

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement

Record of proceedings in the matter of the Ditch Improvement petitioned for by Patrick Smith, Charles Phellis, O. B. Sparks and Mr. William Sparks and located in Union and Madison Counties, Ohio:

Ditch Petition Filed in Madison County London, Ohio, Aug. 24th A. D. 1901. Petition for the location and tiling of a ditch. To the Honorable Boards of Commissioners of Madison and Union Counties, Ohio.

The undersigned owners of lots and land which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file, with the Auditors of said Counties, this, their petition, and now and hereby pray for the location and tiling of a ditch on the route hereinafter set forth. The necessity for and the benefits of the improvement so prayed for is that it will drain and reclaim the lands along the line thereof and adjacent thereto, and will promote the public health, convenience and welfare.

Description of Route. The following is the beginning, route and termini of said proposed improvement, to wit: Commencing at a point in Barrer Run, on the lands of Charles Phellis, in Madison County; thence running northward about 75 rods to the lands of Charles and Walter Kennedy; thence crossing the said Kennedy's lands to the lands of M. B. & O. B. Sparks; thence crossing said Sparks' lands to the lands of Patrick Smith; thence crossing said Smith's lands to and into the lands of Orintha Bates to the intersection of said ditch or run with Little Darby Creek in Union County and there terminating. Your petitioners also pray for the location and tiling of all necessary laterals.

The names of all persons and corporations, either public or private, who in the opinion of the petitioners are in any way affected or benefited thereby are as follows:

- Wm. Kennedy, Walter Kennedy, Eva Guy, Alice Underwood, Elmer Overturf, Frank Overturf, Patrick Smith, Orintha Bates, M. B. Sparks, O. B. Sparks, Chas. Phellis, Waite Phellis, Verne Phellis, Guy Phellis, Ethel Phellis, Wm. Burnham, Dwight Burnham, D. A. Hudson, Ruth Waddis, Thos. Erwin's Mine, Marie B. Blockner.

Charles Phellis, O. B. Sparks, Patrick Smith, Mr. William Sparks. } Petitioners.

Petitioners' Bond.

Petitioners' Bond. Filed October 14th 1903. B. A. Taylor, County Auditor. Know all men by these presents, that Pat. Smith as principal and Mr. William Sparks, O. B. Sparks and Charles Phellis,

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as sureties, are held and firmly bound unto the State of Ohio, in the penal sum of Two Hundred Dollars, good and lawful money. Signed by us and dated this 10th day of October, A. D. 1903. The condition of the above obligation is such, nevertheless, that, whereas, on the day of A. D. 1903, the above bounden Pat. Smith made application to the Commissioners of Madison and Union Counties and on said day filed with the Auditor of said Counties his petition for the location and tiling of a ditch in pursuance of the statute made and provided, on the following route and termini, to wit: Commencing at a point in Baren Run on the lands of Charles Phellis in Madison County; thence running northward about 75 rods to the lands of Charles and Walter Kennedy; thence crossing said Kennedy's lands to the lands of M. B. and O. B. Sparks; thence crossing said Sparks' lands to the lands of Patrick Smith; thence crossing said Smith's lands to and into the lands of Orintha Bates to the intersection of said run or ditch with Little Darby Creek in Union County and there terminating. Your petitioners also pray for the location and tiling of all necessary laterals. Now, if the above bounden Pat. Smith shall pay all costs, if the prayer of said petition be not granted, or if for any other cause the same shall be dismissed, then this obligation shall be void.

The above bond and sureties
 thereon, are approved by me
 this 14th day of October, A. D. 1903.

Mrs. William Sparks
 Pat. Smith
 Charles Phellis
 O. B. Sparks.

B. A. Taylor, County Auditor.

Petition for Ditch, Drain or Water-Course.

