

Index

ABSOLUTE LIABILITY

Real property, § 30:5

ABUSE OF PROCESS

Torts, § 33:5

ACCORD AND SATISFACTION

Contracts, § 17:16

ACTIONS IN EQUITY

Punitive damages, § 9:9

ADJUSTMENTS TO DAMAGES

Generally, §§ 6:1-6:4

Collateral source rule, § 6:4

Discounting to present value, § 6:1

Inflation, § 6:2

Taxes, § 6:3

AFFIRMATIVE DEFENSES

Procedural aspects, § 13:3

AGENCY

Business associations, § 15:1

AGRICULTURAL LEASES

Generally, § 25:7

AGRICULTURAL NUISANCES

Generally, § 28:6

ANGUISH OR DISTRESS

Mental Anguish or Distress, this index

APPEALS

Costs, § 12:2

APPORTIONMENT OF DAMAGES

Generally, §§ 7:1-7:6

Apportioning fault without a clearly responsible party, § 7:2

Comparative Fault, this index

Compromise, § 7:5

Contribution, §§ 7:4, 7:6

Indemnity, § 7:4

APPORTIONMENT OF DAMAGES

—Cont'd

Joint and several tortfeasors

Liability, § 7:1

Releases, § 7:5

Settlements, § 7:5

Releases by joint tortfeasors, § 7:5

Settlements by joint tortfeasors, § 7:5

Workers' compensation claims, § 7:6

ARBITRATION

Contracts, § 17:13

ARREST

False imprisonment or arrest, § 33:3

ASSAULT AND BATTERY

Generally, § 33:6

AT WILL CONTRACTS

Employment relations, contracts terminable at will, § 19:2

ATTACHMENT

Generally, § 14:1

ATTORNEY FEES

Generally, §§ 11:1-11:13

Amount, § 11:3

Claims for attorney fees, procedure, § 11:2

Common fund and substantial benefit litigation, § 11:12

Contracts, § 11:4

Eminent domain, § 11:6

Equitable proceedings, § 11:11

Family law, § 11:8

Insurance, § 11:5

Other statutory provisions, § 11:10

Probate, § 11:9

Procedural authority for fees, § 11:13

Workers' compensation, § 11:7

ATTORNEY-CLIENT

Contracts, § 17:7

ATTORNEY-CLIENT—Cont'd

Legal malpractice, § 26:2

AUTOMOBILES

Motor Vehicles, this index

AVOIDABLE CONSEQUENCES

Compensatory damages, § 4:5

BAD FAITH

Insurance, this index

BAILMENTS

Contracts, § 17:5

BANKRUPTCY

Procedural aspects, § 13:11

BATTERY

Torts, § 33:6

BETTERMENT STATUTE

Real property, mistaken improver and betterment statute, § 30:14

BREACH OF CONTRACT

Generally, § 17:1

Insurance, liability for breach of agreement to procure, § 24:2

Landlord and Tenant, this index

Marriage, breach of promise to marry, § 21:1

Measure of damages, seller's remedies upon buyer's breach, § 32:6

Real Property, this index

Resale, seller's remedies upon buyer's breach, § 32:5

Sales of Goods, this index

BUSINESS ASSOCIATIONS

Generally, §§ 15:1-15:9

Agency, § 15:1

Common law liability of officers and directors, § 15:7

Corporations, this index

Fiduciary relationships, § 15:3

Master-servant rule, § 15:2

Partnership, § 15:4

Piercing the corporate veil, § 15:8

Securities Act violations, § 15:9

CARRIERS

Common Carriers, this index

CERTAINTY

Compensatory damages, causation and amount, § 4:4

CHANCERY COURTS

Jurisdiction, § 2:2

CHILDREN AND MINORS

Actions between minor and parent, § 21:6

Contracts, minor's liability for, § 21:5

Duty to support, § 21:9

Guardian and ward, § 21:10

Motor vehicles, § 27:3

Parental liability for torts of children, § 21:3

Personal injuries to minors, § 29:5

Torts

Minor's liability for torts, § 21:4

Parental liability for torts of children, § 21:3

Wrongful death of a child, § 34:6

