INDIANA E. HUGHES, ADMINISTRATRIX. pdf

1: Milliken v. Meyer - Wikipedia

Hughes is an ambassador for the Indiana Construction Roundtable Foundation's Build Your Future Indiana campaign, which sends people like her into high schools around the state to encourage young people to join the industry.

Willey, Santa Barbara, Cal. Following the fatal crash, Jeanne T. The United States denied negligence and by way of a third party complaint against Metro Airlines and its officers claimed the proximate cause of the crash was negligent operation of the aircraft. Indeed, relying upon Smith v. Circle Inn, 73 Cal. Whatever may be the rule in California, we are required to apply the "clearly erroneous" federal standard: However, questions of fact, whether determined by the judge or a jury, are accorded much more deference, and are only overturned on review when clearly erroneous. The Supreme Court has described the clearly erroneous standard as meaning: United States, F. Gaggs offered by the administratrix. The documentary evidence reveals that for several years prior to his death the decedent was able to minimize his personal income, apparently for tax purposes. While Hope Ranch earned substantial proceeds, the decedent was paid only a modest annual salary. The trial judge was not clearly erroneous in finding that: Hope Ranch was essentially a business that sold land and the major input into its profits, distributed or retained, was the land itself. He is listed as an officer of the corporation only one year during the five years preceding his death and received a salary from the corporation only in We conclude that the findings of the trial judge were not clearly erroneous in this regard. Their personal knowledge of the amount of time spent by decedent in management of his stock portfolio appears doubtful from the record. Additionally, the testimony suggests that decedent was not the exclusive manager of his stock portfolio. While the accountant testified as to total purchases and sales from the stock portfolio for the period , the record reflects little evidence as to the average value of the portfolio for those years. The trial court found in this connection: Thus he computed the management fee on the value of the remaining shares of stock in the portfolio. This ruling appears to be based on a theory prohibiting double recovery and we believe it was correct. According to the administratrix, calculations using exhibit 21 could have been employed to obtain an annual minimum value of the stock portfolio beginning in From our review of the record, however, we believe there was insufficient data upon which the trial court could have reliably made such calculations. In any event, we conclude the methods selected by the trial judge to fix the appropriate value of the stock portfolio based upon the appraisal of the portfolio as of June 12 was not error. According to the administratrix, the testimony of Professor Raymond G. Professor Schultz employed the actual rates of inflation for the period from the crash to trial on the damage issues. However, the trial judge rejected the testimony relating to an inflation factor: Since it is still more probable that there will in the future be changes in the purchasing power of the dollar, it is better to try as best we can to predict them rather than to ignore them altogether. Even in the short time since the cases against considering inflation in making damages awards have been decided, inflation has become a considerably more important factor in our economic lives. Ignoring inflation is, in essence the same as predicting it will not occur, or that its effects will be de minimus. While the administrative convenience of ignoring inflation has some appeal when inflation rates are low, to ignore inflation when rates are high is to ignore economic reality. See also Sauers v. Alaska Barge, F. As with any other element of damages, we must require the estimate of future inflation to be supported by competent evidence. The court is to be especially wary of the pitfalls signposted by the court in Bach v. By our holding we allow the trier of fact in awarding damages to take into account only such estimates of future changes in the purchasing power of money as are based on sound and substantial economic evidence, and as can be postulated with some reliability. As we have observed, the decedent was able to a substantial degree to manage his income as he chose. The holding of the trial judge was consistent with the personal financial policies of the decedent. During the damage phase of the trial, the United States brought forth testimony relating to the Metro settlement and the trial judge concluded: California law provides that such a settlement from another claimed tortfeasor produced from the same accident does not necessarily discharge other tortfeasors from liability but shall reduce the claims against each other. California Code of Civil Procedure, Section The testimony concerning the Metro Airlines settlement is sparse and consists primarily of that of plaintiff. We imply from

her use of the term settlement that she had made a claim against the airlines for the sum of money received. She suggests that in the liability trial the district court explicitly found that Metro was not liable for the crash. Additionally, she maintains that the settlement for Metro was based on claims of fraud rather than on claims of negligence. Superior Court, 62 Cal. As explained in Carr v. The general theory of compensatory damages bars double recovery for the same wrong. The principal situation is where joint or concurrent tortfeasors are jointly and severally liable for the same wrong. Only one complete satisfaction is permissible, and, if partial satisfaction is received from one, the liability of others will be correspondingly reduced. We, therefore, direct that a motion for a new trial on the terms of the settlement and its effect on the setoff may be entertained by the district court within 35 days after the issuance of the mandate.