Petition Filed in Union County

To the joint Board of County Commissioners in and for the Counties of Union and Madison and State of Ohio: Gentlemen: The undersigned, petitioners to your Honorable Board represent as follows: That they are the owners of lots or lands in Union and Madison Townships and Madison and Union Counties and in Virginia Military Survey No. 8414th, which will be drained or benefited by the following proposed ditch, drain or water course in said Counties, to wit: Commencing at a point in Baren Run on the lands of Char. Phellis in Madison County; thence running northward about 75 rods to the lands of Char. B. and Walter Kennedy; thence crossing the said Kennedy's lands to the lands of M. B. and O. B. Sparks; thence crossing said Sparks' lands to the lands of Patrick Smith; thence crossing said Smith's lands to and on to the lands of Orintha Bates, to the intersection of said ditch or run with Little Darby Creek in

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Union County and there terminating. Your petitioners also pray for the location and tiling of all necessary laterals. Your petitioners further say that the establishing, location and construction of the ditch, drain or water-course as above described, is highly necessary, as the most available and practical means for carrying off the surplus water which accumulates upon, and covers over the greater part of the land adjacent thereto, during winter, spring and first part of summer, rendering said land unfit for occupancy and cultivation, and producing an unhealthy state of the atmosphere injurious to the public welfare of the inhabitants thereof. Your petitioners therefore say that the establishment, location and construction of said ditch, drain or water-course above described, will be conducive to the public health, convenience and welfare. The following list contains the names of all persons and corporation either public or private, who, in the opinion of your petitioners, are in any way affected or benefited thereby: Chas. Kennedy, Walter Kennedy, Eva Guy, Alice Underwood, Elmer Overturf, Frank Overturf, Patrick Smith, Orintha Bates, M. B. Sparks, O. B. Sparks, Chas. Phellis, Wait Phellis, Verne Phellis, Guy Phellis, Ethel Phellis, Clint Burnham, Dwight Burnham, B. A. Hudson, Lizzie Hudson, Ruth Baddis, Chas. Edwin Heins and Marie B. Blockner.

Your petitioners therefore pray your honorable body to establish, locate and cause to be constructed said ditch drain or water-course, according to the laws of Ohio, relating to county ditches.

Petitioners' names: Patrick Smith, O. B. Sparks, Mrs. Mollan Sparks and Charles Phellis.

Filed, Oct. 12, 1903. Dwight B. Edwards, County Auditor,
Petitioners' Bond.

Petitioners

Bond Filed

in Union County

Know all men by these presents, that we, Patrick Smith, Mrs. Mollan Sparks, O. B. Sparks and Charles Phellis are held and firmly bound unto the State of Ohio in the penal sum of Two Hundred Dollars, to the payment of which well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators, firmly by these presents. Witness our hands and seals, this 10th day of October, A. D. 1903. The condition of the above obligation is such that whereas, the above bound have this day filed with the Commissioners of said Union County a petition for the following described ditch, drain or water-course,

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commencing at a point in Baron Run on the lands of Charles Phellis in Madison County; thence running northward about 75 rods to the lands of Charles and Walter Kennedy; thence crossing said Kennedy's lands to the lands of M. L. and O. B. Sparks; thence crossing said Sparks' lands to the lands of Patrick Smith; thence crossing said Smith's lands to and onto the lands of Orintha Bates to the intersection of said ditch or run with Little Darby Creek in Union County and there terminating. Your petitioners also pray for the location and filing of all necessary laterals. Now if the said Patrick Smith shall well and truly pay all costs if the prayer of the petition be not granted, or be dismissed for any cause, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Patrick Smith

The above bond is accepted

O. B. Sparks

and the sureties thereof, Oct. 12th 1903.M^{rs}. Belle Sparks

Auditor Union County Ohio. Charles Phellis.

Notice to Land Owners.

Office of the Auditor of Union County, Marysville Ohio,
October 13th 1903. In the matter of Baron Run Joint
Ditch No. 664: - To Madison County Commissioners.
You are hereby notified that the following petition
was filed with the Auditor of Union County, Ohio,
on the 12th day of October, 1903: - Petition for Ditch
Drain or Water Course: To the Joint Board of County
Commissioners in and for the Counties of Union
and Madison and State of Ohio: - Gentlemen:
The undersigned, petitioners to your honorable
board represent as follows: That they are the
owners of lots or lands in Union and Pike
Townships, Union and Madison Counties, Ohio,
and in Virginia Military Survey No. 8414th; which
will be drained or benefited by the following
proposed ditch, drain or water course in said
Counties to wit: Commencing at a point in Bar-
on Run on the lands of Charles Phellis in
Madison County; thence running northward
about 75 rods to the lands of Charles and Walter
Kennedy; thence crossing said Kennedy's lands
to the lands of M. L. and O. B. Sparks; thence cross-
ing said Sparks' lands to the lands of Patrick
Smith; thence crossing said Smith's lands to
and onto the lands of Orintha Bates to the
intersection of said ditch or run with Little
Darby Creek in Union County and there term-
inating. Your petitioners also pray for the