CIRCUIT COURTS

Jurisdiction, this index

CIVIL CONSPIRACY

Generally, § 33:18

CIVIL RIGHTS ACT

Torts, § 33:17

COLLATERAL SOURCE RULE

Adjustments to damages, § 6:4

COMMERCIAL CODE

Sales of Goods, this index

COMMON CARRIERS

Generally, §§ 16:1-16:7

Definition, § 16:1

Delay in shipment, § 16:3

Intentional torts by servants, § 16:5

Liability for wrongful acts of third parties, § 16:7

Loss or injury to goods or property, § 16:2

Personal injuries to passengers, § 16:4

Railroad's liability to non-passengers or property, § 16:6

INDEX

COMMON CARRIERS—Cont'd

Third parties, liability for wrongful acts of, § 16:7

COMMON FUND AND SUBSTANTIAL BENEFIT LITIGATION

Attorney fees, § 11:12

COMMON LAW LIABILITY OF OFFICERS AND DIRECTORS

Business associations, § 15:7

COMPARATIVE FAULT

Apportionment of damages, generally, § 7:3

COMPENSATORY DAMAGES

Generally, §§ 4:1-4:9

Avoidable consequences, § 4:5

Certainty, causation and amount, § 4:4

Contract actions, § 4:3

Double recovery, § 4:8

Economic waste, § 4:9

Mental distress damages, § 4:6

Mitigation of damages, § 4:5

Proximate cause, § 4:2

Punitive damages, relationship to, § 9:5

Tacit agreement rule, § 4:3

Tort actions, proximate cause, § 4:2

COMPROMISES

Apportionment of damages, § 7:5

CONFLICT OF LAWS

Jurisdiction, § 2:5

CONSORTIUM

Husband and wife, § 21:2

CONSPIRACY

Civil conspiracy, § 33:18

CONSTITUTIONAL LAW

Generally, § 1:4

CONSTRUCTION

Contracts, § 17:3

Highways and roads, damages for improper construction, § 23:3

CONSTRUCTIVE FRAUD

Torts, § 33:9

CONSTRUCTIVE TRUSTS

Generally, § 20:5

CONTRACTS

Generally, §§ 17:1-17:19

Accord and satisfaction, § 17:16

Arbitration, § 17:13

At will contracts, employment relations, § 19:2

Attorney fees, § 11:4

Attorney-client contracts, § 17:7

Bailments, § 17:5

Breach of Contract, this index

Children, minor's liability for contracts, § 21:5

Compensatory damages, § 4:3

Construction contracts, § 17:3

Contractual limitations on damages, § 17:17

Covenants not to compete, § 17:9

Economic losses, § 4:7

Employment contracts. Employment Relations, this index

Guaranty agreements, § 17:12

Husband and wife, contractual relations between, § 21:8

Illegal contracts, § 17:19

Indemnity, § 17:10

Leases of personal property, § 17:8

Minor's liability for contracts, § 21:5

Political subdivisions, contractual claims against, § 22:6

Promissory estoppel, § 17:14

Public policy, contracts in violation of, § 17:19

Punitive damages, § 9:3

Real Property, this index

Release, covenant not to sue, § 17:15

Restitution, this index

Sale of business, contracts for, § 17:9

Service contracts, § 17:4

Spouses, contractual relations between, § 21:8

Statute of frauds, § 17:2

Statutes of limitation, § 13:6

Surety agreements, § 17:11

CONTRACTS—Cont'd

Survival, § 13:10

Unconscionability, § 17:18

CONTRIBUTION

Apportionment of damages, §§ 7:4, 7:6

CONVERSION

Torts, § 33:7

CONVEYANCES

Real Property, this index

CORPORATIONS

Generally, § 15:5

Piercing the corporate veil, § 15:8

Statutory liability of corporate directors and officers, § 15:6

COSTS

Generally, §§ 12:1-12:3

Appeals, § 12:2

Attorney Fees, this index

Jurors, § 12:2

Officers' fees, § 12:2

