

October 20, 1969

OSCAR E. MIDDLETON, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, AT LAW

VS.

R. S. FARMER, INC., A CORPORATION,
et al, Defendants

CASE NO. 8758

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Sara F. Blackerby, a Notary Public in and for said State-at-Large, personally appeared Mabel Amos, Secretary of State of the State of Alabama, who is known to me and who, being duly sworn, deposes and says that in her official capacity as Secretary of State of the State of Alabama she, on the 8th day of October, 1969 sent by certified mail in an envelope addressed as follows:

"R. S. Farmer, Inc.
P. O. Box 36353
Houston, Texas 77036"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee only"

bearing sufficient and proper prepaid postage, a notice bearing her signature and the Great Seal of the State of Alabama in words and figures as follows:

"R. S. Farmer, Inc.
P. O. Box 36353
Houston, Texas 77036"

You will take notice that on August 6, 1969 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint and Affidavit in a case entitled: OSCAR E. MIDDLETON, Plaintiff VS R. S. FARMER, INC., A CORPORATION, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 8758

a true copy of which Summons and Complaint and Affidavit are attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you, said service being under provisions of Title 7, Section 199(1) of the 1940 Code of Alabama and Supplement thereto.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 8th day of October, 1969

(Signed) Mabel Amos

Mabel Amos
Secretary of State "

Enclosures (2)

Affiant further says that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the Summons and Complaint and Affidavit in the above-styled cause.

Affiant further says that on October 17, 1969 she received the "Return Card" showing receipt by the designated addressee of the aforementioned matter at not given on not given

Mabel S. Amos

Affiant—Mabel Amos
Secretary of State

Sworn to and subscribed before me, this the 20th day of October, 1969

Sara F. Blackerby
Notary Public—State-at-Large

My Commission expires: 1-17-71

Enclosures—"Return Receipt" and
Copy of Process

CC: Honorable James E. Atchison
Seale, Marsal, Seale & Duke
P. O. Box 1746
Mobile, Alabama 36601

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 8758

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CLAY HYDER TRUCK LINES, INC., a corporation; JOHN DOE and RICHARD ROE, D/B/A CLAY BYDER TRUCK LINES: being the person, persons, firm or corporation operating a 1964 White Tractor-trailer truck on October 2, 1968 with Registration 1968 -5c/v-4728 Florida; R. S. FARMER, INC., a corporation; R. S. FARMER, d/b/a R. S. FARMER TRUCK LINES; JOHN DOE and RICHARD ROE D/B/A being the person, persons, firm or corporation operating a 1960 International tractor-trailer with Registration 1968 B-354 Maryland on October 2, 1968; whose exact name or names are otherwise unknown to the Plaintiff but will be corrected by amendment when ascertained; OTIS EDMAND BRANCH: JAMES REO HAIRELL, Jointly & individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint

filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Clay Hyder Truck

Lines, Inc., a corporation, et al Defendant.....

by OSCAR E. MIDDLETON

Plaintiff.....

Witness my hand this 18th day of June 19 69

Alice J. Luck, Clerk

OSCAR E. MIDDLETON

Plaintiff,

VS

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will be corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

AT LAW

CASE NO. 825-8

Plaintiff claims of the Defendants, jointly and individually,
the sum of THREE HUNDRED AND TEN THOUSAND DOLLARS (\$310,000.00)
for that heretofore and on, to-wit, the 2nd day of October, 1968,
the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand
Branch so negligently operated a motor vehicle in a, to-wit,
westerly direction on and along U. S. Highway 90 at or near a point
approximately, to-wit, 6.6 miles east of the center of Spanish
Fort, Baldwin County, Alabama, said U. S. Highway 90 being a public
road in Baldwin County, Alabama, at the time and place mentioned
that it was caused to run into, over, upon and against the motor
vehicle being operated by the Defendants, R. S. Farmer, Inc., et al
and James Reo Hairell, and that the Defendants, R. S. Farmer, Inc.,
et al and James Reo Hairell, so negligently operated a motor vehicle
at the time and place as aforesaid, that the motor vehicle being

operated by the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand Branch, was caused to run into, over, upon and against the aforesaid motor vehicle being operated by R. S. Farmer, Inc., et al and James Reo Hairell; and as a direct and proximate result of the negligence of the Defendants, jointly and individually, as aforesaid, the Plaintiff, Oscar E. Middleton, a pedestrian at said time and place, was damaged and injured as follows:

Plaintiff's pelvis was fractured; Plaintiff was knocked unconscious and sustained numerous lacerations of the forehead; Plaintiff suffered a trans-section of the urethra; Plaintiff was caused to be hospitalized from 10-2-68 to 11-8-68 and from 1-3-69 to 1-11-69; Plaintiff was caused to suffer a very serious operation; Plaintiff was caused to suffer severe headaches and still so suffers; Plaintiff was permanently injured; Plaintiff was caused to suffer much physical pain and mental anguish and will so suffer in the future; Plaintiff was caused to spend great sums of money for doctor, medical, and hospital expense in his effort to recover and will be caused to spend such sums of money in the future; Plaintiff was rendered unable to maintain a gainful occupation and will be less able to earn a livelihood in the future; all of the above direct and proximate results of the negligence of the Defendants as aforesaid,

WHEREFORE, Plaintiff sues and seeks to recover in this law suit.