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location and tiling of all necessary laterals. Your petitioners further say that the location, construction of the ditch drain or water course as above described is highly necessary as the most available and practical means for carrying off the surplus water which accumulates upon and covers over the greater part of the land adjacent thereto, during the winter spring and the first part of summer rendering said lands unfit for occupancy and cultivation and producing an unhealthy state of the atmosphere injurious to the public health of the inhabitants thereof. Your petitioners therefore say that the establishment, location and construction of said ditch, drain or water course above described will be conducive to the public health, convenience and welfare. The following list contains the names of all persons and corporations, either public or private, who, in the opinion of your petitioners are in any way affected or benefited thereby: Orintha Bates, Ruth Baddis, Lizzie Hudson, Frank Overturf, Vera Phellis, O. B. Sparks, Clint Burnham, Maria B. Blockner, Char. Kennedy, Chas. Phellis, Waite Phellis, Alice Underwood, Dwight Burnham, Eva Guy, Walter Kennedy, Ethel Phellis, Patrick Smith, Chas. Erwin Heis, D. W. Hudson, Elmer Overturf, Guy Phellis, M. B. Sparks. Your petitioners therefore pray your honorable body to establish, locate and cause to be constructed said ditch, drain or water course, according to the laws of Ohio, relating to County Ditches.

(Dated) Mansville, Ohio, October 10th 1903.

Signed) Patrick Smith, M^r. William Sparks, O. B. Sparks & Chas. Phellis. And the undersigned, as Auditor of Union County, Ohio, has fixed Thursday, the 5th day of November, 1903, at 10 o'clock, A. M. for the hearing of the same upon the line of the proposed improvement as described in the petition. The Joint Board of County Commissioners of Union and Madison Counties will meet at the time above named, at the place of beginning as described in the petition, and will hear any and all proof offered by any of the parties affected thereby and others competent to testify, and will also by actual view of the route and territory embraced herein determine as to the necessity of said improvement. All applications for compensation or damages, must be made to the Joint Board of County Commissioners, in writing on or before the day above set for hearing.

Dwight B. Edwards, Auditor Union County, Ohio.

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Notice to Land Owners.

Office of the Auditor of Union County, Marysville, Ohio,
 October 13th 1903. In the matter of Barron Run Joint
 No. 664: - To Union County Commissioners: You
 are hereby notified that the following petition was
 filed with the Auditor of Union County on the 12th
 day of October, 1903: - Petition for ditch drain or
 water course. To the joint Board of County Com-
 missioners in and for the Counties of Union and Mad-
 ison and State of Ohio: - Gentlemen: The undersigned,
 petitioners to your honorable board represent as follows:
 That they are the owners of lots or lands in Union
 and Pike Townships, Union and Madison Counties, Ohio,
 and in Virginia Military Survey, No. 8414th, which
 will be drained or benefited by the following propos-
 ed ditch, drain or water course in said Counties,
 to-wit: Commencing at a point in Barron Run,
 on the lands of Chas. Phellis in Madison County;
 thence running northward about 75 rods to the
 lands of Chas. and Walter Kennedy; thence cross-
 ing the said Kennedy's lands to the lands of M. L. +
 O. B. Sparks; thence crossing said Sparks' lands to
 the lands of Patrick Smith; thence crossing said
 Smith's lands to and onto the lands of Orintha
 Bates to the intersection of said ditch or run
 with Little Dairy Creek in Union County and
 there terminating. Your petitioners also pray
 for the location and tiling of all necessary lat-
 erals. Your petitioners further say that the
 location and construction of the ditch, drain
 or water course as above described is highly
 necessary, as the most available and practi-
 cable means for carrying off the surplus wa-
 ter which accumulates upon and covers over
 the greater part of the land adjacent thereto,
 during the winter, spring and first part of sum-
 mer, rendering said land unfit for occupancy and
 cultivation, and producing an unhealthy state
 of the atmosphere injurious to the public
 welfare of the inhabitants thereof. Your petition-
 ers therefore say that the establishment, location
 and construction of said ditch, drain or water
 course above described, will be conducive to the
 public health, convenience and welfare. The
 following list contains the names of all per-
 sons or corporations, either public or private,
 who in the opinion of your petitioners are in
 any way affected or benefited thereby: - Orintha
 Bates, Ruth Waddis, Lizzie Hudson, Frank Overurf.

