

No. 14233

Supreme Court of Illinois

Watson et al

vs.

Wright et al

Wiley Watson & Alexander Lewis
vs
Nathan Dillon

vs
Edward K. Wright, Roscoe Binyon &
Edward Steelman

I Peter Lott Clerk of said Court
do hereby certify that on the 23rd day
of October 1848, O. Skinner of the
law firm of W. W. Skinner
filed in said Court in open Court,
the demurrer of said Edward Steelman
- as to the plaintiff's declaration and
which is set forth in the record of this
Court, that said Skinner presented
the same at the Clerk's desk of said
Court to me or my deputy and infor-
-med us what the same was and
requested the same to be filed; that
the same was then filed and the
same duly entered on the Clerk's
minutes of the day in these words:

258. C. L. Demurrer to counts 1. 2. 3. & 4. & to whole declaration.

and duly on the morning next the record
of said Court of said day which was in
the intent of the Court
- in order book and record of said
Court in the words following:

Wiley Watson and Nathan Dillon, Plaintiffs

258. vs & In Attachment

Edward K. Wright et als. Defendants

Now comes the said Defendant, Edward
Steelman by his attorney and files his demurrer to the
1st, 2nd, 3rd & 4th counts and to the whole declaration
filed herein.

That said demurrer when so filed was
to the best of my recollection handed
by me to said Skinner either for him
to put it with ^{the} papers of said case
thereupon my desk or upon the table
of the Court room or in the possession
of the attorney for the plaintiff or else
-hand. I cannot say that said papers
were not there upon my desk
and that said demurrer was not
at the time placed among them. Of
this I cannot state with any cer-
-tainty. It is a common practice
in said Court for attorney to offer
their pleadings at the clerk's desk
and have them filed and themselves
place them among the papers or
take them from said desk for the
purpose of putting them among
the papers wherever they may be.
There was nothing unusual or out
of the ordinary course of Court
business in what said Skinner
did before stated, or in his manner
of doing the same; there was no
oppression of money and no
injuration of money and I was
then fully informed of what
said papers so filed was at the
time of filing the same and I
have no knowledge of said papers
having been taken from the files
of said case nor do I know that
said demurrer did not remain
among the papers of said case during
said Court and that the same was not

among the papers of said court at
the time of taking the inventory
therein and in four other times
after the said 23rd day of October
1848.

Peter Lott.

State of Missouri }
St. Louis County }
On this 7th day of December A.D. 1848 personally
appeared before the undersigned a
Notary Public within and for said
County Peter Lott, the above named
affiant and being by me duly
sworn, says that the matters and things
as set forth in said affidavit are
true -

In testimony whereof
I have hereunto set my
hand and seal Notarial
at my office in Quincy
this 7th day of Decr
A.D. 1848 -

Philo A. Godwin
Notary Public
A. C. Ill

Motion & Dillon
vs
Meyers & Co
Judges of the
Office
vs

14233