M. A. MARSAL and JAMES E. ATCHISON
Attorneys for Plaintiff

by: James E. Atchison
JAMES E. ATCHISON

Plaintiff demands a trial by struck jury.

by: James E. Atchison
JAMES E. ATCHISON

Defendants may be served by and through the Secretary of State, State of Alabama, in accordance with Title 7, Section 199(1) Code of Alabama 1940. Affidavits as required by above citation accompanies this complaint.

FILED

JUN 16 1969

ALICE J. DUCK CLERK
REGISTER

OSCAR E. MIDDLETON

IN THE CIRCUIT COURT OF

Plaintiff,

VS

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

ALABAMA

AT LAW

Defendants.

CASE NO. _____

Now comes James E. Atchison, Attorney for Plaintiff, in the
above style cause, who being first duly sworn, deposes and says
that he is informed and believes, and upon such information and
belief avers that the Defendants, Clay Hyder Truck Lines, et al
are not residents of the State of Alabama, and to the best know-
ledge and belief of affiant, said Defendants are residents and
have their principal place of business in the State of Florida,
City of Auburndale, and that the Defendant Otis Edmand Branch is
not a resident citizen of the State of Alabama, and to the best
knowledge and belief of affiant, the said Defendant is a resident
citizen of the State of Florida, City of Lakeland, whose address
is 614 Organ Avenue, and that said Defendant is over the age of
twenty-one (21) years; and that the said Defendant, R. S. Farmer,
Inc., et al, are not resident citizens of the State of Alabama,

and to the best of the knowledge and belief of affiant, the said Defendants are resident citizens and have their principal place of buisness in the State of Texas, City of Houston, and the said Defendants are over the age of 21 years; and that said Defendant James Reo Hairell, is not a resident citizen of the State of Alabama, and to the best knowledge and belief of affiant, the said Defendant is a resident citizen of the State of Texas, City of Houston, whose address is 2207 Samson Street in said city; and that the said Defendant is over the age of twenty-one (21) years.

James E. Atchison
JAMES E. ATCHISON

Subscribed and sworn to on this

13th day of June

1969.

Martha J. Lehman
Notary Public, State of Ala. at Large

FILED

JUN 16 1969

ALICE J. DUCK
CLERK
REGISTER

October 20, 1969

OSCAR E. MIDDLETON, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS.

JAMES REO HAIRELL, et al,
Defendants

CASE NO. 8758

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Sara F. Blackerby, a Notary Public in and for said State-at-Large, personally appeared Mabel Amos, Secretary of State of the State of Alabama, who is known to me and who, being duly sworn, deposes and says that in her official capacity as Secretary of State of the State of Alabama she, on the 8th day of October, 1969 sent by certified mail in an envelope addressed as follows:

"James Reo Hairell
P. O. Box 36353
Houston, Texas 77036"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee only"

bearing sufficient and proper prepaid postage, a notice bearing her signature and the Great Seal of the State of Alabama in words and figures as follows:

"James Reo Hairell
Box 36353
Houston, Texas 77036"

You will take notice that on August 6, 1969 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint and Affidavit in a case entitled: OSCAR E. MIDDLETON, Plaintiff VS JAMES REO HAIRELL, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 8758

a true copy of which Summons and Complaint and Affidavit are attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you, said service being under provisions of Title 7, Section 199(1) of the 1940 Code of Alabama and Supplement thereto.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 8th day of October, 1969

(Signed) Mabel Amos

Mabel Amos
Secretary of State"

Enclosures (2)

Affiant further says that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the Summons and Complaint and Affidavit in the above-styled cause.

Affiant further says that on October 17, 1969 she received the "Return Card" showing receipt by the designated addressee of the aforementioned matter at Houston, Tx. on Oct. 14, 1969

Mabel S. Amos
Affiant—Mabel Amos

Secretary of State

Sworn to and subscribed before me, this the 20th day of October, 1969

Sara F. Blackerby
Notary Public—State-at-Large

My Commission expires: 1-17-71

Enclosures—"Return Receipt" and
Copy of Process

CC: Honorable James E. Atchison
Seale, Marsal, Seale & Duke
P. O. Box 1746
Mobile, Alabama 36601

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 8758

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CLAY HYDER TRUCK LINES, INC., a corporation; JOHN DOE
and RICHARD ROE, D/B/A CLAY HYDER TRUCK LINES: being the person, persons, firm or corporation
operating a 1964 White Tractor-trailer truck on October 2, 1968 with Registration
1968 -5c/v-4728 Florida; R. S. FARMER, INC., a corporation; R. S. FARMER, d/b/a
R. S. FARMER TRUCK LINES: JOHN DOE and RICHARD ROE D/B/A being the person, persons,
firm, or corporation operating a 1960 International tractor-trailer with Registration
1968 B-354 Maryland on October 2, 1968; whose exact name or names are otherwise unknown
to the Plaintiff but will be corrected by amendment when ascertained; OTIS EDMAND BRANCH:
JAMES REO HAIRELL, Jointly & individually,
to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint

filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Clay Hyder Truck
Lines, Inc., a corporation, et al....., Defendant.....

by OSCAR E. MIDDLETON.....