INDIANA E. HUGHES, ADMINISTRATRIX. pdf

2: Karen E Hughes - Clinical Nurse Specialist, Lafayette IN

Brandon E Hughes is on Facebook. Join Facebook to connect with Brandon E Hughes and others you may know. Facebook gives people the power to share and.

Cannon argued , Philadelphia, Pa. We are confronted with the traditional defenses of the Feres 1 doctrine and a claim of the inapplicability of the Federal Tort Claims Act. Sections b , , claiming that the negligence of the Army caused the murder of her son Private Vernon Shearer. Having been in the Army barely four months, on June 2, , while off the military reservation on an authorized leave from his unit, Shearer was "kidnapped at point of gun and shot to death" in New Mexico by Private Andrew Heard. Heard was also off-duty. The indictment alleged that he had "inflicted serious head injuries on the year-old Margarete Hess on the occasion of sexual actions by means of a wrench and a lifting jack. Heard served three years of a four year sentence in Germany. His attack on Shearer occurred less than four months after his release from prison for the murder of Margarete Hess. Storvall, on December 7, had declared that "Private Heard is unsuitable for military service as his record discloses. Eckelbarger and Brigadier General Charles E. More important, not until after Heard had murdered Shearer did the Army even bother to conduct a mental evaluation of Heard. The court did not decide the issue of the intentional tort exception to the FTCA. The scope of the FTCA, as it applies to the military, has been narrowed in a series of decisions which together comprise the Feres doctrine. The thrust of the Feres doctrine prevents an action against the government for "injuries to servicemen where the injuries arise out of or are in the course of activity incident to service. Stencel Aero Engineering Corp. The pivotal question under the Feres analysis is whether the serviceman sustained the injury either in the "course of" or "incident to" his military service. Application of the doctrine focuses on the relationship between the serviceman and the military at the time and place the injury was sustained. The status and activity of the injured serviceman often seem to be the controlling factors. These factors control Feres doctrine cases. In Brooks, an off-duty serviceman hit by a military vehicle while he was engaged in personal business recovered under FTCA. In Feres, on the other hand, an on-duty serviceman killed in an on-base fire was barred from recovery. On review, the record indicates that Shearer was not engaged in or acting incident to any military activity at the time of his murder. To the contrary, Shearer was on leave in another state New Mexico when he was kidnapped. The United States does not dispute that Shearer was on authorized leave and off the base at the time of his murder. These two cases did not adopt a tortfeasor status-activity analysis as the lower court suggested. Instead these cases merely restated a basic Feres doctrine rule: Malpractice to an active duty soldier in an army hospital is, by its very nature, considered activity "incident to military service," and therefore barred under Feres. Although receiving medical treatment in military hospitals may be considered an activity and benefit "incident to military service" and therefore barred under Feres, certainly being kidnapped off base at gun point can never be perceived as one of the activities or anticipated free benefits of being in the armed services. The FTCA does not provide recovery for the intentional tort of assault and battery. Section h of the Act carves out an intentional tort exception: The FTCA simply requires that the intentional tort must "have its roots in government negligence," Gibson v. Recovery under this exception could thus be barred if the negligence was a remote cause of the injury, or if the plaintiff, through artful pleadings with conclusionary allegations, attempts to create a negligence issue. See also Hughes v. The plaintiff must allege sufficient independent facts to demonstrate that the government knew or should have known that the employee was dangerous prior to the injurious act. The following facts are critical: Heard had been convicted and imprisoned for killing a civilian while in the Army. He was released from the prison less than four months prior to killing Shearer. Nevertheless, Heard remained in the Army and was treated as a member in good standing. We believe these alleged facts are sufficient to withstand a summary judgment motion based on the intentional tort exception to the FTCA. This reliance is misplaced. United States, U. I cannot agree that Shearer has stated a cause of action that is not barred by Feres and by section h , and which would require a trial. Congress, however, has refused to permit recovery against the Government for such intentional actions. It is for this reason that plaintiffs like Mrs. They have done so in order to provide the necessary predicate of a negligence

