

The State of Texas } District Court
County of Presidio } April Term 1879

Saturday Morning April 12th A.D. 1879.

The Texas and Pacific Railway Company
vs
No 19. vs

O. M. Kelsey et als

Now on this day came on to be heard this case upon the motion filed by Defendant to dissolve the Injunction herein, and after argument of counsel, and the Court being fully advised in the premises it is the opinion of the Court that the law is in part for the defendants and in part for the plaintiff. And the Court finds upon the petition under the law, that the assessment of \$538.⁴⁰ State tax ad valorem one half of one per cent on \$111,680 and of \$279.²⁰ County ad valorem tax $\frac{1}{4}$ of 1 per cent on said sum of \$111,680 and of the sum \$279.²⁰ Court house and jail tax, $\frac{1}{4}$ of 1 per cent on said sum of \$111,680, that the same is legally assessed and valid, and that the allegation in the petition that the valuation fixed on said lands is excessive cannot be considered on the ground alleged in plaintiffs Petition.

And the Court further find that the sum of \$279.²⁰ tax to pay past indebtedness of $\frac{1}{4}$ of 1 per cent on the said sum of \$111,680, and of the sum of \$279.²⁰ Court house and jail tax $\frac{1}{4}$ of 1 per cent on the said sum of \$111,680, was illegally assessed and without authority of law and void.

It is therefore ordered and considered by the Court
that the writ of Injunction enjoining and restraining
the collection of the sum of Five hundred and
fifty eight dollars and forty cents State tax
ad valorem one half of one per cent on one hun-
dred and eleven thousand six hundred and eighty
dollars, and of the sum of Two hundred and
seventy nine dollars and twenty cents County
ad valorem tax one fourth of one per cent on the
said sum of one hundred and eleven thousand
six hundred and eighty dollars, and of the sum of
two hundred and seventy nine dollars and
twenty cents, Court house and jail tax one fourth
of one percent on the said sum of one hundred and
eleven thousand six hundred and eighty dollars be
and the same is hereby dissolved.

And it is further ordered and considered by the
Court that the said writ of Injunction enjoining
and restraining the collection of the sum of Two
hundred and seventy nine dollars and twenty cents
tax to pay past maintenance of one fourth of one
per cent on the said sum of one hundred and
eleven thousand six hundred and eighty dollars
and of the sum of Two hundred and seventy nine
dollars and twenty cents Court house and jail
tax one fourth of one per cent on the said sum of
one hundred and eleven thousand and six hundred
and eighty dollars be and the same is hereby
perpetuated. To which ruling of the Court in
so far as the same dissolves said writ of Injunction
the plaintiff by its counsel excepts and asks that
such exception be entered of record which

1 is accordingly done, and to which ruling of
2 the Court in so far as the same perpetuates said
3 ^{part of} injunction enjoining and restraining the collection
4 of the sum of two hundred and eighty six dollars
5 and forty cents tax to pay past indebtedness, of
6 one fourth of one per cent on the said sum of
7 one hundred and eleven thousand six hundred and
8 eighty dollars the debts by their counsel except
9 and ask that their exception be entered of record
10 which is accordingly done.

11 It is also further considered and ordered by the
12 Court that each party pay the costs respectively
13 made by them, and that execution for such costs
14 respectfully do issue in favor of the officers
15 of this Court for the same.

16 The State of Texas }
17 County of Tarrant } O. W. S. Vempert, Clerk
18 Dist Court in & for said Co & State do
19 hereby certify that the above & foregoing is
20 a true & correct copy of said judgment,
21 as therein shown, in case No 19 The Texas
22 and Pacific Railway Company vs Omkiesey et al,
23 as it appears in the minutes of said Court in
24 Book 1, pages 181-2.

25 In Testimony whereof I hereunto set my
26 hand & seal of said Court at Marshall Tx
27 this 11th day of June 1891.
28 O. W. S. Vempert.
29 C. C. P. C. T. H.

Presidio Co. Bdry Line #2

no. 4 5857

Presidio Co Bdry **3** Line 2

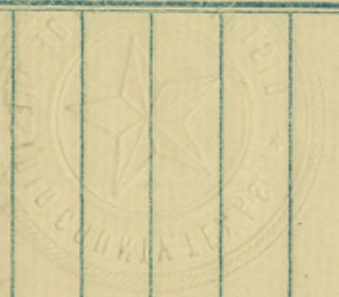
Copy of Decree of Court
in reference to the Collec-

tion of Tax from the S. P.
Ry Co in Presidio Co

Filed June 15th 1891.

Wm Brantley
Chief Clerk

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PAID
 JOHN GARDNER & CO.
 COUNTY CLERK