....., Plaintiff.....

Witness my hand this 16th day of June 1969..

Alice J. Luck....., Clerk

OSCAR E. MIDDLETON

IN THE CIRCUIT COURT OF

Plaintiff,

VS

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will be corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

ALABAMA

AT LAW

Defendants.

CASE NO.

8758

Plaintiff claims of the Defendants, jointly and individually,
the sum of THREE HUNDRED AND TEN THOUSAND DOLLARS (\$310,000.00)
for that heretofore and on, to-wit, the 2nd day of October, 1968,
the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand
Branch so negligently operated a motor vehicle in a, to-wit,
westerly direction on and along U. S. Highway 90 at or near a point
approximately, to-wit, 6.6 miles east of the center of Spanish
Fort, Baldwin County, Alabama, said U. S. Highway 90 being a public
road in Baldwin County, Alabama, at the time and place mentioned
that it was caused to run into, over, upon and against the motor
vehicle being operated by the Defendants, R. S. Farmer, Inc., et al
and James Reo Hairell, and that the Defendants, R. S. Farmer, Inc.,
et al and James Reo Hairell, so negligently operated a motor vehicle
at the time and place as aforesaid, that the motor vehicle being

operated by the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand Branch, was caused to run into, over, upon and against the aforesaid motor vehicle being operated by R. S. Farmer, Inc., et al and James Reo Hairell; and as a direct and proximate result of the negligence of the Defendants, jointly and individually, as aforesaid, the Plaintiff, Oscar E. Middleton, a pedestrian at said time and place, was damaged and injured as follows:

Plaintiff's pelvis was fractured; Plaintiff was knocked unconscious and sustained numerous lacerations of the forehead; Plaintiff suffered a trans-section of the urethra; Plaintiff was caused to be hospitalized from 10-2-68 to 11-8-68 and from 1-3-69 to 1-11-69; Plaintiff was caused to suffer a very serious operation; Plaintiff was caused to suffer severe headaches and still so suffers; Plaintiff was permanently injured; Plaintiff was caused to suffer much physical pain and mental anguish and will so suffer in the future; Plaintiff was caused to spend great sums of money for doctor, medical, and hospital expense in his effort to recover and will be caused to spend such sums of money in the future; Plaintiff was rendered unable to maintain a gainful occupation and will be less able to earn a livelihood in the future; all of the above direct and proximate results of the negligence of the Defendants as aforesaid,

WHEREFORE, Plaintiff sues and seeks to recover in this law suit.

M. A. MARSAL and JAMES E. ATCHISON
Attorneys for Plaintiff

by: James E. Atchison
JAMES E. ATCHISON

Plaintiff demands a trial by struck jury.

by: James E. Atchison
JAMES E. ATCHISON

Defendants may be served by and through the Secretary of State, State of Alabama, in accordance with Title 7, Section 199(1) Code of Alabama 1940. Affidavits as required by above citation accompanies this complaint.

FILED

JUN 16 1969

ALICE J. DUCK CLERK
REGISTER

OSCAR E. MIDDLETON

IN THE CIRCUIT COURT OF

Plaintiff,

VS

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

ALABAMA

AT LAW

Defendants.

CASE NO. _____

Now comes James E. Atchison, Attorney for Plaintiff, in the
above style cause, who being first duly sworn, deposes and says
that he is informed and believes, and upon such information and
belief avers that the Defendants, ¹Clay Hyder Truck Lines, et al
are not residents of the State of Alabama, and to the best know-
ledge and belief of affiant, said Defendants are residents and
have their principal place of business in the State of Florida,
City of Auburndale, and that the Defendant ²Otis Edmand Branch is
not a resident citizen of the State of Alabama, and to the best
knowledge and belief of affiant, the said Defendant is a resident
citizen of the State of Florida, City of Lakeland, whose address
is 614 Organ Avenue, and that said Defendant is over the age of
twenty-one (21) years; and that the said Defendant, ³R. S. Farmer,
Inc., et al, are not resident citizens of the State of Alabama,

and to the best of the knowledge and belief of affiant, the said Defendants are resident citizens and have their principal place of buisness in the State of Texas, City of Houston, and the said Defendants are over the age of 21 years; and that said Defendant James Reo Hairell, is not a resident citizen of the State of Alabama, and to the best knowledge and belief of affiant, the said Defendant is a resident citizen of the State of Texas, City of Houston, whose address is 2207 Samson Street in said city; and that the said Defendant is over the age of twenty-one (21) years.

James E. Atchison
JAMES E. ATCHISON

Subscribed and sworn to on this

13th day of June,

1969.

Martha J. Lehn
Notary Public, State of Texas

FILED

JUN 16 1969

ALICE J. DUCK CLERK
REGISTER



MABEL AMOS
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

August 26, 1969

Hon. James E. Atchison
Seale, Marsal, Seale & Duke
P. O. Box 1746
Mobile, Alabama 36601

Dear Mr. Atchison:

Re: OSCAR E. MIDDLETON vs OTIS EDMAND BRANCH, et al

Please refer to your file in the above-styled cause and be advised that on August 6, 1969, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

Otis Edmand Branch
614 Organ Avenue
Lakeland, Florida 33801

On August 26, 1969, this letter (Certified No. 52593) was returned to me with reason for non-delivery given as "UNCLAIMED"

If you would like to further pursue service on this defendant, according to the provisions of Title 7, Section 199(1), an additional \$2.00 deposit will enable me to attempt personal service by local law enforcement officers.