cause of action. United States, F. Prior to today, this court has yet to confront this problem directly, although we have approached the issue tangentially in Gibson v. Because the Government has not consented to be sued for such a tort, a federal court is therefore without jurisdiction to entertain any suit which arises out of an assault and battery. Thus, if the claim being pressed by Shearer sounds not in negligence but in assault and battery, then it unquestionably must be barred by this statutory exception to federal liability under the FTCA. Rather she claims that her cause of action is focused upon the negligence of the Government in not discharging Heard or otherwise supervising him adequately. In one of the first such cases, Collins v. However, that negligence would have been without legal significance absent the alleged act of Brosz. Without that, there would have been no actionable negligence. Congress could easily have excepted claims for assault. It did not; it used the broader language excepting claims arising out of assault. It is plain that the claim arose only because of the assault and battery, and equally plain that it is a claim arising out of the assault and battery. This being so, the United States has not waived its immunity as respects this claim. Other courts have reached the same conclusion when faced with a purported negligence claim that followed an intentional tort such as assault and battery. These cases remind us that, when we are called upon to decide whether the exception for intentional torts is applicable, we must look not to the theory that the plaintiff may have selected. Rather, "the decisive factor is whether, in substance and essence, the claim arises out of an assault and battery. Five persons were shot and three were killed. The plaintiffs based their case on the theory that "the United States was guilty of actionable negligence in failing to supervise and curtail the two airmen in question in that it was reasonably foreseeable that they would, unless restrained, perpetrate serious injuries. That court found that the negligence theory was "merely an alternative theory of liability. After discussing the cases from other courts dealing with this problem, the Tenth Circuit stated: There is a strong thread running through most of these cases [and it] is that which recognizes the immunity of the government where the assailant is an employee of the government. This is applied regardless of whether the employee is on duty There is a dearth of authority allowing an action to be prosecuted against the government under the Tort Claims Act where the intervening assailant was an employee. In any case in which the employee has intentionally injured another, the tort asserted against the government, regardless of whether it is called negligence, is indeed an intentional tort attributable to the government. He pleaded guilty to a lesser charge and was ordered to submit to psychiatric treatment. Several years later, the same employee, while on his route, lured two other young girls into his postal truck and took indecent sexual liberties with them. Their mother brought suit against the United States, claiming that the postal supervisor acted negligently in failing to relieve the employee of his delivery duties after the first incident. The district court dismissed the suits on the ground that the claims, although sounding in negligence, actually arose out of the assaults and batteries committed by the postal employee, and that they were therefore barred by the intentional tort exception found in section h. The district court had analyzed similar cases from other courts and had chosen to follow the lead of the Naisbitt court, saying: The proximate cause of the assault is the wilful and intentional act of Sullivan The basis of the negligence is that of Sullivan, not of the postmaster in retaining Sullivan in the service. True, the [complaint] does allege that the United States had knowledge of indecent conduct on the part of Sullivan in , but kept him in its employ, and refused a request of others to transfer Sullivan to another position; that the negligent keeping of him in his employment and the failure to transfer was the proximate cause of the assault. But there would have been no assault except for the separate and independent acts of Sullivan. Without his independent assault, there would be no cause of action. It is to this action the statute does not waive immunity. In Shively, Sergeant Lancaster, who was off-duty and in civilian clothes, was negligently issued a pistol by the non-commissioned officer in charge of the Arms Room. The issuance of a weapon under such circumstances was prohibited by both Army regulations and Army custom, and held by both the district court and the court of appeals to be negligent. Lancaster proceeded to shoot his recently divorced wife and kill himself. The Court of Appeals for the Fifth Circuit held that: Hence, Naisbitt, Hughes, and Shively are completely consistent in their analysis and holdings that section h bars any recovery of damages for claims arising out of an intentional assault. In a case decided under a Feres analysis, Judge Rosenn, writing for our court, took great pains to distinguish the circumstances that occurred in Gibson v. In so doing, he explained why the exception found in 28 U. In

addition, Gibson alleged that there had been other incidents at the Arsenal and that the supervising federal office was aware of the dangerous situation. In other words, it is clearly unsound to afford immunity to a negligent defendant because the intervening force, the very anticipation of which made his conduct negligent, has brought about the expected harm. In distinguishing the Gibson situation from the Collins situation, Judge Rosenn wrote: In this case, we are concerned with trainees who are drug addicts and have behavioral problems, under the care of the Government in a controlled environment and program designed to rehabilitate them. The Government accepted the duty of caring for and controlling them knowing of their drug addiction and instability. It was obliged to exercise reasonable care to prevent them from harming others. Heard was not known to have a medical or behavioral problem such as an addiction to mind-controlling drugs. All that was known was that Heard had committed a single crime--albeit the serious crime of manslaughter--in Germany. He had been sentenced to and had already served a period of incarceration in Germany. Heard was not part of a Government rehabilitation program. The Government never accepted the duty to care for or control him in a "controlled environment" or "rehabilitation program. See note 5 supra. The distressing event that gave rise to the chain of events culminating in this lawsuit was the heinous murder committed by Andrew Heard.

