

No. 12609

Supreme Court of Illinois

Simmons

vs.

Nealy

71641  7

William Simmons { Appeal from
in Marshall Circuit
Edward Meany } Court

William Simmons the above named
appellant states on oath, that the bill
of Exceptions in this ~~case~~ Cause was
made out & tendered to the presiding Judge
of said Marshall County Circuit Court
during the time at which said Cause
was tried & the appeal herein allowed
that defendant Counsel has made
frequent ^{ineffectual} efforts to have said bill
of Exceptions signed by said Judge
that defendant on Thursday of last week
applied to said Judge to ~~have~~ sign said
bill of Exceptions that said Judge declined
saying so & informed defendant that
he deemed it proper to hear Counsel
at the next term of said Circuit
Court touching some question of
Law or fact arising in said Cause &
that he deemed it improper to settle &
sign said bill of Exceptions until
after hearing Counsel as above
stated defendant says for the reasons
above stated he ~~has~~ is unable to
perfect his appeal herein at present &
prays the Court for further time

No other cause for not deposing said
bill of exceptions has been assigned by
Said Judge to the knowledge or
belief of deponent & deponent further
says he believes the bill of exceptions
so tendered to Said Judge is true &
correct —

Wm Timmons

Subscribed & sworn to before
me this 19 day of April 1858

Phil Lindley clk. to Court

Edmund Phelps

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Symonds
William, Smith
vs

Edward Neary

affdnt

Filed April 22 1859
L. Leland
Clk.

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William H. 13

13

Edward Henry

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1858



12609

Mo. for Damages
to be paid by