Will you please advise me as to any further steps you wish me to take in perfecting this service.

Very truly yours,

Mabel S. Amos
Secretary of State

eh

cc: Hon. Alice J. Duck
Clerk Circuit Court
Bay Minette, Alabama 36507

OSCAR E. MIDDLETON

Plaintiff,

VS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will be corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

ALABAMA

AT LAW

Defendants.

CASE NO.

8258

Plaintiff claims of the Defendants, jointly and individually,
the sum of THREE HUNDRED AND TEN THOUSAND DOLLARS (\$310,000.00)
for that heretofore and on, to-wit, the 2nd day of October, 1968,
the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand
Branch so negligently operated a motor vehicle in a, to-wit,
westerly direction on and along U. S. Highway 90 at or near a point
approximately, to-wit, 6.6 miles east of the center of Spanish
Fort, Baldwin County, Alabama, said U. S. Highway 90 being a public
road in Baldwin County, Alabama, at the time and place mentioned
that it was caused to run into, over, upon and against the motor
vehicle being operated by the Defendants, R. S. Farmer, Inc., et al
and James Reo Hairell, and that the Defendants, R. S. Farmer, Inc.,
et al and James Reo Hairell, so negligently operated a motor vehicle
at the time and place as aforesaid, that the motor vehicle being

operated by the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand Branch, was caused to run into, over, upon and against the aforesaid motor vehicle being operated by R. S. Farmer, Inc., et al and James Reo Hairell; and as a direct and proximate result of the negligence of the Defendants, jointly and individually, as aforesaid, the Plaintiff, Oscar E. Middleton, a pedestrian at said time and place, was damaged and injured as follows:

Plaintiff's pelvis was fractured; Plaintiff was knocked unconscious and sustained numerous lacerations of the forehead; Plaintiff suffered a trans-section of the urethra; Plaintiff was caused to be hospitalized from 10-2-68 to 11-8-68 and from 1-3-69 to 1-11-69; Plaintiff was caused to suffer a very serious operation; Plaintiff was caused to suffer severe headaches and still so suffers; Plaintiff was permanently injured; Plaintiff was caused to suffer much physical pain and mental anguish and will so suffer in the future; Plaintiff was caused to spend great sums of money for doctor, medical, and hospital expense in his effort to recover and will be caused to spend such sums of money in the future; Plaintiff was rendered unable to maintain a gainful occupation and will be less able to earn a livelihood in the future; all of the above direct and proximate results of the negligence of the Defendants as aforesaid,

WHEREFORE, Plaintiff sues and seeks to recover in this law suit.

M. A. MARSAL and JAMES E. ATCHISON
Attorneys for Plaintiff

by:

James E. Atchison
JAMES E. ATCHISON

Plaintiff demands a trial by struck jury.

by:

James E. Atchison
JAMES E. ATCHISON

Defendants may be served by and through the Secretary of State, State of Alabama, in accordance with Title 7, Section 199(1) Code of Alabama 1940. Affidavits as required by above citation accompanies this complaint.

FILED

JUN 16 1969

ALICE J. DUCK CLERK
REGISTER

OSCAR E. MIDDLETON

IN THE CIRCUIT COURT OF

Plaintiff,

VS

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

ALABAMA

AT LAW

Defendants.

CASE NO. _____

Now comes James E. Atchison, Attorney for Plaintiff, in the
above style cause, who being first duly sworn, deposes and says
that he is informed and believes, and upon such information and
belief avers that the Defendants, Clay Hyder Truck Lines, et al
are not residents of the State of Alabama, and to the best know-
ledge and belief of affiant, said Defendants are residents and
have their principal place of business in the State of Florida,
City of Auburndale, and that the Defendant Otis Edmand Branch is
not a resident citizen of the State of Alabama, and to the best
knowledge and belief of affiant, the said Defendant is a resident
citizen of the State of Florida, City of Lakeland, whose address
is 614 Organ Avenue, and that said Defendant is over the age of
twenty-one (21) years; and that the said Defendant, R. S. Farmer,
Inc., et al, are not resident citizens of the State of Alabama,

and to the best of the knowledge and belief of affiant, the said Defendants are resident citizens and have their principal place of buisness in the State of Texas, City of Houston, and the said Defendants are over the age of 21 years; and that said Defendant James Reo Hairell, is not a resident citizen of the State of Alabama, and to the best knowledge and belief of affiant, the said Defendant is a resident citizen of the State of Texas, City of Houston, whose address is 2207 Samson Street in said city; and that the said Defendant is over the age of twenty-one (21) years.

James E. Atchison
JAMES E. ATCHISON

Subscribed and sworn to on this

13th day of June,

1969.