INDIANA E. HUGHES, ADMINISTRATRIX. pdf

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Superior Court Department, Middlesex Present: Practice, Civil, Summary judgment. Negligence, Violation of statute, Comparative. Gun Control Act of Protection of Lawful Commerce in Arms Act. Words, "Qualified civil liability action," "Criminal or unlawful misuse," "Design defect exception. Motions for summary judgment and to strike deposition testimony and portions of statements of facts were heard by S. Kenneth Griffin for the plaintiff. Darling for Patricia A. Page 91 John F. Renzulli, of New York Patricia A. Hartnett with him for Glock, Inc. Thomas Hughes owned the weapon involved, and Glock, Inc. Glock , was the manufacturer of the weapon. Elizabeth Ryan the plaintiff , the administratrix of the Milot estate, [Note 4] filed a complaint in Superior Court asserting claims of negligence and wrongful death against Hughes. The plaintiff also asserted claims of breach of the implied warranty of merchantability, negligence, wrongful death, and unfair and deceptive acts and practices against Glock. The defendants subsequently moved for summary judgment. We affirm, and consider issues of negligence, and, in a matter of first impression in Massachusetts, the application of the Protection of Lawful Commerce in Arms Act, 15 U. In November, , Milot was released on probation from the Billerica house of correction after an incarceration of about eighteen months. Hughes testified in his deposition that he helped Milot to get reestablished by loaning him a small amount of money and giving him odd jobs to do around his house. In his deposition, Hughes testified that he owned several firearms that he stored in a chest in a second-floor bedroom. The bedroom was kept locked and had been outfitted with barred windows. Hughes testified that he kept the keys to this bedroom in a vase on top of the fireplace. One of the firearms that Hughes owned was a Glock pistol. Hughes purchased the Glock pistol and its storage container in Page 92 from the widow of a former Boston police officer. Hughes testified in his deposition that he stored the unloaded pistol as well as its magazine in its storage container in a chest drawer in the same bedroom where his other guns were stored. He further testified that he had never touched, loaded, or fired the weapon after purchasing it. McConologue could not describe the guns and did not know what the models were. McConologue testified that she advised her brother to call Hughes and return the pistols to him, that Milot did not want to tell Hughes that he had taken the guns, but that Milot agreed to put them back the way he had found them. On February 25, , Hughes picked up Milot around 7: The police and an ambulance were called and upon their arrival, Milot was pronounced dead. An autopsy was performed, and it was determined that Milot had suffered a gunshot wound to his left thigh which severed the femoral artery and caused Milot to bleed to death. Once they arrived on the scene, police officers followed a trail of blood to a second-floor bedroom. Police found a Glock 9 mm. Model 17 handgun in a plastic storage case on the bed. There was a discharged cartridge in the chamber of the pistol, and police found powder burns on the bedspread in that bedroom Page 93 as well as pieces of plastic from the storage case on the floor by the bed. Police speculated that "[a]pparently the victim was attempting to put the gun back in the container when the round was fired, striking the victim in the upper left leg. The victim apparently walked out of the bedroom, down the front stairs, into the living room, used the telephone and walked to the front door where he collapsed and died. Under the familiar standard, a party is entitled to summary judgment "if the pleadings, depositions, answers to interrogatories. This court reviews a grant of summary judgment de novo and examines "whether, viewing the evidence in the light most favorable to the nonmoving party, all material facts have been established and the moving party is entitled to a judgment as a matter of law. The facts reveal that Milot, through an affirmative act of theft in violation of G. Board of Trustees of Milton Academy, 70 Mass. See also Flanagan v. Baker, supra suggesting that, notwithstanding amendments to the comparative negligence statute, G. The comparative negligence statute, G. In providing that "[t]he violation of a criminal statute. See Flanagan, 35 Mass. We therefore conclude that the judge did not err in granting summary judgment to Hughes-Ortiz. It is clear that, at a minimum, Milot stole and had possession of a firearm and ammunition after having been convicted of the felony of assault and battery by means of a dangerous weapon. United States, U. See also Barrett v. See

