Broadcasting; Cable and Satellite Television Services
III. Telephone; Telegraph; Wireless and Mobile Communications; Internet
TENDER
I. In General
II. Notices
III. Complaints, Petitions or Declarations
IV. Answers; Responsive Pleadings
TIME
I. General Considerations
II. Complaints, Petitions or Declarations
III. Answers; Defensive Pleadings
TORTS
I. General Considerations
II. Basis of Liability
III. Matters in Bar of Recovery
TRADEMARKS AND TRADENAMES
I. General Considerations
II. Administrative Proceedings Before the Patent and Trademark Office
III. Judicial Review of Administrative Action
IV. Trademark and Tradename Infringement and Dilution Litigation; Cyberpiracy

VOLUME 23B

TRADEMARKS AND TRADENAMES *(Continued)*
IV. Trademark and Tradename Infringement and Dilution Litigation; Cyberpiracy *(Continued)*
TREATIES
I. General Considerations
II. Actions Under Treaties
TRESPASS
I. General Considerations
II. Trespass to Real Property
III. Trespass to Personal Property
TRIAL
I. General Considerations
II. Preliminary Proceedings
III. Proceedings at Outset of Trial

IV. Objections, Exceptions, and Other Matters Relating to Introduction of Evidence
V. View by Jury
VI. Instructions and Admonitions to Jury
VII. Mistrial
VIII. Verdicts
IX. Findings of Fact and Conclusions of Law

VOLUME 24

TRUSTS
I. General Considerations
II. Actions to Determine the Existence of and to Enforce Express Trusts
III. Actions to Establish and Enforce Trusts by Operation of Law
IV. The Trustee
V. The Cestui Que Trust or Beneficiary
VI. Administration of Trust Estate
VII. Accounting by Trustee
VIII. Termination or Setting Aside of Trust and Distribution of Trust Property
IX. Actions Between Third Persons and Trustee or Trust Estate

TRUTH IN LENDING AND CONSUMER CREDIT PROTECTION
I. General Considerations
II. Truth in Lending
III. Equal Credit Opportunity
IV. Fair Credit Reporting

UNEMPLOYMENT COMPENSATION
I. General Considerations
II. Administrative Proceedings
III. Judicial Proceedings

VOLUME 24A

UNITED STATES
I. General Considerations
II. Forms

VENDOR AND PURCHASER
I. General Considerations
II. Actions of Vendor
III. Actions of Purchaser
IV. Answers and Replies
V. Orders, Judgments, and Decrees

VENUE
I. In General
II. Establishing Venue in Original Pleading
III. Objection to Venue; Transfer of Action to Proper County

VOLUME 24B

VENUE *(Continued)*
III. Objection to Venue; Transfer of Action to Proper County *(Continued)*
IV. Change of Venue
V. Appellate Review

VETERANS AND VETERANS' LAWS
I. Generally; Reemployment Rights

II. Preferential Right to Public Office or Employment
III. Educational and Vocational Assistance
IV. Benefit Claims; Procedure

VETERINARIANS
I. Regulation and Licensing
II. Malpractice, Negligence, or Breach of Duty of Care
III. Compensation; Veterinarian's Lien
WAR
I. In General
II. Seizure and Confiscation of Enemy-Owned Property
III. Classified Information; U.S. Court of Appeals for the Armed Forces
WAREHOUSES
I. In General; Actions Against Warehousemen
II. Actions by and Defenses of Warehousemen; Lien of Warehouseman

VOLUME 24C

WASTE
I. In General; Common Forms
II. Actions by Particular Estate or Interest Holders
WATERS
I. General Considerations
II. Private Water Rights
III. Public Water Rights; Navigable Waters
IV. Water Pollution
V. Injuries Caused by Water

VOLUME 25
WATERWORKS AND WATER COMPANIES
I. In General; Injunctive Proceedings Concerning Water Service
II. Liability for Injuries or Damage
III. Eminent Domain Proceedings and Inverse Condemnation
WEAPONS AND FIREARMS
I. In General; Liability of Manufacturer
II. Liability Arising out of Providing, by Sale or Otherwise, Weapon to Another; Negligent Entrustment
III. Liability Arising Out of Use of Weapon
WEIGHTS, MEASURES AND LABELS
I. Weights and Measures
II. Labels
WELFARE LAWS
I. Enforcement of Rights under Welfare Statutes
II. Individual Support Obligations
III. Recovery of Cost of Welfare Assistance from Recipient
WHARVES
I. In General; Construction and Maintenance
II. Liability for Personal Injuries
III. Liability for Damage to, or Loss of, Goods
IV. Liability for Damage to Vessel
V. Liability for Damage to Wharf

VI. Liability for Wharfage; Maritime Lien

VOLUME 25A

WILLS
I. In General
II. Enforcement of Agreements to Make Will; Joint, Mutual and Reciprocal Wills
III. Establishment and Probate of Lost or Destroyed Will
IV. Location or Production of Will for Probate
V. Probate Proceedings
VI. Recordation and Certification: Transfer of Wills to Other Jurisdictions
VII. Election Whether to Take under Will
VIII. Opposition and Contest
IX. Construction of Will
X. Payment and Distribution of Claims, Bequests, Legacies, and Devises

VOLUME 25B

WITNESSES
I. In General; Attendance of Witnesses
II. Subpoena to Testify as Witness
III. Witness Fees
IV. Oath or Affirmation
V. Duty to Testify
VI. Instructions to Jury
WORKERS' COMPENSATION
I. Generally
II. Administrative Adjudication of Claim
III. Judicial Determination of Claim
IV. Related Matters for Determination of Claim

VOLUME 25C

WORKERS' COMPENSATION *(Continued)*
IV. Related Matters for Determination of Claim *(Continued)*
V. Hearing or Trial of Claim and Determination
VI. Proceedings Subsequent to Administrative Decision
VII. Payment of Claims
VIII. Third-Party Actions
ZONING AND PLANNING
I. General Considerations
II. Validity, Construction and Effect of Zoning Ordinances
III. Violation of Zoning Regulations
IV. Relief from Zoning Restrictions
V. Nonconforming Uses