

430

REDMOND REILLY, a minor, by  
his father and next friend,  
R. E. Reilly,

PLAINTIFF,

VS.

JOSEPH VACCARRO & SON,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

*A partnership composed of Joseph Vaccaro and George Vaccaro*  
Plaintiff claims of the defendant, the sum of

One Thousand and no/100 (\$1,000.00) Dollars, for that  
on-to-wit the 20th day of April, 1938, a servant or agent  
of the defendant, acting within the line and scope of his  
employment, who was then operating a truck of the defendant,  
on the Mobile-Pensacola Highway, which is a public highway,  
in Baldwin County, Alabama, negligently parked the truck  
which he was then and there operating at night time on the  
paved highway without any lights thereon and without putting  
out any flares and as a proximate result of said negligence  
caused the car in which the plaintiff was riding to collide  
with another car which was then and there being operated  
by Ora C. Barber and as a result thereof, the plaintiff was  
caused to suffer great bodily pain and mental anguish, was  
severely bruised and broken up and his leg was sprained.

*Marion R. Visher*  
Attorney for Plaintiff.

Plaintiff demands a trial of the above cause by  
jury.

*Marion R. Visher*  
Attorney for Plaintiff.

*Quel*  
RECORDED 8-21/8

REDMOND BREITLY, a minor, by  
his father and next friend,  
R. E. Rellly,

Plaintiff,

vs.

JOSEPH VACCARO & SON,

Defendant.

COMPLAINT.

Filed April 21st, 1938.

*R. S. Puch*  
Clerk.

Executed *May 5-2* 1938  
by serving copy of within Summons and  
Complaint on

*George Vaccaro*

*M. A. Wickens* Sheriff

By *John C. Davis* Deputy Sheriff

430

STATE OF ALABAMA,

COUNTY OF MOBILE.

Personally appeared before me, the undersigned Notary Public, Earl Smith, who being duly sworn deposes and says that he was the driver of the car in which Redmond Reilly was riding at the time he was injured as the result of the negligent operation of a truck of Joseph Vaccarro & Son; that Redmond Reilly is suffering from severe shock and that he is badly bruised and skinned up and his leg was badly injured and sprained.

Earl Smith

Subscribed and sworn to before me,  
this the 21st day of April, 1938.

Marion R. Vicker  
Notary Public, Mobile County, Ala.

Amount at 300 <sup>av</sup> attachment filed  
April 21<sup>st</sup> 1938  
J. M. Plutson  
Judge of Probate

ATTACHMENT.

**The State of Alabama,**  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS,

EARLE SMITH

hath complained on oath to me, ROBERT S. DUCK, Clerk of Circuit Court of Baldwin County, Ala.,

that JOSEPH VACCARO & SON, a Partnership composed of Joseph  
Vaccaro and George Vaccaro;

is justly indebted to the Plaintiff

REDMOND RIELLY

in the sum of ONE THOUSAND (\$1,000.00) Dollars, and

Earle Smith

the defendant being a non-resident of Alabama, and the Probate Judge  
having made affidavit ~~that the said~~  
having fixed the attachment at \$300.00  
~~that the said~~ you are hereby commanded to attach so much of the estate of

the said JOSEPH VACCARO & SON

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so  
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be  
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said

County, on 2nd Monday of September 1938

next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 21st day of April A. D. 1938

R. S. Duck Clerk.

8-219

No. \_\_\_\_\_

**ATTACHMENT**

*Richard Kelly*

Vs. { **ATTACHMENT**

Issued \_\_\_\_\_, 193

MOORE PRINTING CO.

Executed by attaching one Ford truck, 1936 Model, Motor number 18-1980291 License number B-90-7 and trailer, G. M. C. Model, License number G. K.-3-1036  
This 28th day of April 1938.

M. H. Wilkins, Sheriff,

*[Signature]*

By \_\_\_\_\_

D.S.

The State of Alabama, Mobile County:

Personally appeared before S. H. SMITH, Clerk of the Circuit Court of said County, *Baldwin*  
*for Mobile County, Alabama, Earle Smith*  
who maketh oath and sayeth that *Joseph Vaccaro & Long*  
*Redmond Reilly* a partner  
justly indebted to

in the sum of *10.00* <sup>*20*</sup> Dollars, and that said

*defendant is a nonresident of the State of Alabama*

so that the ordinary process of law cannot be served upon him, and that an attachment is not sued out for the purpose of vexing or harassing him, the said *Joseph Vaccaro & Long*

Sworn to and subscribed the *21st* day of *April* 19*25*, before me

*Marion W. Scher*  
*Notary Public Mobile County, Alabama*  
Clerk.

(ATTACHMENT BOND)

KNOW ALL MEN BY THESE PRESENTS, That we

*The defendant being a nonresident of the County of Mobile of Alabama are held and firmly bound unto Plaintiff*

*not to give bond*  
in the sum of *Marion W. Scher* Dollars, to be paid to the said his

certain Attorneys, Executors, Administrators or Assigns, for which payment, well and truly to be made, we bind ourselves and our heirs, executors or administrators, jointly and severally, firmly by these pres-

ents. Sealed with our seals, and dated the \_\_\_\_\_ day of \_\_\_\_\_

in the year of Our Lord, one thousand, nine hundred and \_\_\_\_\_

The Condition of the above Obligation is such, That whereas the above bounden \_\_\_\_\_

\_\_\_\_\_ hath the day of the

date hereof, before the Clerk of the Circuit Court of Mobile County, prayed an Attachment at the suit of

\_\_\_\_\_ against the estate of the above named

for the sum of \_\_\_\_\_ Dollars and hath obtained the same

returnable to the next term of the Circuit Court of Mobile County, to be holden on the \_\_\_\_\_

Monday after the \_\_\_\_\_ Monday of \_\_\_\_\_ 192*5*

Now, if the said \_\_\_\_\_ shall prosecute

Attachment to effect, and pay to the said \_\_\_\_\_

all such damages \_\_\_\_\_ may sustain by the wrongful or vexatious

suing out thereof, then the above obligation to be void, otherwise to remain in full force and effect.

IN PRESENCE OF

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Seal)  
(Seal)  
(Seal)

CIRCUIT COURT

-Term, 193.

Term, 193 1934

, of the Circuit Court of said County,

covered a judgment against

the sum of

ides

Dollars, cost of suit, and execution

nts of said

ned said exception indorsed, "No Property Found," and the costs have never been paid. In order to save you the additional ex-  
se of an execution against you, I herewith inclose an itemized statement of the costs which have  
pectfully request that you will, on receipt of this, remit the amount of the costs which have  
uction to the Sheriff of your County.

Respectfully yours,

Clerk.

[illegible]

THE STATE OF ALABAMA,  
Baldwin County.

No. \_\_\_\_\_

CIRCUIT COURT

April 1938

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon

JOSEPH VACCARO & SON, a Partnership composed of

JOSEPH VACCARO and GEORGE VACCARO,

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in  
the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

them

Defendant by

REDMOND REILLY, a Minor by his father and next friend,

R. E. REILLY,

Plaintiff

Witness my hand this 21st day of April 1938

*[Signature]*

Clerk.

COMPLAINT

REDMOND REILLY, a minor

JOSEPH VACCARO & SON, a Partnership.

by his father and next

friend, R.E.Reilly. Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.