Martha J. Lehman
Notary Public State of Ala. at Large

FILED
JUN 16 1969
ALICE J. DUCK CLERK
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 8758

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CLAY HYDER TRUCK LINES, INC., a corporation; JOHN DOE and RICHARD ROE, D/B/A CLAY HYDER TRUCK LINES: being the person, persons, firm or corporation operating a 1964 White Tractor trailer truck on October 2, 1968 with Registration 1968 -5c/v-4728 Florida; R. S. FARMER, INC., a corporation; R. S. FARMER, d/b/a R. S. FARMER TRUCK LINES: JOHN DOE and RICHARD ROE D/B/A being the person, persons, firm or corporation operating a 1960 International tractor-trailer with Registration 1968 B-354 Maryland on October 2, 1968; whose exact name or names are otherwise unknown to the Plaintiff but will be corrected by amendment when ascertained; OTIS EDMAND BRANCH: JAMES REO HATRELL, Jointly & individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint

filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Clay Hyder Truck Lines, Inc., a corporation, et al Defendant.....

by OSCAR E. MIDDLETON

Plaintiff.....

Witness my hand this 16th day of June 1969

Alvin J. Duck, Clerk

No. 8758

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Oscar E. Middleton
Plaintiffs

vs.

Clay Under Truck Lines
et al
Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

JUN 16 1969

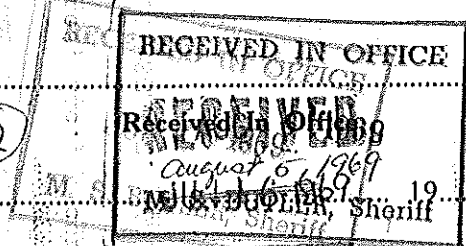
Clerk

ALICE J. DUCK CLERK
REGISTER

Seale, Marsal Seale &
Dukes
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at



Sheriff

I have executed this summons

this 19.....

by leaving a copy with

EXECUTED BY SERVING A
COPY OF THE WITHIN

William B. Ritts
an agent

This the 7 day of Aug 1969
M. S. Butler, Sheriff
Montgomery County

By D. Henderson
Deputy Sheriff

The Sheriff claims \$1.00 travel ex-
pense on each of 1
process(es) or a total of \$1.00

M. S. Butler, Sheriff
Montgomery County,
Alabama,
Deputy Sheriff

Return on Sec. 9 state
inside



MABEL AMOS
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

September 23, 1969

Honorable James E. Atchison
Seale, Marsal, Seale & Duke
P. O. Box 1746
Mobile, Alabama 36601

Re: Oscar E. Middleton, Plaintiff VS R. S.
Farmer, Inc., a Corporation, et al,
Defendants, Circuit Court of Baldwin
County, Case Number 8758

Dear Mr. Atchison:

In reply to your letter of September 17, I wish
to advise that service of process has not been obtained
through this office on the above named defendant.

Enclosed herewith please find a copy of the
letter mailed from this office on September 9th giving
the reason for this service not having been served.

Please advise me as to any further steps you
wish me to take in perfecting this service.

With best wishes, I am

Very truly yours,

Mabel S. Amos
Secretary of State

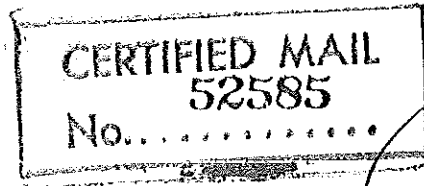
fc
Enclosure

CC: Honorable Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Alabama 36507

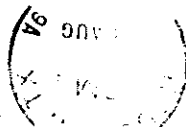
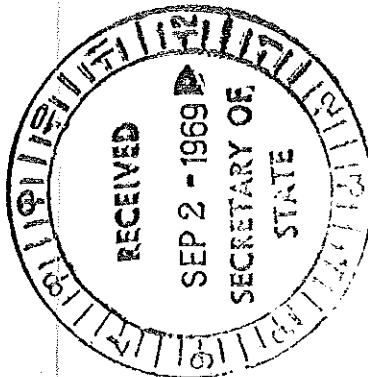
STATE OF ALABAMA
SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

DISTRIBUTION OF PUBLIC DOCUMENTS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY



Reason for return address
No such number
No such street
No such office in number, Inc., a Corporation
Do not remain in the same number Street
SOUTHMOORE, ALA 37004
HOUSTON, TEXAS 77004



8-26

1-4-69

SEALE, MARSAL, SEALE & DUKE

LAWYERS

2410 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

HARRY SEALE

M. A. MARSAL

A. J. SEALE

LEON G. DUKE

MAILING ADDRESS

POST OFFICE BOX 1746

432-6686

June 13, 1969

Mrs. Alice Duck
Circuit Court of Baldwin County
Bay Minette, Alabama

8758

Dear Mrs. Duck:

Please find enclosed herewith the necessary copies of a law suit that we wish to file in your court. Please file the same and have Service of Process aquired through the Secretary of State. The necessary affidavits, check, etc. are also enclosed.

Thanking you for your cooperation, I am

Very truly yours,

James E. Atchison

James E. Atchison

JEA:mam

7892

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION

OSCAR E. MIDDLETON,

Plaintiff,

VS.

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES, being the person,
persons, firm or corporation operat-
ing a 1964 White tractor trailer truck
on October 2, 1968 with Registration
1968-5c/v-4728 Florida; R. S.
FARMER, INC., a corporation; R.S.
FARMER D/B/A R. S. FARMER TRUCK
LINES; JOHN DOE and RICHARD ROE
D/B/A being the person, persons, firm
or corporation operating a 1960 International
tractor-trailer with Registration 1968 B-354
Maryland on October 2, 1968; whose exact
name or names are otherwise unknown to
the Plaintiff but will be corrected by
amendment when ascertained; OTIS
EDMAND BRANCH; JAMES REO HAIRELL,
jointly and individually,

Defendants.

