

No. 13479

Supreme Court of Illinois

Walker

vs.

Brown, et al.

71641  7

STATE OF ILLINOIS,
SUPREME COURT,
Third Grand Division.

No. 239.

Walker
vs

Brown

1861

13478

State of Illinois ss

April Term of the Supreme Court 1861

Martin O. Walker

v

} Appeal from ~~last~~ Circuit
Superior Court of Chicago

Brown & Hollingsworth

W. B. Scates being duly sworn

deposes & says that he gave instructions to the
clerk to make out the record - and upon applying
for the record on ~~Monday~~ Tuesday evening last
was answered that it was not quite ready
- an account of the deputy in charge of the
making it and having failed to attend
to it. He further saith not.

Subscribed & sworn to

this 18th April 1861.

Walter B. Scates

L. Leland Clk.

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U. O. Walker
v

Brown & Mingsworth
affidavit for
extension of time to file
record

Filed April 18, 1861
L. Leland
Clerk

Scatter for Affidavit

State of Illinois - SS

of the Appellate Supreme
Court A D 1861.

Martin O. Walker

v

Brown & Hollingsworth

{ Appeal from
Superior Court
Chicago.

W. B. Scates being first duly sworn deposes & says that he tried this cause in the Court below, and gave the clerk instructions same day last week to make up this record, and requested him to have the record done by last Monday evening. He states that the record is not a very long one, and a deputy could have easily have made up the record between the giving of the order and the time Dependent sent for it on Tuesday afternoon had one been set at it, and kept at work. But the answer given upon applying for it on Tuesday afternoon was that the deputy who had been set to make

it had neglected it. and in
consequence it was not
quite finished at that time
but that they would have
it so finished as soon as
he came into the office
again. Affiant supposes
that the deputy neglected
it, in consequence of
Tuesday being the day
of the Chapter election
Affiant left word with his
partners to get it & forward it
as soon as done by express &
wrote them again after reach-
ing here and believes that
they have kept watch &
would have sent it, had
the clerk finished it.

Walter B Seates

Subscribed Sworn
this 18th April 1861

A. Deland Clerk Sup. Court
By J. Deland Deputy

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M. O. Walker

v

Brown & Hollingsworth

Affidavit for time
to file Record

Filed April 18, 1864

A. Deland
Clerk

Leave ^{devised} ~~granted~~ to
file Record

Scates for Plff.