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Damages

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DAMAGES

J. FRED BUZHARDT, JR.*

Although many cases decided by the court in the survey period touched on the law of damages, only two are of sufficient interest for novelty to be included here.

In *Joiner v. Ford*,¹ a negligence action, the question of whether hospital expenses which had been paid by an accident insurance policy, the premium of which policy had been paid by the spouse of the plaintiff, were recoverable as elements of damages. The court pointed out that it had already decided that such expenses were recoverable where premiums were paid by the plaintiff,² and the fact that another than the plaintiff paid the premiums did not affect the plaintiff's right to recover.

Attorney's fees for dissolving an attachment were sought in a separate suit in *Knighon v. Bramlett*.³ Although no attorney's fees were requested in the action to dissolve the attachment, the court found that the attorney's fees were a proper element of damages and could be recovered in a separate suit.

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1. 226 S.C. 249, 84 S.E. 2d 719 (1954).
2. See *Jeffords v. Florence County*, 165 S.C. 15, 162 S.E. 574 (1932).
3. 226 S.C. 133, 83 S.E. 2d 753 (1954).