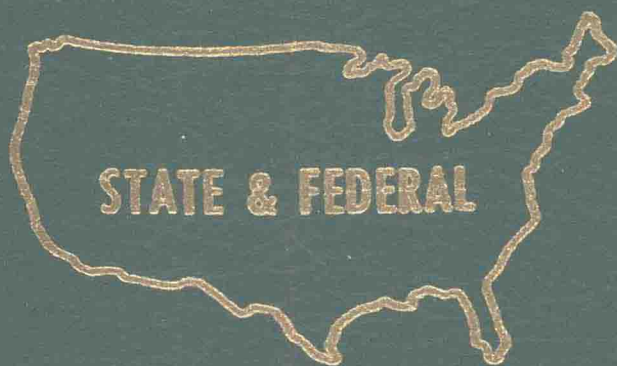


AMERICAN JURISPRUDENCE 2d



FRAUD AND DECEIT

FRAUDULENT CONVEYANCES

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 37

FRAUD AND DECEIT
TO
FRAUDULENT CONVEYANCES

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AMERICAN JURISPRUDENCE

SECOND EDITION

Volume 37

FRAUD AND DECEIT

Scope of Topic: This article discusses the general principles of fraud and deceit, the definitions and nature thereof, what constitutes actionable misrepresentations and fraud as grounds for damages or equitable relief, and the elements, legal incidents, and effect of fraud, fraudulent representations, concealment, and deceit, including the persons liable, the persons entitled to relief, the relief and remedies available, the measure of damages, the defenses against liability, and matters of practice and procedure in actions therefor.

Treated elsewhere are such matters as the liability as affected by fraud, of certain particular persons, such as accountants (see 1 Am Jur 2d, ACCOUNTANTS §§ 16, 17, 19), architects (see 5 Am Jur 2d, ARCHITECTS §§ 23, 24), attorneys (see 7 Am Jur 2d, ATTORNEYS AT LAW §§ 35, 36, 97, 180), brokers (see 12 Am Jur 2d, BROKERS §§ 85, 108 et seq.), infants (see INFANTS), and partners (see PARTNERSHIP); fraud in certain particular transactions, such as procuring insurance (see 7 Am Jur 2d, AUTOMOBILE INSURANCE §§ 14 et seq.; INSURANCE), obtaining a guaranty (see GUARANTY) or surety (see SURETYSHIP), or procuring the execution of a will (see WILLS); fraud as affecting the formation of contracts generally (see 17 Am Jur 2d, CONTRACTS §§ 151, 152), or as affecting the validity of deeds (see 23 Am Jur 2d, DEEDS §§ 142 et seq.), or the passage of title in sales of personalty (see SALES); fraud in the inducement of marriage and as a ground for action, annulment, or divorce (see 4 Am Jur 2d, ANNULMENT OF MARRIAGE; 24 Am Jur 2d, DIVORCE AND SEPARATION §§ 70 et seq.; MARRIAGE); fraud as a ground for cancellation (see 13 Am Jur 2d, CANCELLATION OF INSTRUMENTS §§ 16 et seq.) or reformation (see REFORMATION OF INSTRUMENTS) of contracts or instruments, or for setting aside a compromise and settlement (see 15 Am Jur 2d, COMPROMISE AND SETTLEMENT §§ 30 et seq.) or release (see RELEASE); constructive trusts based on fraud (see TRUSTS); conveyances in fraud of creditors (see FRAUDULENT CONVEYANCES); fraud as a defense to specific performance (see SPECIFIC PERFORMANCE); remedies other than actions at law for fraud in the sale or exchange of property (see 30 Am Jur 2d, EXCHANGE OF PROPERTY; SALES; VENDOR AND PURCHASER); duress and undue influence (see 25 Am Jur 2d, DURESS AND UNDUE INFLUENCE); the statute of frauds generally (see STATUTE OF FRAUDS); the fraudulent concealment of a cause of action as tolling the statute of limitations (see LIMITATION OF ACTIONS); and the offenses of false

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