Witnesses, § 12:3

COVENANT NOT TO SUE

Generally, § 17:15

COVENANTS NOT TO COMPETE

Generally, § 17:9

CROPS

Damage to crops, § 30:4

DEATH

Wrongful Death, this index

DECEIT

Fraud and Deceit, this index

DEFAMATION

Generally, § 33:10

DEFINITIONS

Common carriers, § 16:1

Damages, § 1:2

Highways and roads, § 23:1

DELAY IN SHIPMENT

Common carriers, § 16:3

DESIGN

Highways and roads, damages for improper design, § 23:3

DETAINER

Landlord and tenant, unlawful detainer, § 25:4

DIRECTORS

Officers and Directors, this index

**DISCOUNTING TO PRESENT
VALUE**

Adjustments to damages, § 6:1

DISCRETION

Interest, § 10:4

DISTRESS OR ANGUISH

Mental Anguish or Distress, this index

DOUBLE RECOVERY

Compensatory damages, § 4:8

DUTY TO SUPPORT

Family relations, § 21:9

EARNING CAPACITY

Personal injuries, loss of earning capacity, § 29:4

EJECTMENT

Real property, § 30:13

ELECTION OF REMEDIES

Jurisdiction, this index

EMINENT DOMAIN

Generally, §§ 18:1-18:7

Attorney fees, § 11:6

Damages for the taking, § 18:3

Inverse condemnation, § 18:6

Land not taken, damages to, § 18:5

Limited taking, damages for a, § 18:4

Procedure, § 18:2

Taking

Damages for the taking, § 18:3

Limited taking, damages for a,
§ 18:4

Taking or permissible regulation,
§ 18:7

INDEX

EMOTIONAL DISTRESS

Mental Anguish or Distress, this index

EMPLOYMENT RELATIONS

Generally, §§ 19:1-19:5

At will, contracts terminable, § 19:2

Contracts of employment, generally, §§ 19:1-19:5

Legislative regulation of employment contracts, § 19:4

Restrictive covenants, § 19:3

Terminable at will, contracts, § 19:2

Tort liability of local government employees and officials, § 22:5

Workers' Compensation, this index

Wrongful discharge, § 19:2

EQUITABLE PROCEEDINGS

Attorney fees, § 11:11

EQUITY, ACTIONS IN

Punitive damages, § 9:9

ESTATES AND TRUSTS

Generally, §§ 20:1-20:5

Actions by representatives of the estate, § 20:2

Constructive trusts, § 20:5

Duties of personal representatives, § 20:1

Liability of personal representatives, § 20:1

Personal representatives, liability of, § 20:1

Prudent investor rule, § 20:4

Resulting and constructive trusts, § 20:5

Trustees duties, § 20:3

ESTOPPEL

Promissory estoppel, § 17:14

EVICITION

Landlord, unlawful eviction by, § 25:2

EVIDENCE

Generally, §§ 5:1-5:3

Lost profits, § 5:3

Property damage, § 5:2

EXCEPTIONS

Jurisdiction, election of remedies, § 2:9

Statutes of limitation, § 13:8

EXECUTION

Generally, § 14:3

FALSE IMPRISONMENT OR ARREST

Torts, § 33:3

FAMILY LAW

Attorney fees, § 11:8

FAMILY RELATIONS

Generally, §§ 21:1-21:10

Husband and Wife, this index

Minors. Children and Minors, this index

FEDERAL CAUSES OF ACTIONS

Governmental units, liability under federal causes of actions, § 22:8

FEDERAL COURTS

Interest in the federal courts, § 10:7

Jurisdiction, § 2:6

FEES

Attorney Fees, this index

FIDUCIARY RELATIONSHIPS

Business associations, § 15:3

FIRST PARTY CLAIMS

Insurance, tort of bad faith, § 24:4

FORCIBLE ENTRY

Landlord and tenant, § 25:4

FRAUD AND DECEIT

Constructive fraud, § 33:9

Contracts, statute of frauds, § 17:2

Defamation, § 33:10

Torts, § 33:8

GARNISHMENT

Generally, § 14:2

GOVERNMENTAL DEFENDANT

Interest available against, § 10:6