generally District of Columbia v. The plaintiff brought claims of breach of the implied warranty of merchantability, negligence, wrongful death, and unfair and deceptive acts and practices against Glock. The judge granted summary judgment on all claims after finding that the Protection of Lawful Commerce in Arms Act, 15 U. The gun case at issue here has a post with a protruding wing or flange in the center. When the Glock pistol is cocked and ready to fire, the trigger moves to the forward position with the trigger lock positively protruding. Once cocked, the trigger and trigger safety would need to be moved fully rearward again in order to fit over the post in the gun case. These are the same steps that would need to be taken to fire the Glock pistol. The plaintiff alleges that the Glock pistol and gun case "were Page 98 defective because the [gun] case caused the loaded Glock. First, we must determine whether the lawsuit in question is a "qualified civil liability action. See City of New York v. In pertinent part, as defined by the Act, a "qualified civil liability action" "means a civil action or proceeding. The present suit is a "civil action or proceeding" brought by a "person" Ryan against a "manufacturer" Glock, Inc. As this argument was not made in the trial court in the first instance, the argument is waived. New England Organ Bank, Mass. Thus, we deem the issue waived". We express no opinion as to whether the PLCAA would preclude or permit a future plaintiff to bring claims involving the interaction between qualified and nonqualified products. The final element of the definition of a "qualified civil liability action" is that the civil action "result[ed] from the criminal or unlawful misuse of a qualified product by the person or a third party. The Act defines "unlawful misuse" to mean "conduct that violates a statute, ordinance, or regulation as it relates to the use of a qualified product. The plaintiff argues that "[t]he PLCAA is inapplicable because there was no evidence supporting the conclusion that the gun was misused, whether criminally, unlawfully or otherwise. Here, in violation of 18 U. The design defect exception provides that a "qualified civil liability action" does not include: Although, as noted above, Milot was not convicted of a criminal offense in connection with this accident, "the exception in section 5 A v does not require a criminal conviction. The statute requires only that the volitional act constitute a criminal offense. Hughes was the original defendant in the suit. During the pendency of this action, Hughes died, and his daughter, Hughes-Ortiz, was substituted as a party defendant. See also Jackson v. Notwithstanding the fact that Milot was tried in the District Court and was sentenced to a term in the house of correction, for all practical purposes he was, nevertheless, convicted of a felony. See generally Commonwealth v. The judge did not state any reason for denying these motions. We discern no abuse of discretion.

INDIANA E. HUGHES, ADMINISTRATRIX. pdf

4: HUGHES v. DECATUR GENERAL | So.2d () | o2d | www.enganchecubano.com

The partners were James Hughes, , lawyer, congressman from Indiana, and professor of law at Indiana University, ; James William Denver, , lawyer, general, congressman from California, and governor of Kansas Territory; and Charles F. Peck, lawyer from Illinois.

For manuscripts on similar subjects, see: The partners were James Hughes, , lawyer, congressman from Indiana, and professor of law at Indiana University, ; James William Denver, , lawyer, general, congressman from California, and governor of Kansas Territory; and Charles F. Peck, lawyer from Illinois. The papers relate, in the main, to cases before the U. Most of them deal with Confederate claims for the return of or reimbursement for cotton, real estate, and other property seized or destroyed during the Civil War. Dillard, Heroine, Wren, Grey jacket, Hyett, and Belfast, ; documents for the 12th Cavalry regiment, ; and th regiment of Illinois Volunteers, ; and the 5th U. Volunteers, ; and a number of cases dealing with pardons. Since most of the correspondence consists of copies, only letters by the following prominent individuals were indexed: In the collection are also twelve letter copybooks of the firm, , containing some six thousand copies of their letters. The papers are arranged in chronological order. An attempt has been made, however, to keep the papers of each law case together in a folder, and to file these folders in the chronological arrangement under the date of the earliest paper in the folder. Midland Rare Book Co. Estate , June 15 Gallagher, Margaret vs. Land claim , Dec. Land claim , Nov. Pension for widow , Oct. Invitation to a party , Apr. Compensation for taking 8th census , Dec. Larkin Wharf at Monterey , Jan. Property impressed , Feb. Illinois Volunteers 12th Cavalry Regiment , Dec. Prize money , Aug. Ice barge , Oct. Cairo City lots , Jan. Steamer Cataline , June , Aug. Claims for supplies , Aug. Texas bonds , Jan. Cotton Box 2 , Mar. Richard , May Dec. Mary Ann widow of William J. Mers , June Dickson, W. Sarah , June Nov. Tobacco , July 6-Aug. Furniture , July 7-Aug. Pardon , July , Jan. Pardons , July 27 Stanton, S. Stolen Cotton , Aug. Dunbar, Richard , Aug. Tax receipts , Nov. Lucy, widow of David Caldwell , Nov. White, owner , Nov. Court House , Dec. Bruce Cotton , Jan. Dillard Steamer , Mar. Estate of Rhomas Ewell , Mar. Hawks Case , Apr. Cotton , May 4 Thorburn, C. Secretary of Treasury , May , Jan. Polly , June , Dec. Rent Cases , June , Sept. Warren , June , Feb. Land Warrants , June Aug. Reuben , July 28 U. Wren Steamship , Aug. Oliver, William , Dec. Bounty lands , Feb. Laws, Statutes , Mar. Claim against Ordnance Bureau , Apr. Tax receipts , May 7-Sept. Cotton , June , Nov. Divorce , July 18 Moon , July Oct. Liquor shipment , July , Oct. Dakota Territory bounties , Aug. Petition for remission of forfeiture of distilled spirits , Sept. Mary Elisabeth Knight , Oct. Land case , Dec. Huntley, Charles , Jan. Bounty , May July 25 Pradat, L. Costa Rica Railroad Co. Choctaw Indian Box 4 , Jan. Bounty and other claims , Feb. Administratrix of Ferguson, Colin S. Steam ferryboat , Apr. Woods, Oliver Evans , Feb.

