

Floyd County Court.

The Commonwealth of Ky. and Floyd County-----Plaintiff.

Against

Judgment

The Mountain Coal and Iron Company-----Defendant.

This cause having been submitted, and heard on the demurrer to the several statements herein filed, upon consideration thereof, it is adjudged that the said demurrer be and the same is hereby overruled, to which the defendant excepts; and it having been agreed by and between the attorneys for the plaintiffs and defendant, that the further pleadings in this proceeding be oral, thereupon the cause was called for trial, and upon hearing, and the court being sufficiently advised, adjudges that the defendant, The Mountain Coal and Iron Company was the owner of the coal, oil, gas and mineral rights in the tracts of land purchased from the persons named herein viz: Robert L. Mitchell, John Hamilton, Preston Hamilton, T.M. & T.H. Burgy, Nelson Akers, John Hamilton, Preston Hamilton, Green Tackitt, Hiram Lawson, Joel Hamilton, Sol Crumb; and that the defendant was so the owner on the 15th day of September 1902 and liable for taxation thereon, and that the same was omitted from the list of taxable property, assessed by the assessor of Floyd County for said year.

The court further adjudges that upon proof heard, and being sufficiently advised, that the number of acres of coal, oil, gas and mineral rights so owned and held by the said Mountain Coal and Iron Company was ^{1,920} 1,920.66/100 acres, and that the value thereof was ^{\$2,408.72} \$2,408.72 for which sum it is adjudged that the defendant should be charged for the purpose of taxation for State and County purposes at the rate of one dollar for ^{each} every one hundred dollars worth of taxable property amounting to the sum of twenty-four dollars eight and seventy two one hundredths cents.