GOVERNMENTAL UNITS

Generally, §§ 22:1-22:8

GOVERNMENTAL UNITS—Cont'd

- Actions against State of Arkansas, § 22:1
- Contractual claims against political subdivisions, § 22:6
- Federal causes of actions, liability under, § 22:8
- Liability under federal causes of actions, § 22:8
- State Claims Commission, § 22:3
- State officers and employees, actions against, § 22:2
- Taxpayers' suits, § 22:7
- Torts
 - Local government employees and officials, tort liability, § 22:5
 - Political subdivisions, tort actions against, § 22:4

GUARANTY AGREEMENTS

- Contracts, § 17:12

GUARDIAN AND WARD

- Generally, § 21:10

HIGHWAYS AND ROADS

- Generally, §§ 23:1-23:3
- Construction, damages for improper, § 23:3
- Definition, § 23:1
- Design, damages for improper, § 23:3
- Maintenance, damages for improper, § 23:3
- Motor Vehicles, this index
- Obstruction of highways and roads, § 23:2
- Rules of the road, § 27:2
- Structures on highways, damage to, § 27:6

HUSBAND AND WIFE

- Breach of promise to marry, § 21:1
- Consortium, § 21:2
- Contractual relations between spouses, § 21:8
- Duty to support, § 21:9
- Promise to marry, breach of, § 21:1
- Tort actions between spouses, § 21:7

IMMUNITY

- Torts, § 33:2

IMPLIED IN FACT CONTRACTS

- Restitution, § 31:1

IMPLIED IN LAW CONTRACTS

- Restitution, § 31:2

IMPROVEMENTS

- Real property, damage to improvements, § 30:2

INDEMNITY

- Apportionment of damages, generally, § 7:4
- Contracts, § 17:10

INFERIOR COURTS

- Jurisdiction, § 2:4

INFLATION

- Adjustments to damages, § 6:2

INJURIES

- Personal Injuries, this index
- Recoverable damages, injury without, § 1:3

INSURANCE

- Generally, §§ 24:1-24:6
- Attorney fees, § 11:5
- Bad faith
 - First party claims, § 24:4
 - Statutory bad faith claims, § 24:5
 - Third party claims, § 24:3
- Breach of agreement to procure insurance, liability for, § 24:2
- Direct actions against insurance companies, § 24:6
- First party claims, tort of bad faith, § 24:4
- Statutory bad faith claims, § 24:5
- Third party claims, tort of bad faith, § 24:3

INTENTIONAL TORTS

- Civil conspiracy, § 33:18
- Common carriers, intentional torts by servants, § 16:5

INTEREST

- Generally, §§ 10:1-10:9

INDEX

INTEREST—Cont'd

- Development of the law, § 10:2
- Discretion, § 10:4
- Federal courts, interest in the, § 10:7
- Governmental defendant, interest available against, § 10:6
- Post-judgment interest, generally, § 10:5
- Pre-judgment interest, generally, §§ 10:2-10:4
- Rate, § 10:4

INTERFERENCE

- Torts, interference with contractual relationships, § 33:15

INVASION OF PRIVACY

- Generally, § 33:11

INVERSE CONDEMNATION

- Eminent domain, § 18:6

INVESTORS

- Prudent investor rule, § 20:4

JOINT AND SEVERAL TORTFEASORS

- Apportionment of Damages, this index

JUDGMENT

- Pre-Judgment Interest, this index
- Procedural aspects, § 13:2

JURISDICTION

- Generally, §§ 2:1-2:9
- Chancery courts before the merger of law and equity, § 2:2
- Circuit courts, § 2:1
- Conflict of laws, § 2:5
- Election of remedies
 - Generally, §§ 2:7-2:9
 - Doctrine, § 2:7
 - Election itself, § 2:8
 - Exceptions, § 2:9
- Exceptions, election of remedies, § 2:9
- Federal courts, damages in, § 2:6
- Inferior courts, § 2:4
- Post merger issues, § 2:3