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5: Hoeppner Wagner & Evans LLP - Valparaiso, Ind. + Merrillville, Ind.

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Tyndall, commander the field artillery of the Indiana national guard, has returned to his home in Indianapolis on a thirty-day leave of absence to look after some Important business and to vote. Major Tyndall said that the Indiana troope were in excellent physical condition and that the camp at Mercedes, Tex. Indictments were returned against three saloon keepers today by the Marion county grand jury for alleged violations of the liquor laws. Thirteen have been indicted by the grand Jury in the last few weeks, f the evidence being obtained by Claude M. The saloon keepers indicted today were George Dordea, 26 South California street: Practically no arrests have been made by the police recently on charges of violations of the liquor laws. Sailed Up the Dardanelles. He was informed by the Turkish officials that he must remain at the Dardanelles and send a request to the United States minister at Constantinople and seek an audience with the sultan and obtain an imperial finnan before he could proceed. The commodore replied that he did not-have time for that as he wished to go at once: They threw down the stone wall surrounding his house, tore down the American flag floating upon it and insulted the members of his family and greatly damaged his residence. News of it was brought to me at once. I wired the commander of the warship Quinnebog to proceed at once to Tripoli and anchor before the tow r n. I had no code in common with the Quinnebog, and had to send the message by [Turkish telegraph. At once representatives of the Turkish government called on A. Gargiula to go immediately to the A4Yierican consul-general and intercede with him to rescind the order, saying that they would settle the matter amicably and peaceably, but they did not want a warship to go up there. Gargiula put them off as long as possible, and finally said: They Invaded the college, paraded through the iclassrooms and frightened the pupils greatly. I found out the leader of the mob and wrote the governor that he must arrest the rascals and punish them. He replied that if I would pclnt out the parties he woyld have them arrested and punished. I returned answer that it was not my business to point out parties, but that if he would arrest Mehmet EfTsndi he could easily obtain the names of the guilty ones. Being curious, the officers turned their heads and gazed after the carriage. Officers Released at Once. One of the officers drew his sword and struck him a blow on the cheeit, dislocating his Jaw and cutting his head nearly off. They were arrested by the authorities and placed in prison. Omer Petre et ah Clinton C. Central Bank of West Lebanon vs. The Savings, Loan ahd Trust Company et ai. Thompson et al vs. Separate and Joint assignment of errors. Notices served be- low. Bakemeler et al vs. Separate and several-assignments of errors. Haley Fiske, of New York, vice-president of the company, gave an address in which he told of some of the things which the company is doing in public welfare work. The invocaiion was pronounced by Bishop Joseph M. Field representatives in Indiana enlivened the meeting by songs and yells in honor of the company and some of the officials. Fiske said, "we have traveled more than 30, miles to attend these conventions of field representatives. Business Covers Wide Field. Our policies are scattered over the whole United States and Canada, and even up near the north pole, where nobody but a Metropolitan man ever goes. Twelve million persons are bound together in the company for mutual protection. The company has stuck to a platform of principles, and has refused to nave anything to do with companies of disrepute. These visits were made to policy holders, as well as to other persons needing a professional nurse. In Indianapolis more than visits were made by our nurses in the homes of persons stricken with typhoid fever during the month of September. A Metropolitan policy holder dies every thirty-two minutes from this disease. This is an outrage. The streets of Indianapolis are filled with tubercular people. The men and women of the home office are contented. The building is equipped with dining rooms, dental clinics, medical clinics, an optometrist and a co-operative store. At this store the employes can buy anything from a paper of pins to automobile tires. The business done by the store in was about , Bishop Francis said that the address given by Mr. Durbin, of Anderson, said that Mr. Albion Fellows Bacon, of Evansvilie, who Is an advocate of better housing conditions,, said the representatives of the Metropolitan company always have been of great assistance in public welfare work. Judge Collins Praises Speech. Collins, of the Marion county criminal court, said that Mr Fiske s address was the best sermon on social welfare he ever had heard. What these men need

