

444

ORA CHESTER BARBER,

PLAINTIFF,

versus

JOSEPH VACCARO and  
GEORGE VACCARO, individually  
and doing business under the  
trade name and style of  
JOSEPH VACCARO & SON,

and

C. J. CLARK,

DEFENDANTS

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

AT LAW NO.

COUNT I

Plaintiff claims of the defendants the sum of Ten Thousand Dollars (\$10,000) damages for that on, to-wit, the 20th day of April, 1938, the defendant C. J. Clark who was then and there an agent or servant of the defendants, Joseph Vaccaro and George Vaccaro, doing business as Joseph Vaccaro & Son, and while acting within the line and scope of his employment as such agent or servant, parked an automobile truck on Highway U. S. 90 in Baldwin County, Alabama, at or near the Alabama-Florida State Line, and so negligently allowed same to remain parked that an automobile driven by one Earle Smith on said Highway and approaching said parked truck ran into and collided with an automobile in which the plaintiff was then and there riding on said Highway, and as a proximate result of said negligence of said defendant, C. J. Clark, plaintiff was then and there painfully and permanently injured and sustained lacerations, contusions, and bruises in and about the face, head, body, and limbs, and was caused to incur and will incur considerable expense in and about the treatment of said injuries; WHEREFORE PLAINTIFF SUES.

COUNT II

Plaintiff claims of the defendants the sum of One Thousand Dollars (\$1,000) damages for that on, to-wit, the 20th day of April, 1938, the defendant C. J. Clark who was then and there an agent or servant of the defendants, Joseph Vaccaro and George

Vaccaro, doing business as Joseph Vaccaro & Son, while acting within the line and scope of his employment as such agent or servant, parked an automobile truck on Highway U. S. 90 in Baldwin County, Alabama, at or near the Alabama-Florida State Line, and so negligently allowed same to remain parked that an automobile driven by one Earle Smith on said Highway and approaching said parked truck ran into and collided with an automobile in which the plaintiff was then and there riding, and plaintiff avers that as a proximate result of the said negligence of said C. J. Clark, said automobile, which was and is the property of the plaintiff was broken and badly bent; the wheels, axle, engine, body, radiator, frame, grill, bumper, front fenders, windshield, and steering wheel thereof were bent, torn, and damaged, and said car was depreciated in value by reason thereof and was otherwise damaged.

*Ambercht Twitty & Jackson*  
Attorneys for Plaintiff

Plaintiff demands that said cause be tried by jury.

*Ambercht Twitty & Jackson*  
Attorneys for Plaintiff

Each of the defendants may be found at 2226 Ninth Avenue, Tampa, Florida. Please serve by registered mail under Code Section 9454 (1).

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA  
AT LAW NO. 8-238

ORA CHESTER BARBER,  
PLAINTIFF,

VS.  
JOSEPH VACCARO and GEORGE VACCARO,  
individually and doing business  
under the trade name and style of  
JOSEPH VACCARO & SON

and  
C. J. CLARK

DEFENDANTS

COMPLAINT

Executed May 5<sup>th</sup> 1938  
by serving copy of within Summons  
Complaint on

George Vaccaro  
C. J. Clark

M. A. Watkins Sh.  
By John P. Davis Deputy Sh.

W. P. the jury assess  
Plaintiff's damages  
at \$2000.00

J. W. Tomlinson  
Foreman

Filed this 5<sup>th</sup> day May 1938  
R. S. Davis  
Clerk-Register

Armbrecht, Twitty & Jackson  
Attorneys for Plaintiff

THE STATE OF ALABAMA,  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT

May 1938

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon JOSEPH VACCARO & GEORGE VACCARO,  
individually and doing business under the firm name and style of  
Jos. Vaccaro & Son., and C. J. CLARK,

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 ORA CHESTER BARBER,

Plaintiff

Witness my hand this 5th day of May 1938

Clerk.

COMPLAINT

ORA CHESTER BARBER,

Jos. Vaccaro & Geo. Vaccaro,  
individually and doing business  
under the firm name and style  
of JOS. VACCARO & SON., and  
C. J. CLARK, Defendants

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

Plaintiff's Attorney.