JURORS

- Costs, § 12:2

LANDLORD AND TENANT

- Generally, §§ 25:1-25:8
- Agricultural leases, § 25:7
- Breach of contract. Leases, below
- Criminal sanctions, § 25:8
- Detainer, unlawful, § 25:4
- Eviction, unlawful eviction by landlord, § 25:2
- Forcible entry and unlawful detainer, § 25:4
- Leases
 - Agricultural leases, § 25:7
 - Breach of lease by landlord, § 25:1
 - Breach of lease by tenant, § 25:3
- Personal injuries, liability for, § 25:6
- Responsibility for premises, § 25:5
- Unlawful detainer, § 25:4
- Unlawful eviction by landlord, § 25:2

LEASES OF PERSONAL PROPERTY

- Contracts, § 17:8

LEASES OF REAL PROPERTY

- Landlord and Tenant, this index

LEGAL MALPRACTICE

- Generally, § 26:2

LEGISLATIVE REGULATION

- Employment contracts, § 19:4

LIENS

- Statutes of limitation, § 13:7

LIMITATION OF ACTIONS

- Statute of Limitations, this index

LIMITED TAKING

- Eminent domain, damages for a partial taking, § 18:4

LIQUIDATED DAMAGES

- Generally, §§ 8:1-8:4
- Allowance of liquidated damages, § 8:2
- Penalty clauses, § 8:4
- Reasonableness of the sum, § 8:3
- Uniform Commercial Code, § 32:3

LOCAL GOVERNMENT

Tort liability of local government
employees and officials, § 22:5

**LOSS OF EARNINGS OR
EARNING CAPACITY**

Personal injuries, §§ 29:3, 29:4

**LOSS OR INJURY TO GOODS OR
PROPERTY**

Common carriers, § 16:2

LOST PROFITS

Evidence of damages, § 5:3

MAINTENANCE

Highways and roads, damages for
improper maintenance, § 23:3

MALICIOUS PROSECUTION

Torts, § 33:4

MALPRACTICE

Generally, §§ 26:1-26:3
Legal malpractice, § 26:2
Medical malpractice, § 26:1

MARRIAGE

Husband and Wife, this index

MASTER-SERVANT RULE

Business associations, § 15:2

MEASURE OF DAMAGES

Sales of goods, seller's remedies
upon buyer's breach, § 32:6

MEDICAL MALPRACTICE

Generally, § 26:1

MENTAL ANGUISH OR DISTRESS

Compensatory damages, § 4:6
Negligent infliction of emotional
distress, § 33:12
Wrongful death, § 34:5

MINERALS

Trespass, removal of minerals and
products, § 30:9

MINORS

Children and Minors, this index

**MISTAKEN IMPROVER AND THE
BETTERMENT STATUTE**

Real property, § 30:14

MITIGATION OF DAMAGES

Compensatory damages, § 4:5

MOTOR VEHICLES

Generally, §§ 27:1-27:7
Damage to property, §§ 27:4-27:6
Highway structures, damage to,
§ 27:6
Minors, § 27:3
Parking lots, § 27:7
Rules of the road, § 27:2
Small claims damage, § 27:5
Standard of care, § 27:1

MULTIPLE PARTIES

Joint and Several Tortfeasors, this
index
Punitive damages, § 9:8

NEGLIGENCE

Emotional distress, negligent inflic-
tion of, § 33:12
Torts
Generally, § 33:1
Emotional distress, negligent
infliction of, § 33:12