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Name Phellis, O. B. Sparks, Clint. Burnham, Maria B. Blockner, Chas. Kennedy, Chas. Phellis, Waite Phellis, Alice Underwood, Dwight Burnham, Eva Guy, Walter Kennedy, Ethel Phellis, Patrick Smith, Chas. Edwin Heirs, L. A. Hudson, Elmer Overturf, Guy Phellis and W. B. Sparks. Your petitioners therefore pray your honorable body to establish, locate and cause to be constructed said ditch drain or water course according to the laws of Ohio relating to county ditches.

Dated, Marysville, Ohio, October 10th 1903.

Signed, Patrick Smith, M. William Sparks, O. B. Sparks & Chas. Phellis. And the undersigned, as Auditor of Union County, Ohio, has filed Thursday, the 5th day of November, 1903 at 10 o'clock, a. m., for the hearing of the same upon the line of the proposed improvement as described in the petition. The joint Board of County Commissioners of Union and Madison Counties will meet at the time above named, at the place of beginning as described in the petition, and will hear any and all proof offered by the parties affected thereby, and others competent to testify, and will also, by actual view of the route and territory embraced therein, determine as to the necessity for said proposed improvement. All application for compensation or damages, must be made to the joint Board of County Commissioners, in writing on or before the day above set for hearing.

Dwight B. Edwards, Auditor Union County, Ohio.
 Proof of Service on Barron Run Joint Ditch, No. 664.
 State of Ohio, Union County ss:

O. B. Sparks, having been first duly sworn, states that he served a copy of the within notice on the persons named below at the time and in the manner therein specified (being in each case "at least 15 days before the day set for hearing" as required by law, viz:

Name of Person on Whom Notice was Served.	Time of Service -	Manner of Service.
Orintha Bates,	October 14 th 1903	Personally
Clint. Burnham,	October 14 th 1903	Personally
Dwight Burnham,	October 14 th 1903	Personally
Chas. Edwin Heirs,	October 14 th 1903	Personally
Ruth Laddis,	October 14 th 1903.	Personally by agt.
Maria B. Blockner,	October 14 th 1903.	Personally by agt.
Eva Guy,	October 14 th 1903.	Personally
Lizzie Hudson,	October 13 th 1903	Reg. Letter
L. A. Hudson,	October 13 th 1903	Reg. Letter
Chas. Kennedy,	October 15 th 1903.	Personally
Walter Kennedy,	October 15 th 1903.	Personally

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Name of Person on Whom Copy of Notice was Served	Proof of Service Time of Service	Manner of Service
Elmer Overturf,	October 15 th 1903	Personal
Frank Overturf,	October 15 th 1903.	Personal
Chas. Phellis,	October 15 th 1903.	Personal
Othel Phellis,	October 15 th 1903.	Personal
Emy Phellis,	October 15 th 1903.	Personal
Vernie Phellis,	October 15 th 1903.	Personal
Waite Phellis,	October 15 th 1903.	Personal
Patrick Smith,	October 15 th 1903.	Personal
M. B. Sparks,	October 15 th 1903.	Personal
O. B. Sparks,	October 15 th 1903.	Personal
Alice Underwood.	October 15 th 1903.	Personal.

(Signed) O. B. Sparks.

Known to and subscribed before me, this 17th day of Oct. 1903.
Mechanicsburg, Ohio, Nov. 23rd 03.

B. A. Taylor, Auditor.

Dear Sir: In regards to the Smith joint Ditch, I will say as it will not benefit us any that we are not in favor of it. Very respectfully,
Mrs. Thomas Ewin, Mechanicsburg, Ohio
November, 27th 1903.

Mr. Taylor,

Dear Sir: Your card received notifying me of the joint Ditch. The ditch does not benefit me in the least; it is only an outlet of a few rods into the creek on my land; I could not attend the meeting and wish this card to represent me; Mr. Smith, who joins me and whom it will greatly benefit running the entire length of his farm, would have me taxed for a few rods of outlet.
Respectfully, Oryntcha A. Bates.

Joint meeting of the Commissioners of Union and Madison Counties, Ohio:

Hearing on Petition

In the matter of the Joint Ditch Imp. Petitioned for by Patrick Smith et al.