who are broken down in health Is the helping hand of decent men and women, the same kind of people who are connected with this big insurance company. Hurty, secretary of the state board of health, and Mrs. Hapgood Moving pictures showing the sanitary arrangements for the 2, employes of presented As toothsome as the name implies. The third of the Wrigley trio of refreshing confections. Good for teeth, breath, appetite and digestion. Watson to Duckwall Realty Company, lots 1. Joseph Smith to Charles M. Winnings to Sferah L. Yeates, part southwest quarter, eectlon 28, township Meara to Conrad W. Gilpin to Jullua Shepard lot , Culver et al. Improved, east side Kapper et. Argedtne to Henry J. Improved, northeast corner Twentieth at. Howard to Robert P. Kemper to Luther Horton at ux. Improved, south side Twenty-eighth st. Improved, east side Sehurman ave. Maddux to William McClure et ux. Improved, west side Temple ave. Devore to John M. Thomann to Ella M. S5xâ€” feet, improved, east side Hillside ave.. Shull to same, same lot Meyer to Josie M. Improved, east side Harlan at. Johnson, part lots 84 and Clair at 00 Same to Harry M. Cross Clifford ava addition. Shoemaker to Jacob C. Perry township 7, 06, Jacob C. Raster to Henry F. Kraemer to Martha J. Boyer, lota 1 to 4. Schussler, lot , Woodcroft, 50x feet, vacant, east side Carrollton ave. Smith to Walter B. Smith, lots 8 and 9. Hoffman to Maurice Rosier et ux. Zollner to Michael Roach, lot 9: Cornelius to John Bencslk, et ux. Improved, east side Downing st.. Arndt to Mary A. Hurt, trustee, to August F. Brown to Emma O. Conway, lot 20, block , Beech Grove 00 Transfers,

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6: NOTICE OF ADMINISTRATION / TO CREDITORS Â» West Virginia Legals

Hughes, as administratrix of the estate of Wheeler, filed an action for wrongful death against Decatur General and others, alleging that the actions and negligence of the defendants caused Wheeler's death.

The question is whether an Indiana court should apply Indiana tort law when both parties are residents of Indiana and the injury occurred in Illinois. The defendant corporation built lift units for use in cleaning, repairing, and replacing street lights. He died that day while using a lift unit manufactured by Hubbard in Indiana. When she raised the possibility that Illinois products liability law should be applied to this case, Hubbard moved the trial court for a determination of the applicable law. The Court of Appeals expressed the opinion that Indiana law should apply but concluded that existing precedent required use of Illinois law. Greeson , Ind. We grant transfer to decide whether Indiana or Illinois law applies. The differences in Indiana law and Illinois law are considerable. Under Illinois law, the trier of fact may find product liability even if the danger is open and obvious. Choosing the applicable substantive law for a given case is a decision made by the courts of the state in which the lawsuit is pending. An early basis for choosing law applicable to events transversing several states was to use the substantive law of the state "where the wrong is committed" regardless of where the plaintiff took his complaint seeking relief. This Court modified the traditional rule in W. Hughes , Ind. The modified rule allowed the state with the most significant contact to apply its substantive law even if the breach occurred in another state. The modified rule provided our courts flexibility when a breach occurred in a state which had insignificant contact with the transaction. The historical choice-of-law rule for torts, like contracts, was lex loci delicti commissi, which applied the substantive law where the tort was committed. Grand Rapids and Indiana Railroad Co. Rigid application of the traditional rule to this case, however, would lead to an anomalous result. Had plaintiff Elizabeth Greeson filed suit in any bordering state the only forum which would not have applied the substantive law of Indiana is Indiana. Choice-of-law rules are fundamentally judge-made and designed to ensure the appropriate substantive law applies. In a large number of cases, the place of the tort will be significant and the place with the most contacts. A court should be allowed to evaluate other factors when the place of the tort is an insignificant contact. In those instances where the place of the tort bears little connection to the legal action, this Court will permit the consideration of other factors such as: Restatement Second of Conflicts of Laws 2 These factors should be evaluated according to their relative importance to the particular issues being litigated. The first step in applying this rule in the present case is to consider whether the place of the tort "bears little connection" to this legal action. The last event necessary to make Hubbard liable for the alleged tort took place in Illinois. The decedent was working in Illinois at the time of his death and the vehicle involved in the fatal injuries was in Illinois. None of these facts relates to the wrongful death action filed against Hubbard. The place of the tort is insignificant to this suit. After having determined that the place of the tort bears little connection to the legal action, the second step is to apply the additional factors. Applying these factors to this wrongful death action leads us to the same conclusion that the trial court drew: Indiana has the more significant relationship and contacts. Both parties are from Indiana; plaintiff Elizabeth Greeson is a resident of Indiana and defendant Hubbard is an Indiana corporation with its principal place of business in Indiana. The relationship between the deceased and Hubbard centered in Indiana. The Court of Appeals decision is vacated and the cause remanded to the trial court with instruction to apply Indiana law.