NOMINAL DAMAGES

Generally, §§ 3:1, 3:2
Amount, § 3:2
Purpose, § 3:1

NON-PASSENGERS

Railroad's liability to non-passengers
or property, § 16:6

NON-PROPERTY NUISANCES

Generally, § 28:7

NUISANCES

Generally, §§ 28:1-28:7
Agricultural nuisances, § 28:6
Non-property nuisances, § 28:7
Permanent nuisances, § 28:3
Private nuisances, § 28:1
Public nuisances, § 28:1
Punitive damages, § 28:5
Special damages, § 28:5

INDEX

NUISANCES—Cont'd

Statutory public nuisances, § 28:2

Temporary nuisances, § 28:4

OBSTRUCTIONS

Highways and roads, § 23:2

OFFICERS AND DIRECTORS

Common law liability, § 15:7

Corporate directors and officers,
statutory liability of, § 15:6

Officers' fees, § 12:2

State officers and employees, actions
against, § 22:2

OFFICIALS

Tort liability of local government
employees and officials, § 22:5

OUTRAGE

Torts, § 33:13

PAIN AND SUFFERING

Mental Anguish or Distress, this
index

Personal injuries, § 29:2

PARENTS

Children and Minors, this index

PARKING LOTS

Generally, § 27:7

PARTNERSHIP

Generally, § 15:4

PASSENGERS

Common carriers, injuries to pas-
sengers, § 16:4

PECUNIARY LOSSES

Wrongful death, § 34:4

PENALTIES OR SANCTIONS

Landlord and tenant, criminal sanc-
tions, § 25:8

Liquidated damages, penalty clauses,
§ 8:4

Punitive damages, statutory penalties,
§ 9:10

PERMANENT NUISANCES

Nuisances, § 28:3

PERSONAL INJURIES

Generally, §§ 29:1-29:5

Common carriers, injuries to pas-
sengers, § 16:4

Landlord and tenant, § 25:6

Loss of earning capacity, § 29:4

Lost earnings, past and future, § 29:3

Minor, injuries to, § 29:5

Pain and suffering, § 29:2

PERSONAL REPRESENTATIVES

Estates and trusts, liability of
personal representatives, § 20:1

PIERCING THE CORPORATE VEIL

Generally, § 15:8

POLITICAL SUBDIVISIONS

Governmental Units, this index

PREMISES LIABILITY

Generally, § 30:7

PRESENT VALUE

Adjustments to damages, discounting
to present value, § 6:1

PRIVACY

Torts, invasion of privacy, § 33:11

PROBATE

Attorney fees, § 11:9

PROCEDURAL ASPECTS

Generally, §§ 13:1-13:11

Actions for damages, generally,
§ 13:1

Affirmative defenses, § 13:3

Bankruptcy, § 13:11

Judgment, § 13:2

Punitive damages, § 9:4

Statutes of Limitation, this index

Survival of contract and tort actions,
§ 13:10

PROCESS OF PAPERS

Torts, abuse of process, § 33:5

PRODUCT LIABILITY

Generally, § 33:14

PROFITS

Evidence of damages, lost profits,
§ 5:3

PROMISSORY ESTOPPEL

Contracts, § 17:14

PROPERTY

Common carriers, loss or injury to
property, § 16:2
Evidence of damages, § 5:2
Railroad's liability to non-passengers
or property, § 16:6
Real Property, this index
Statutes of limitation, property
actions and liens, § 13:7

PROXIMATE CAUSE

Compensatory damages, tort actions,
§ 4:2

PRUDENT INVESTOR RULE

Estates and trusts, § 20:4

PUBLIC NUISANCES

Generally, § 28:1

PUBLIC POLICY

Contracts in violation of public
policy, § 17:19

PUNITIVE DAMAGES

Generally, §§ 9:1-9:10
Actions in equity, § 9:9
Amount, § 9:6
Compensatory damages, relationship
to, § 9:5
Contract actions, § 9:3
Multiple parties, § 9:8
Nuisances, § 28:5
Procedural issues, § 9:4
Purpose, § 9:1
Statutory penalties, § 9:10
Tort actions, § 9:2
Vicarious liability, § 9:7