CIVIL ACTION

No. 8758

TO: Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama

Mr. M. A. Marsal
Mr. James E. Atchison
P. O. Box 1746
Mobile, Alabama

PLEASE BE ADVISED that on the 2nd day of September, 1969, at Mobile, Alabama, OTIS EDMAND BRANCH and CLAY HYDER TRUCK LINES, INC., defendants in the above entitled matter, filed in the District Court of the United States for the Southern District of Alabama, Southern Division thereof, a petition to remove the above entitled cause to said District Court of the United States from the Circuit Court of Baldwin County, Alabama. True and correct copies of the petition and bond filed in said cause are attached hereto.

This notice is given you in accordance with the provisions of
Title 28, Section 1446(e), United States Code.



Sydney R. Prince, III

OF COUNSEL:

INGE, TWITTY, DUFFY & PRINCE
P. O. Box 1109
Mobile, Alabama 36601

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION

OSCAR E. MIDDLETON,)

Plaintiff,)

VS.)

CLAY HYDER TRUCK LINES, INC.,)

a corporation; JOHN DOE and)

RICHARD ROE D/B/A CLAY HYDER)

TRUCK LINES, being the person,)

persons, firm or corporations operating)

a 1964 White tractor trailer truck on)

October 2, 1968 with Registration)

1968-5c/v-4728 Florida; R. S.)

FARMER, INC., a corporation; R. S.)

FARMER D/B/A R. S. FARMER TRUCK)

LINES; JOHN DOE and RICHARD ROE)

D/B/A being the person; persons, firm)

or corporation operating a 1960 International)

tractor-trailer with Registration 1968 B-354)

Maryland on October 2, 1968; whose exact)

name or names are otherwise unknown to)

the Plaintiff but will be corrected by)

amendment when ascertained; OTIS)

EDMAND BRANCH; JAMES REO HAIREL,)

jointly and individually,)

Defendants.)

CIVIL ACTION

NO. _____

PETITION FOR REMOVAL OF CAUSE TO FEDERAL COURT

Appearing specially for the purpose of filing this Petition, and without submitting to the jurisdiction of this Court to take any action other than action upon this Petition, now come your Petitioners, OTIS EDMAND BRANCH and CLAY HYDER TRUCK LINES, INC., defendants in the above entitled cause, by and through their attorneys in the above entitled cause, and present and file this, their Petition for removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama, to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and respectfully show in support thereof the following:

1. This cause was filed by the above named Plaintiff in the Circuit Court of Baldwin County, Alabama, on, to-wit, the 16th day of June, 1969, and was commenced by the filing of the complaint and issuance of a summons thereon. The complaint seeks a recovery of THREE HUNDRED TEN THOUSAND

and No/100 (\$310,000.00) DOLLARS, as damages, which plaintiff claims for personal injuries allegedly suffered when the motor vehicle being operated by the defendant OTIS EDMAND BRANCH collided with the motor vehicle being operated by JAMES REO HAIREL, at a point on U. S. Highway 90 approximately, to-wit, 6.6 miles east of the center of Spanish Fort, Baldwin County, Alabama. Plaintiff alleges that he was a pedestrian at the place where this accident occurred and on the day of said accident, to-wit, the 2nd day of October, 1968, and that he was injured as a result of the negligence of the petitioner and of the defendants.

2. Copies of the complaint and summons which were issued in this case are attached hereto and made a part hereof. Said complaint and summons were served on petitioner CLAY HYDER TRUCK LINES, INC. on, to-wit, the 7th day of August, 1969, and are the only pleadings, orders and process which have been heretofore served on petitioners in this cause.

3. Petitioners show that the above entitled cause is one of a civil nature and is a suit for the recovery of THREE HUNDRED TEN THOUSAND and No/100 (\$310,000.00) DOLLARS, and that the amount in controversy exceeds the sum of TEN THOUSAND and No/100 (\$10,000.00) DOLLARS, exclusive of interest and costs.

4. OSCAR E. MIDDLETON, the plaintiff in this cause, was at the commencement of this suit, and still is, a citizen and resident of the state of Alabama, and the petitioners were at the commencement of this suit, and still are, citizens and residents of the state of Florida.

5. Petitioners file herewith a good and sufficient bond, such as is required by law, conditioned that Petitioners will pay all costs and disbursements which may be awarded by this Court, if this Court shall determine that this suit was not removable by Petitioners or was wrongfully or improperly removed hereto by Petitioners.


Sydney R. Prince, III

OF COUNSEL:

INGE, TWITTY, DUFFY & PRINCE
P. O. Box 1109
Mobile, Alabama

STATE OF ALABAMA
COUNTY OF MOBILE

Personally appeared before me, the undersigned authority, SYDNEY R. PRINCE, III, whose names is signed above and who is known to me, and who being by me first duly sworn on oath doth depose and say that he is one of the attorneys in the above entitled cause for CLAY HYDER TRUCK LINES, INC., and OTIS EDMAND BRANCH, that he is familiar with the allegations of the foregoing Petition; that he is informed and believes that the allegations of said Petition are true and correct; and that upon such information and belief he states the allegations of said Petition are true and correct.