Commissioner's Journal Vol. 8 Page 212^{4c}

The Commissioners of Union and Madison Counties assembled at the head or beginning point of said improvement this 5th day of November, 1903. There were present from Union County, Messrs. John M. Lowe, Oliver B. Davis, and Benj. S. Robinson and from Madison County, Chas. S. Markley, H. C. Bradley and Geo. E. Roberts. The joint Board was organized by the election of John M. Lowe, President and B. A. Taylor, Clerk. After reading the petition and notice in public and calling for and considering all remonstrances and objections proceeded to view the line of said proposed ditch. And

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having then and there heard all proof offered by any of the parties affected by said improvement and other persons competent to testify, and having on said day gone over and along the line of said improvement and viewed the same and the premises along and adjacent thereto, and on consideration thereof we are of the opinion that said County Ditch as prayed for is necessary to drain the lots and lands and public roads along and adjacent thereto, and that said improvement will be conducive to the public health, convenience and welfare and we find for said improvement. And we further find that the route described in the petition is the best, viz: Commencing at a point in Barren Run on the lands of Chas. Phellis in Madison County; thence running northward about 75 rods to the lands of Chas. and Walter Kennedy; thence crossing the said Kennedy's lands to the lands of M. B. and O. B. Sparks; thence crossing said Sparks lands to the lands of Patrick Smith; thence crossing said Smith's lands, to and into the lands of Olintha Bates, to the intersection of said ditch or run with Little Darby Creek in Union County and there terminating. It is therefore ordered that said improvement be granted and the same be known as "The Patrick Smith Joint Ditch Improvement". The following laterals were located by the joint Board, viz:

Lateral No. 1 - Beginning on the lands of F. M. and Elmer Overturf; thence running in a general north-westerly course to and through the Kennedy and C. W. Phellis lands and entering the main ditch at a point on the Kennedy lands. Lateral No. 1 of 1: - Beginning on the lands of F. M. and Elmer Overturf; running thence in a northerly course, entering the main ditch on the Kennedy lands.

Lateral No. 2: - Beginning on the Kennedy lands; running thence in a westerly course about 130 rods and entering the main ditch on the Kennedy lands. Lateral No. 3: - Beginning on the lands of M. B. and O. B. Sparks; running thence in an easterly course to and across the Rose Dale and Drwin Road; thence continuing across the Sparks lands and entering the main ditch at a point about 15 rods north of the Kennedy Sparks line. Lateral No. 4: - Beginning on the Blockner lands; thence running in a general north-westerly course to and through the Sparks lands and entering the main ditch at the Sparks-Smith line. Lateral No. 5: Beginning on the Sparks-

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lands; running thence in a general north-easterly direction to and across the Sparks-Smith line and entering the main ditch at a point about 10 rods from the Smith-Sparks line. Lateral No. 6: Beginning on the Blockner lands; running thence in a general south-westerly course to and through the Smith-Sparks lands and entering the main ditch at a point about 20 rods from the Smith-Sparks line. Lateral No. 7: Beginning on the S. A. Hudson lands; thence running in an easterly course to and across the Rosedale-Brown Road into and across the Smith lands and entering the main ditch at a point about 90 rods from the Smith-Sparks line. Lateral No. 8: Beginning on the Blockner lands at a point about 65 rods east of the Blockner-Smith line; running thence in a general north-westerly course to and through the Smith lands and entering the main ditch at a point about 100 rods from the Smith-Sparks line. Lateral No. 9: Beginning on the Blockner lands at a point about 200 rods from the Blockner-Smith line; thence running in a general north-westerly course to and through the Smith lands and entering the main ditch at a point about 150 rods from the Smith-Sparks line. Lateral No. 10: Beginning on the Blockner lands; running thence in a general north-westerly direction to and through the Smith lands and entering the main ditch at a point about 200 rods from the Smith-Sparks line. Lateral No. 11: Beginning on the Blockner lands at a point about 60 rods east of the Smith-Blockner line; running thence to and through the Smith lands and entering the main ditch at a point about 250 rods from the Smith-Sparks line. We also find that due and legal notice has been given to each person or corporation affected by said proposed improvement. It was moved by Mrs. Davis and recorded by Mr. Robinson that J. S. Asher, County Surveyor of Madison County, Ohio, be appointed Engineer of the proposed ditch. The vote being called for on the adoption of the above motion, the same was declared adopted, all members of the Joint Board voting "Aye". It is ordered that the Engineer above mentioned make a careful examination of all tile now in, and make such repairs or alteration, if any as in his judgment may seem necessary to secure the object of the improvement. It is further ordered that the water shed for which this ditch furnishes drainage, shall be held to include