RAILROADS

Liability to non-passengers or prop-
erty, § 16:6

**RATE FOR PRE-JUDGMENT
INTEREST**

Generally, § 10:4

REAL PROPERTY

Generally, §§ 30:1-30:14
Absolute liability, § 30:5
Betterment statute, mistaken
improver and, § 30:14
Breach of contract to convey
Buyer's breach, § 30:11
Seller's breach, § 30:10
Contracts
Breach of contract to convey,
above
Listing contracts, § 17:6
Rescission of land sale contracts,
§ 30:12
Conveyance. Breach of contract to
convey, above
Crops, damage to, § 30:4
Ejectment, § 30:13
Improvements, damage to, § 30:2
Land sale contracts, rescission,
§ 30:12
Leases of real property. Landlord and
Tenant, this index
Listing contracts, § 17:6
Minerals and products, removal of,
§ 30:9
Mistaken improver and the better-
ment statute, § 30:14
Premises liability, § 30:7
Removal of minerals and products,
§ 30:9
Rescission of land sale contracts,
§ 30:12
Trees and timber
Damage to trees, § 30:3
Trespass, severance of timber,
§ 30:8
Trespass
Generally, § 30:6
Minerals and products, removal of,
§ 30:9
Severance of timber, § 30:8

REASONABLENESS OF THE SUM

Liquidated damages, § 8:3

RELEASES

Apportionment of damages, § 7:5
Covenant not to sue, § 17:15

INDEX

REMOVAL OF MINERALS AND PRODUCTS

Real property, § 30:9

RENT

Landlord and Tenant, this index

REPLEVIN

Generally, § 14:4

REPRESENTATIVES OF THE ESTATE

Actions by representatives, § 20:2

RESALE

Sales of goods, § 32:5

RESCISSION

Land sale contracts, rescission of,
§ 30:12

RESTITUTION

Generally, §§ 31:1-31:3
Implied in fact contracts, § 31:1
Implied in law contracts, § 31:2
Rescission, § 31:3

RESTRICTIVE COVENANTS

Employment relations, § 19:3

RESULTING TRUSTS

Generally, § 20:5

ROADS

Highways and Roads, this index

RULES OF THE ROAD

Generally, § 27:2

SALE OF BUSINESS

Contracts, § 17:9

SALES OF GOODS

Generally, §§ 32:1-32:7
Ascertainment of damages, § 32:4
Buyer's remedies upon seller's
breach, § 32:7
Liquidated damages under Uniform
Commercial Code, § 32:3
Measure of damages, seller's reme-
dies upon buyer's breach, § 32:6
Remedies, § 32:2
Resale and other remedies, § 32:5

SALES OF GOODS—Cont'd

Seller's remedies upon buyer's
breach
Measure of damages, § 32:6
Resale, § 32:5
Uniform Commercial Code, §§ 32:1-
32:7