Sydney R. Prince, III

Subscribed and sworn to before me
this 2nd day of September, 1969.


Notary Public, Mobile County, Alabama

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. 8758

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CLAY HYDER TRUCK LINES, INC., a corporation; JOHN DOE and RICHARD ROE, D/B/A CLAY HYDER TRUCK LINES: being the person, persons, firm or corporation operating a 1964 White Tractor-trailer truck on October 2, 1968 with Registration 1968 -5c/v-4728 Florida; R. S. FARMER, INC., a corporation; R. S. FARMER, d/b/a R. S. FARMER TRUCK LINES; JOHN DOE and RICHARD ROE D/B/A being the person, persons, firm or corporation operating a 1960 International tractor-trailer with Registration 1968 B-354 Maryland on October 2, 1968; whose exact name or names are otherwise unknown to the Plaintiff but will be corrected by amendment when ascertained; OTIS EDMAND BRANCH: JAMES REO HAIRELL, Jointly & individually, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint

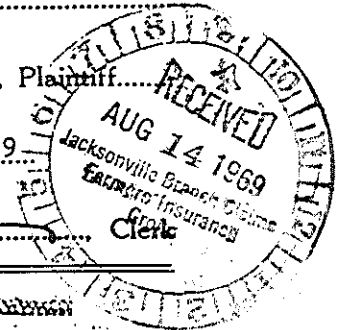
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Clay Hyder Truck

Lines, Inc., a corporation, et al Defendant

by OSCAR E. MIDDLETON

Witness my hand this 16th day of June 1969

Allice J. Huer



OSCAR E. MIDDLETON

IN THE CIRCUIT COURT OF

Plaintiff,

VS

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will be corrected
by amendment when ascertained;
OTIS EDMAND BRANCH; JAMES REO
HAIRELL, jointly and individually,

ALABAMA

AT LAW

Defendants.

CASE NO. 8758

Plaintiff claims of the Defendants, jointly and individually,
the sum of THREE HUNDRED AND TEN THOUSAND DOLLARS (\$310,000.00)
for that heretofore and on, to-wit, the 2nd day of October, 1968,
the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand
Branch so negligently operated a motor vehicle in a, to-wit,
westerly direction on and along U. S. Highway 90 at or near a point
approximately, to-wit, 6.6 miles east of the center of Spanish
Fort, Baldwin County, Alabama, said U. S. Highway 90 being a public
road in Baldwin County, Alabama, at the time and place mentioned
that it was caused to run into, over, upon and against the motor
vehicle being operated by the Defendants, R. S. Farmer, Inc., et al
and James Reo Hairell, and that the Defendants, R. S. Farmer, Inc.,
et al and James Reo Hairell, so negligently operated a motor vehicle
at the time and place as aforesaid, that the motor vehicle being



operated by the Defendants, Clay Hyder Truck Lines, et al and Otis Edmand Branch, was caused to run into, over, upon and against the aforesaid motor vehicle being operated by R. S. Farmer, Inc., et al and James Reo Hairrell; and as a direct and proximate result of the negligence of the Defendants, jointly and individually, as aforesaid, the Plaintiff, Oscar E. Middleton, a pedestrian at said time and place, was damaged and injured as follows:

Plaintiff's pelvis was fractured; Plaintiff was knocked unconscious and sustained numerous lacerations of the forehead; Plaintiff suffered a trans-section of the urethra; Plaintiff was caused to be hospitalized from 10-2-68 to 11-8-68 and from 1-3-69 to 1-11-69; Plaintiff was caused to suffer a very serious operation; Plaintiff was caused to suffer severe headaches and still so suffers; Plaintiff was permanently injured; Plaintiff was caused to suffer much physical pain and mental anguish and will so suffer in the future; Plaintiff was caused to spend great sums of money for doctor, medical, and hospital expense in his effort to recover and will be caused to spend such sums of money in the future; Plaintiff was rendered unable to maintain a gainful occupation and will be less able to earn a livelihood in the future; all of the above direct and proximate results of the negligence of the Defendants as aforesaid,

WHEREFORE, Plaintiff sues and seeks to recover in this law suit.

M. A. MARSAL and JAMES E. ATCHISON
Attorneys for Plaintiff

by: James E. Atchison
JAMES E. ATCHISON

Plaintiff demands a trial by struck jury.

by: James E. Atchison
JAMES E. ATCHISON

Defendants may be served by and through the Secretary of State, State of Alabama, in accordance with Title 7, Section 199(1) Code of Alabama 1940. Affidavits as required by above citation accompanies this complaint.

