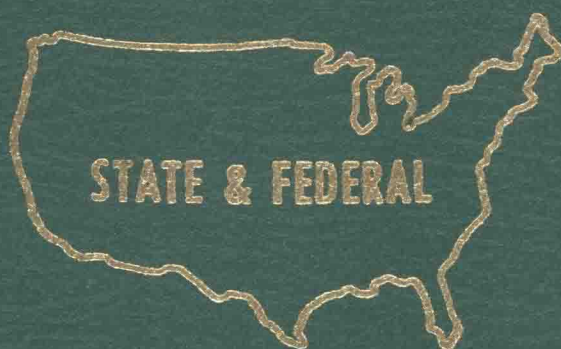


AMERICAN JURISPRUDENCE 2d



PRODUCTS LIABILITY §§ 909—977

PUBLIC OFFICERS AND EMPLOYEES

AMERICAN JURISPRUDENCE

SECOND EDITION

A MODERN COMPREHENSIVE TEXT STATEMENT
OF AMERICAN LAW

STATE AND FEDERAL

COMPLETELY REVISED AND REWRITTEN
IN THE LIGHT OF MODERN AUTHORITIES AND DEVELOPMENTS
BY THE EDITORIAL STAFF OF THE PUBLISHERS

VOLUME 63A

PRODUCTS LIABILITY

§§ 909-977

TO

PUBLIC OFFICERS AND EMPLOYEES

1984



THE LAWYERS CO-OPERATIVE PUBLISHING CO.
Rochester, New York 14694

BANCROFT-WHITNEY CO.
San Francisco, California 94107

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Library of Congress Catalog Card Number 62-4388

63A Am Jur 2d

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FOREWORD

The extensive growth and substantive change in the law of Products Liability since the 1972 publication of original Volume 63 compels the rewriting of this volume.

Among these important changes in the law of products liability are the introduction of the theories of "concept of activity," "alternative liability," or "enterprise liability," as a means of recovery in products liability cases; the abrogation, in a number of jurisdictions, of the need to prove privity to recover for injury or damage based on breach of warranty; the substantial expansion of the doctrine of strict liability in tort to additional jurisdictions, and to additional actions based upon bailments, leases, and to certain actions based upon some real property construction or sales; the introduction, in some jurisdictions, of the doctrine of "dual capacity" of employers, with respect to actions by employees unintentionally injured by defective products manufactured by the employer; and the enactment, in some jurisdictions, of statutes of repose applicable to product liability actions.

The expanded treatment of Products Liability enables the publisher to include discussion of various federal Consumer Product Safety Acts and of the Uniform Product Liability Act proposed and recommended by the U.S. Department of Commerce.

The newly rewritten article, Public Funds in Volume 63A, discusses the recent developments in the federal budget process, the General Accounting Office and the Comptroller General, and the legality of impoundments of appropriated funds under both state and federal law. It also takes into account the 1982 recodification of Title 31 of the Federal Statutes.

The revised article, Public Lands, now published in Volume 63A, includes treatment of the Federal Land Management Policy Act of 1976, dealing with such matters as federal public land use and management, range management, and rights of way over federal lands.

The expanded treatment of the article, Public Officers and Employees, now published in Volume 63A, includes, in addition to a more detailed discussion of the case law pertinent to this topic, discussion of the Ethics in Government Act, codified in 5 USCS Appx §§ 201 et seq. (Executive Personnel Financial Disclosure Requirements); 5 USCS Appx §§ 401 et seq. (Office of Government Ethics); and 28 USCS Appx §§ 301 et seq. (Judicial Personnel Financial Disclosure Requirements).

The article, Prohibition, now published in Volume 63A, contrasts the jurisdictions that view strictly the common law prerequisites for this remedy with those which have more recently taken a more liberal view; it also provides a greater discussion of the types of orders which may be attacked in a prohibition proceeding.

THE PUBLISHERS

TABLE OF PARALLEL REFERENCES

This table shows where the subject matter of the various sections of articles in the first edition of American Jurisprudence is treated in American Jurisprudence 2d. It enables one to translate references in the Am Jur General Index, in AM JUR FORMS books, in AM JUR PROOF OF FACTS, and in AM JUR TRIALS, as well as the many references to "Am Jur" in the reported cases in other legal publications, into references to Am Jur 2d.

When a particular subject matter is treated in another topic the title of the other topic is indicated.

The reader should always consult the volume index for detail and for matter not appearing in the first edition.

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