

KENTUCKY COURT OF APPEALS.

George Martin Harris Appellant.
VS /////////////// Reply Brief of Bev Mellon
Elige Goble, Appellee.

MAY IT PLEASE THE COURT:

We have before us copy of brief of appellant, Harris, and feel that the same requires a short reply. Judge Wheeler claims that the One Thousand (\$1000.00) Dollars borrowed by Bev Mellon some time before the election is not accounted for. It is true that each item of expenditure of Bev Mellon should have been set out by his expense account, but it is shown by the evidence that all that portion of it which was expended was set out. Counsel for appellee happens to know that a substantial portion of this Thousand Dollar amount was not expended up to the time of the election, for a portion of it has been paid to him for part of fees in this case. Mr. Mellon no wheres admits as claimed by Judge Wheeler that he spent about \$33.00 in Weeksbury precinct which is not included in his expense account. He admits having a little money at Weeksbury and getting a check cashed there, but, the whole of his expenditure is set out in statement of his election expenses. It is true Kendall Martin was to be a deputy under Mr. Mellon but this court has time and time again decided that the promise of a deputyship is not a violation of the Corrupt Practice Act, and we have no doubt that Judge Wheeler is familiar with such decisions of this court.

The criticism is made by Judge Wheeler as to the objections being made to the bank records of W. R. Hall in the testimony of