FILED

RECEIVED

AUG 14 1968

Jacksonville Branch Office

Farmers Insurance Group

JUN 16 1969

ALICE J. DUCK

CLERK
REGISTER

OSCAR E. MIDDLETON

IN THE CIRCUIT COURT OF

Plaintiff,

VS

BALDWIN COUNTY,

CLAY HYDER TRUCK LINES, INC.,
a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES; being the person,
persons, firm or corporation
operating a 1964 White tractor
trailer truck on October 2, 1968
with Registration 1968-5c/v-4728
Florida; R. S. FARMER, INC., a
corporation; R. S. FARMER D/B/A
R. S. FARMER TRUCK LINES; JOHN
DOE and RICHARD ROE D/B/A being
the person, persons, firm or
corporation operating a 1960
International tractor-trailer
with Registration 1968 B-354
Maryland on October 2, 1968;
whose exact name or names are
otherwise unknown to the
Plaintiff but will corrected
by amendment when ascertained;
OTIS EDMAND BRANCH: JAMES REO
HAIRELL, jointly and individually,

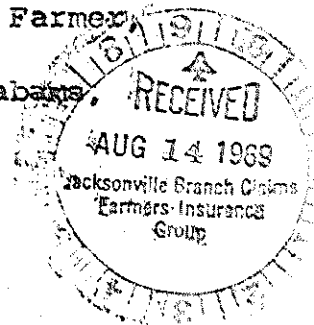
ALABAMA

AT LAW

Defendants.

CASE NO. _____

Now comes James E. Atchison, Attorney for Plaintiff, in the
above style cause, who being first duly sworn, deposes and says
that he is informed and believes, and upon such information and
belief avers that the Defendants, Clay Hyder Truck Lines, et al
are not residents of the State of Alabama, and to the best know-
ledge and belief of affiant, said Defendants are residents and
have their principal place of business in the State of Florida,
City of Auburndale, and that the Defendant Otis Edmand Branch is
not a resident citizen of the State of Alabama, and to the best
knowledge and belief of affiant, the said Defendant is a resident
citizen of the State of Florida, City of Lakeland, whose address
is 614 Organ Avenue, and that said Defendant is over the age of
twenty-one (21) years; and that the said Defendant, R. S. Farmer
Inc., et al, are not resident citizens of the State of Alabama.



and to the best of the knowledge and belief of affiant, the said Defendants are resident citizens and have their principal place of buisness in the State of Texas, City of Houston, and the said Defendants are over the age of 21 years; and that said Defendant James Reo Hairrell, is not a resident citizen of the State of Alabama, and to the best knowledge and belief of affiant, the said Defendant is a resident citizen of the State of Texas, City of Houston, whose address is 2207 Samson Street in said city; and that the said Defendant is over the age of twenty-one (21) years.

James E. Atchison
JAMES E. ATCHISON

Subscribed and sworn to on this

13th day of June

1969.

Martha J. LeLong
Notary Public State of Texas at Large

FILED

JUN 16 1969

ALICE J. DUCK CLERK
REGISTER



9.14

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION

OSCAR E. MIDDLETON,

Plaintiff,

VS.

CLAY HYDER TRUCK LINES, INC.,

a corporation; JOHN DOE and
RICHARD ROE D/B/A CLAY HYDER
TRUCK LINES, being the persons,
persons, firm or corporations operating
a 1964 White tractor trailer truck on
October 2, 1968 with Registration
1968-5c/v-4728 Florida; R. S.
FARMER, INC., a corporation; R. S.
FARMER D/B/A R. S. FARMER TRUCK
LINES; JOHN DOE and RICHARD ROE
D/B/A being the person, persons, firm
or corporation operating a 1969 International
tractor-trailer with Registration 1968 B-354
Maryland on October 2, 1968; whose exact
name or names are otherwise unknown to
the Plaintiff but will be corrected by
amendment when ascertained; OTIS
EDMAND BRANCH; JAMES REO HAIREL,
jointly and severally,

Defendants.

CIVIL ACTION
NO. _____

KNOW ALL MEN BY THESE PRESENTS: That the undersigned OTIS
EDMAND BRANCH and CLAY HYDER TRUCK LINES, INC., Principals, acting
herein by and through one of their attorneys in the above entitled cause,
being duly authorized in the premises, and FIDELITY AND DEPOSIT
COMPANY OF MARYLAND, a corporation, as Surety, are held and firmly
bound unto the Plaintiff in the above entitled cause, in the sum of FIVE
HUNDRED and No/100 (\$500.00) DOLLARS, for the payment of which well and
truly to be made, the undersigned, and each of the undersigned, do bind them-
selves, their successors and assigns, jointly, severally and firmly by these
presents.

DATED this 2nd day of September, 1969.

The condition of this obligation is such that whereas said OTIS EDMAND
BRANCH and CLAY HYDER TRUCK LINES, INC, the principal obligors, have applied

to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, to remove a cause from the Circuit Court of Baldwin County, Alabama, wherein the above named is the plaintiff and Petitioners are Defendants, to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and that all further action in the Circuit Court aforesaid be stayed.

NOW, THEREFORE, if the Petitioners shall pay all costs and disbursements that may be awarded by the United States District Court if the said District Court shall hold that such suit was not removeable or was wrongfully removed thereto, then this obligation shall be void, otherwise to be and remain in full force and effect.

OTIS EDMAND BRANCH and CLAY
HYDER TRUCK LINES, INC.

By

James H. Bruce Jr.
As One of their attorneys.

PRINCIPAL

FIDELITY AND DEPOSIT COMPANY OF
MARYLAND

By

Alfred C. [Signature]
As its Attorney in Fact

SURETY

ACCEPTED AND APPROVED on this ____ day of September, 1969.

Clerk