

FLOYD

CIRCUIT

COURT.

Joe P. Tackett,

Contestant.

VS // Affidavit

Porter Mayo,

Contestee.

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The affiant, Joe P. Tackett, says that he is the contestant in the above entitled cause; that on Thursday October 15, 1925 while contestant was at the station of East Prestonsburg, Floyd County, Kentucky and after he had purchased his ticket for Wheelwright where he was going for the taking of depositions on behalf of the contestee, herein pursuant to notice, the contestee caused notice to be served upon affiant that on this day he would enter motion for an extension of time within which to complete his depositions. Affiant says that on Monday, October 12, 1925 the contestee did not commence the taking of his depositions until about 2 o'clock P. M., and that on no day within the time fixed for taking contestees depositions has the contestee used all of the time available for him to take depositions; that on this day October 15, 1925 contestee has not taken any depositions in the forenoon of said day; that about 10 o'clock A. M. affiant called the office of contestee to know what time they would begin taking depositions and was advised by A. J. May one of the attorneys for contestee that they would have no depositions to take until about 2 o'clock P. M.; that the contestee has wasted the fore portion of said day, although he had witnesses available whose depositions could have been taken during that time; affiant further says Edward L. Allen one of contestees attorneys stated to contestant and to contestants attorney that he was going on the stand as