CERTIFICATE OF JUDGMENT

The State of Alabama }  
Baldwin County }

Circuit Court, SPRING Term, 19 39.

ORA CHESTER BARBER,

PLAINTIFF

Vs.

JOSEPH VACCARO & SON, a Partnership  
composed of Jos. Vaccaro and Geo. Vaccaro,  
& JOS. VACCARO and GEO. VACCARO, individually,  
DEFENDANT. s.

I, R. S. DUCK, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 10th day of April, 19 39

a Judgment was rendered by said Court in the above stated cause, wherein

ORA CHESTER BARBER,

was Plaintiff and JOSEPH VACCARO & SON, a Partnership composed of Jos. Vaccaro and Geo. Vaccaro, and  
JOSEPH VACCARO and GEORGE VACCARO, individually, were ~~was~~ Defendant, ~~in~~  
favor of the said Plaintiff and against the said Defendant for the sum of

TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS,

and for the sum of FIFTEEN & 90/100 (\$15.90) DOLLARS,

the costs in said suit and that ARMERBRIGHT, INGE, TWITTY & JACKSON,

are the Attorneys of record for the Plaintiff in said cause.

Witness my hand this 24th day of May, 19 39

Clerk, Circuit Court, Baldwin County, Alabama.

By:

Deputy Clerk.

**Certificate Of Judgment**

ORA CHESTER BAUBER,

Plaintiff

Vs.

JOSEPH VACCARO & SON,

ET ALS.,

Defendant

The Baldwin Times

ORA CHESTER BARBER,

Plaintiff,

VS.

JOSEPH VACCARO and  
GEORGE VACCARO, individually  
and doing business under the  
trade name and style of  
JOSEPH VACCARO & SON,

and

C. J. CLARK,

Defendants.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA

AT LAW NO.

TO JOSEPH VACCARO and  
GEORGE VACCARO, individually  
and doing business under the  
trade name and style of  
JOSEPH VACCARO & SON, and  
C. J. CLARK,

GREETINGS:

You, and each of you, will please take notice that in the foregoing stated cause, pending in our Circuit Court of Baldwin County, Alabama, interrogatories to be propounded to Ora Chester Barber of 1670 Cherry Street, Denver, Colorado, (a copy of which herewith issues) a witness in her own behalf, have been this day filed in my office, which said interrogatories will remain on file as aforesaid ten days after the mailing of this notice to you, during which time you can file cross-interrogatories if you think proper.

Clara C. Alvey, whose address is Cosmopolitan Hotel,  
Denver, Colorado, has been suggested as the Commissioner  
to take said deposition.

Witness my hand as Clerk of said Court this 18<sup>th</sup> day of  
March, A.D., 1939.

R. S. Dush  
Clerk of Circuit Court, Baldwin  
County, Alabama.

By - Wallace Thompson,  
Deputy Clerk -

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

I, R. S. DUCK, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that I have, on this date, mailed a copy of the within Notice of Filing Interrogatories, together with copy of Interrogatories, to each of the defendants in the above styled case at 2226 Ninth Avenue, Tampa, Florida.

This, the 18th day of March, 1939.

R. S. DUCK, Clerk

By: *Pauline Thompson*  
Deputy Clerk.

*Notice to Defendants of  
Filing Interrogatories*



THE STATE OF ALABAMA,))  
BALDWIN COUNTY, ))  
))

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

TO.....CLARA C. ALVEY, Cosmopolitan Hotel, Denver, Colorado:-

KNOW YE: That, we, having full faith in your prudence and competency, have appointed you commissioner, and by these presents do authorize you, or any one or more of you, at such time and place as you may appoint, to call before you and examine ORA CHESTER BARBER, witness in behalf of the plaintiff in a cause pending in our Circuit Court of Baldwin County, Alabama, wherein ORA CHESTER BARBER is Plaintiff, and JOSEPH VACCARO & SON, ET AL., Defendants, on oath to be by you administered, upon interrogatories annexed to this commission, to take and certify the deposition of the witness and return the same to our said Court, to be holden on the 10th day of April, next, under your hand and seal.

