

12-93  
Court paper  
CHARGE CONSTRUCTION

*In Dewslay P...*  
*I do not see how we could have done otherwise. What part will this have on our motion?*  
*DAHL TOLD ME -*  
*FILE*  
*AGREED TO THIS*  
*VIEW OF THE*  
*AFFIDAVIT AND WHAT*  
*IN THE COURT OF CIVIL*  
*APPEALS - FIRST SUPREME*  
*JUDICIAL DISTRICT OF TEXAS*

JOHN B. COFFEE AND  
VAL T. HILLUPS

Appellants

VS.

WILLIAM MARSH RICE  
UNIVERSITY, ET AL

Appellees

AGREED MOTION TO EXTEND TIME FOR FILING  
STATEMENT OF FACTS

TO THE HONORABLE JUDGES OF SAID COURT:

Now come the Appellants in the above entitled and numbered cause and with the Agreement of Appellees, file this their Application for an extension of time within which to file the Statement of Facts in the Court of Civil Appeals, and in such behalf would show unto the Court the following:

Promptly upon the entry by the Trial Court of its order overruling Appellants' Motion For New Trial, the attorneys for Appellants made a request of Mr. G. L. Dahl, Official Court Reporter for the 127th District Court, Harris County, Texas, for the preparation of a Transcript of all the evidence adduced on the trial of this case in accordance with the provisions of Rule 377, Texas Rules of Civil Procedure; that because of the press of official court business and the necessity to prepare transcripts of the evidence in two other causes tried before this cause, the records of which were ordered prior to the entry of the order overruling Appellants' Motion For New Trial in this cause, both of which prior records are voluminous, Mr. G. L. Dahl, Official Court Reporter for the 127th District Court, Harris County, Texas, has been unable to begin preparation of the Statement of Facts in this cause. In view of the press of official court business in the 127th District Court, the two prior records now being prepared by Mr. Dahl, the voluminous nature of the Statement of Facts in this cause (there being approximately eight (8) days in testimony), and Mr. Dahl's forthcoming vacation schedule, it is respectfully requested that the time for filing the

16  
ANNEX

Statement of Facts in this cause be extended to and including September 8th, 1964. An Affidavit executed by Mr. G. L. Dahl, Official Court Reporter for the 127th District Court, Harris County, Texas, is attached hereto and made a part hereof.

WHEREFORE, PREMISES CONSIDERED, Appellants respectfully request an extension of time for filing the Statement of Facts in the above entitled and numbered cause of action to and including the 8th day of September, 1964.

Bracewell, Reynolds & Patterson

By \_\_\_\_\_

William Roy Wilde  
Attorneys for Appellants  
1808 First City National Bank Bldg.  
Houston, Texas 77002  
FA 3 5361

AGREED:

Eaker, Rotts, Shepherd & Coates

By \_\_\_\_\_

Attorneys for Appellees  
William Marsh Rice University, et al.

The above Agreed Motion for Extension of Time to File Statement of Facts is hereby granted on this the \_\_\_\_\_ day of June, 1964.

\_\_\_\_\_  
JUDGE - Court of Civil Appeals -  
First Supreme Judicial District  
of T e x a s.





Statement of Facts in this cause be extended to and including September 8th, 1964. An Affidavit executed by Mr. G. L. Dahl, Official Court Reporter for the 127th District Court, Harris County, Texas, is attached hereto and made a part hereof.

WHEREFORE, PREMISES CONSIDERED, Appellants respectfully request an extension of time for filing the Statement of Facts in the above entitled and numbered cause of action to and including the 8th day of September, 1964.

Bracewell, Reynolds & Patterson

By \_\_\_\_\_

William Key Wilde  
Attorneys for Appellants  
1808 First City National Bank Bldg.  
Houston, Texas 77002  
FA 3 5361

AGREED:

Eaker, Eotts, Shepherd & Coates

By \_\_\_\_\_

Attorneys for Appellees  
William Marsh Rice University, et al.

The above Agreed Motion for Extension of Time to File Statement of Facts is hereby granted on this the \_\_\_ day of June, 1964.

\_\_\_\_\_  
JUDGE - Court of Civil Appeals -  
First Supreme Judicial District  
of Texas.

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

BEFORE ME, a Notary Public in and for Harris County, Texas, on this day personally appeared G. L. Dahl, who being by me here and now duly sworn, upon oath says:

I am the Official Court Reporter for the 127th District Court of Harris County, Texas; that promptly upon the entry of the order of the Trial Court overruling Appellants' Motion For New Trial, the attorneys for Appellants requested that I prepare a Transcript of all the evidence adduced on the trial of Cause No. 612,668, William Marsh Rice University, et al., vs. Waggoner Carr, Attorney General of Texas; that due to the press of official court business and the fact that I am preparing the Statement of Facts in two cases tried before the above mentioned cause, the records of which were ordered before that in the above cause, I have not been able to begin preparation of the Statement of Facts in said cause. My vacation is set for the month of August and I anticipate being able to complete the Statement of Facts in said cause during the course of my vacation and having it completed, in any event, prior to September 8th, 1934. The press of business of the Court, the preparation of the Statement of Facts in the other causes as mentioned above, and the length of the record in this cause, has made it impossible to have the Statement of Facts in this cause prepared prior to such date.

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G. L. Dahl

SUBSCRIBED AND SWORN TO BEFORE ME by the said G. L. Dahl, this the \_\_\_ day of June, 1934, to certify which witness my hand and seal of office.

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Notary Public in and for the State of Texas, County of Harris.