INDIANA E. HUGHES, ADMINISTRATRIX. pdf

7: Hughes Family Trees, Crests, Genealogy, DNA, More

E Hughes in Indiana address, phone number, send email, public records & background search.

Attorney s appearing for the Case Paul J. Matthews II, Hartselle, for appellant. Joe Calvin, Decatur, for appellee. Supreme Court of Alabama. Sandra Hughes, as administratrix of the estate of Alice Wheeler, deceased, appeals from a summary judgment granted in favor of Decatur General Hospital. On August 24, , Wheeler was employed by Decatur General as a licensed practical nurse. On this date Wheeler worked on the 3: The parking lot was located across 7th Street, S. While attempting to cross 7th Street, S. She left no surviving dependents. Summary judgment may be granted when there is no genuine issue of material fact and the moving party is entitled to a judgment as a matter of law. Baldwin County Electric Membership Corp. However, the Court recognized an exception to this rule in Barnett, Ala. In United States Steel Corp. The Court stated as follows: When the accident in the instant case occurred, Wheeler was leaving the main premises of Decatur General and crossing a public street in order to reach a parking lot owned and maintained by Decatur General for use by its employees and visitors. Hughes relies upon Braxton v. See also Lackey v. Based upon the foregoing, we hold that the trial court did not err in granting summary judgment for Decatur General. Adhering to the precedent cited, as well as to the earlier Fifth Circuit Court of Appeals case of Patterson v. I write separately, however, to express my personal view of the rank injustice of these holdings. My point is dramatized by the next to last paragraph of the majority opinion: This rationale acknowledges that, to invoke the exclusivity clause, it is essential that the Act provide a remedy. Recovery, however, is barred because the Act vests the right of action for death the right to pursue the remedy only in dependents of the deceased worker. A remedy contemplates the interaction between the obligee and the obligor. It must operate not only in favor of the one but against the other. Indeed, in other contexts, the Court has not permitted the exclusivity defense when to do so would leave the injured worker remediless. For example, the Court, in Gentry v. I conclude by noting an extreme irony in this particular case. In order to invoke the exclusivity clause, the employer here, its insurance carrier urges a finding of coverage under the Act, whereas, under circumstances other than death, the coverage issue would have been strongly contested and, in my opinion, with a high probability of success. The ultimate irony, then, is that a trial judge the judge in the instant case excepted, of course with a pro-employer philosophy, would fashion his findings of fact to exclude coverage in an injury context, based upon an "arising out of and in the course of employment" defense, while that same trial judge would find coverage in a death case to invoke the exclusivity defense. While the plaintiff in Slagle argued that he had been "provided with no remedy for the death of his minor son," apparently the employer had paid medical and funeral expenses and had made payment to the "Second Injury Trust Fund.

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This Court modified the traditional rule in W.H. Barber Co. v. Hughes (), Ind. , 63 N.E.2d The modified rule allowed the state with the most significant contact to apply its substantive law even if the breach occurred in another state.

9: "American Home Assurance Company v. Shirley M. Hughes, Administratrix, "

View phone numbers, addresses, public records, background check reports and possible arrest records for Steve Hughes in Indiana (IN). Whitepages people search is the most trusted directory.

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