WITNESS this 29th day of March, 1939.

R. S. DUCK,  
Clerk of the Circuit  
Court of Baldwin County,  
Alabama.

By: *Walter Thompson*  
Deputy Clerk.

ORA CHESTER BARBER,  
Plaintiff,

vs.

JOS. VACCARO & SON,  
Defendants.

COMMISSION TO TAKE  
DEPOSITION ON INTERROGATORIES

THE STATE OF ALABAMA, }  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT

May \_\_\_\_\_ 193 8

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon \_\_\_\_\_

JOSEPH VACCARO and GEORGE VACCARO,

individually, and doing business under the trade name and

Style of JOSEPH VACCARO &amp; SON, &amp; C. J. CLARK,

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 Jos. Vaccaro and  
& C. J. Clark,  
Geo. Vaccaro, et al., Defendant .. by ..

ORA CHESTER BARBER,

Plaintiff ..

Witness my hand this 5th day of May 193 8

Clerk.

## COMPLAINT

ORA CHESTER BARBER,

JOSEPH VACCARO &amp; GEORGE VACCARO,

Plaintiff versus individually and doing business  
under the firm name and style  
of Jos. Vaccaro & Son.

The Plaintiff claims of the Defendant

&amp; C. J. Clark, Defendants.

Dollars, due by

Plaintiff's Attorney.

ORA CHESTER BARBER,

PLAINTIFF,

versus

JOSEPH VACCARO and  
GEORGE VACCARO, individually  
and doing business under the  
trade name and style of  
JOSEPH VACCARO & SON,

and

C. J. CLARK,

DEFENDANTS

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

AT LAW No.

COUNT I

Plaintiff claims of the defendants the sum of Ten Thousand Dollars (\$10,000) damages for that on, to-wit, the 20th day of April, 1938, the defendant C. J. Clark who was then and there an agent or servant of the defendants, Joseph Vaccaro and George Vaccaro, doing business as Joseph Vaccaro & Son, and while acting within the line and scope of his employment as such agent or servant, parked an automobile truck on Highway U. S. 90 in Baldwin County, Alabama, at or near the Alabama-Florida State Line, and so negligently allowed same to remain parked that an automobile driven by one Earle Smith on said Highway and approaching said parked truck ran into and collided with an automobile in which the plaintiff was then and there riding on said Highway, and as a proximate result of said negligence of said defendant, C. J. Clark, plaintiff was then and there painfully and permanently injured and sustained lacerations, contusions, and bruises in and about the face, head, body, and limbs, and was caused to incur and will incur considerable expense in and about the treatment of said injuries; WHEREFORE PLAINTIFF SEES.

COUNT II

Plaintiff claims of the defendants the sum of One Thousand Dollars (\$1,000) damages for that on, to-wit, the 20th day of April, 1938, the defendant C. J. Clark who was then and there an agent or servant of the defendants, Joseph Vaccaro and George

Vaccaro, doing business as Joseph Vaccaro & Son, while acting within the line and scope of his employment as such agent or servant, parked an automobile truck on Highway U. S. 90 in Baldwin County, Alabama, at or near the Alabama-Florida state line, and so negligently allowed same to remain parked that an automobile driven by one Marie Smith on said Highway and approaching said parked truck ran into and collided with an automobile in which the plaintiff was then and there riding, and plaintiff avers that as a proximate result of the said negligence of said C. J. Clark, said automobile, which was and is the property of the plaintiff was broken and badly bent; the wheels, axle, engine, body, radiator, frame, grill, bumper, front fenders, windshield, and steering wheel thereof were bent, torn, and damaged, and said car was depreciated in value by reason thereof and was otherwise damaged.

*Armbricht Tuttle & Jackson*  
Attorneys for Plaintiff

Plaintiff demands that said cause be tried by jury.

*Armbricht Tuttle & Jackson*  
Attorneys for Plaintiff

Each of the defendants may be found at 2226 Ninth Avenue, Tampa, Florida. Please serve by registered mail under Code Section 9454 (1).