SALES OF REAL PROPERTY

Rescission of land sale contracts,
§ 30:12

SANCTIONS

Penalties or Sanctions, this index

SATISFACTION

Contracts, § 17:16

SAVINGS STATUTE

Statutes of limitation, § 13:9

SERVANTS

Common carriers, intentional torts by
servants, § 16:5

SERVICE CONTRACTS

Generally, § 17:4

SERVICE OF PROCESS

Torts, abuse of process, § 33:5

SETTLEMENTS

Apportionment of damages, joint
tortfeasors, § 7:5

SEVERANCE OF TIMBER

Trespass, § 30:8

SHIPMENT

Common carriers, delay in shipment,
§ 16:3

SMALL CLAIMS DAMAGE

Motor vehicles, § 27:5

SPECIAL DAMAGES

Nuisances, § 28:5

SPOUSES

Husband and Wife, this index

STANDARD OF CARE

Motor vehicles, § 27:1

STATE CLAIMS COMMISSION

Governmental units, § 22:3

**STATE OFFICERS AND
EMPLOYEES**

Actions against, § 22:2

STATUTE OF FRAUDS

Contracts, § 17:2

STATUTES OF LIMITATION

Contract actions, § 13:6

Exceptions, § 13:8

Procedural aspects, generally, § 13:4

Property actions and liens, § 13:7

Savings statute, § 13:9

Tort actions, § 13:5

STATUTORY LIABILITY

Corporate directors and officers,
§ 15:6

STATUTORY PENALTIES

Punitive Damages, this index

**STATUTORY PUBLIC
NUISANCES**

Nuisances, § 28:2

STREETS

Highways and Roads, this index

**SUBSTANTIAL BENEFIT
LITIGATION**

Attorney fees, § 11:12

SURETY AGREEMENTS

Contracts, § 17:11

**SURVIVAL OF CONTRACT AND
TORT ACTIONS**

Procedural aspects, § 13:10

SURVIVAL STATUTES

Generally, §§ 34:1, 34:2

TACIT AGREEMENT RULE

Compensatory damages, contract
actions, § 4:3

TAKING

Eminent Domain, this index

TAXES

Adjustments to damages, § 6:3

Governmental units, taxpayers' suits,
§ 22:7

TEMPORARY NUISANCES

Generally, § 28:4

TENANT

Landlord and Tenant, this index

THIRD PERSONS

Common carriers, liability for wrong-
ful acts of third parties, § 16:7

Insurance, third party claims for tort
of bad faith, § 24:3

TIMBER

Real Property, this index

TORTS

Generally, §§ 33:1-33:19

Abuse of process, § 33:5

Assault and battery, § 33:6

Bad faith. Insurance, this index

Children and Minors, this index

Civil conspiracy, § 33:18

Civil Rights Act, § 33:17

Common carriers, intentional torts by
servants, § 16:5

Compensatory damages, proximate
cause, § 4:2

Constructive fraud, § 33:9

Conversion, § 33:7

Defamation, § 33:10

False imprisonment and false arrest,
§ 33:3

Fraud and deceit, § 33:8

Governmental Units, this index

Husband and wife, tort actions
between, § 21:7

Immunity, § 33:2

Interference with contractual relation-
ships, § 33:15

Invasion of privacy, § 33:11

Malicious prosecution, § 33:4

Minor's liability for torts, § 21:4

Negligence, this index

Outrage, § 33:13

Parental liability for torts of child,
§ 21:3

Product liability, § 33:14

Punitive damages, § 9:2

Spouses, tort actions between, § 21:7

Statutes of limitation, § 13:5

INDEX

TORTS—Cont'd

- Survival, § 13:10
- Unfair competition and related actions, § 33:16
- Unrecognized torts, § 33:18

TRADE SECRETS

- Unfair competition and related actions, § 33:16

TRADEMARKS

- Unfair competition and related actions, § 33:16

TREES

- Real Property, this index

TRESPASS

- Real Property, this index

TRUSTS AND TRUSTEES

- Estates and Trusts, this index

UCC

- Sales of Goods, this index

UNCONSCIONABILITY

- Contracts, § 17:18

UNFAIR COMPETITION AND RELATED STATUTORY CAUSES OF ACTION

- Generally, § 33:16

UNIFORM COMMERCIAL CODE (UCC)

- Sales of Goods, this index

UNLAWFUL DETAINER

- Landlord and tenant, § 25:4

VEHICLES

- Motor Vehicles, this index

VICARIOUS LIABILITY

- Punitive damages, § 9:7

WITNESSES

- Costs, § 12:3

WORKERS' COMPENSATION

- Apportionment of damages, contribution, § 7:6
- Attorney fees, § 11:7
- Employment relations, § 19:5

WRONGFUL DEATH

- Generally, §§ 34:1-34:6
- Child, wrongful death of a, § 34:6
- Loss of life damages, § 34:3
- Mental anguish, § 34:5
- Pecuniary losses, § 34:4
- Survival and wrongful death statutes, §§ 34:1-34:2

WRONGFUL DISCHARGE

- Employment relations, § 19:2