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not only that territory drained by the laterals above mentioned, but also $\frac{1}{2}$ of that territory tributary to a ditch, beginning on the Boddie lands at a point about rods east from the Vanness road; running thence in an easterly direction to and through the Phellis lands, to and across the Rosedale and Irwin road at a point rods north-east from the Phellis house; thence in an easterly direction through the Phellis lands to a stone monument course rods from the center of the bridge on the Rosedale and Irwin Road at a point where said ditch crosses said road. Said stone monument designating a point where the waters of Barren Run divide one half flowing south and entering Little Darby on the Weaver lands and one half flowing north and entering Little Darby on the Bates lands. And we do hereby order the Auditor of Madison County to enter this, our finding, in writing on the Commissioners' Journal of said Madison County. And we do further authorize said Auditor to enter upon said Journal an order directing the County Surveyor appointed by us to go upon the line as described in the petition, and survey and level the same, and set a stake at every hundred feet numbering down stream; and to embody in said order direction to the said Surveyor, to make and return a schedule of all lots or lands and public and corporate roads and railroads, that will be benefited, and an apportionment of the estimated cost of locating and constructing said improvement, in money, according to the benefits which will result to each, and to perform such other duties as are required in sections 4454, 4455 and 4456 R. S. as now in force and effect, and to file his report with the County Auditor on or before the time hereinafter fixed for hearing the same. It is further ordered that the 15th day of December, 1903, at 10 o'clock, A. M. at the Commissioners' Office in London, Ohio, is hereby fixed for the hearing of applications for any appropriations of lands taken for said improvement and damages said parties affected by said improvement, or any of them may sustain thereby, and for the approval of the report of the Surveyor, to which time and place the proceedings herein now stand adjourned. On the question of the adoption of the foregoing entry, orders and findings relating to said ditch improvement, Messrs. Lowe,

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Davis, Robinson, Markley, Bradley and Roberts voted "Aye"
 President of Joint Board of
 Commissioners of Union and Madison Counties, Ohio.

Commissioners'
 finding on Petition
 Copy for Surveyor.

Commissioners finding on petition - Copy for Surveyor.
 Commissioners Office, Madison County,
 London, Ohio, November, 5th 1903.

Joint Meeting of the Commissioners of Union and Madison Counties Ohio

On the matter of the joint
 Ditch Imp. Petitioned for } Hearing on the Petition
 by Patrick Smith et al. } Copy for County Surveyor.

The Commissioners of Union and Madison Counties assembled at the head or beginning point of the above styled improvement this 5th day of November, 1903.

There were present from Union County, John M. Lowe, Oliver B. Davis and Benjamin S. Robinson from Madison Charles S. Markley, H. C. Bradley and Geo. E. Roberts.

The joint Board was organized by the election of John M. Lowe as President and D. W. Taylor, Clerk.

After reading the petition and notice in public and calling for and considering all remonstrances and objections proceeded to view the route of the proposed ditch. And having there and there heard all

proof offered by any of the parties affected by said improvement and other persons competent to testify, and having on said day gone over and

along the line of said improvement and viewed the same and the premises along and adjacent thereto; and on consideration thereof, we are

of the opinion that said County Ditch Improvement as petitioned for is necessary to drain the lots, lands and public roads along and adjacent thereto; and that said improvement will be

conducive to the public health convenience and welfare, and we find for said improvement.

And we further find that the route described in the petition is the best, viz: Commencing

at a point in Baren Run on the lands of Chas. Phillips in Madison County, thence running northward about 75 rods to the lands of Chas. and Walter Kennedy;

thence crossing the said Kennedy's lands to the lands of M. C. + O. B. Sparks; thence crossing said Sparks lands to the lands of Patrick Smith;

thence crossing said Smith's lands to and into the lands of Orintha Bates to the intersection of said ditch or run with Little Darby Creek in Union

County and there terminating. It is therefore ordered that said improvement be granted, and the same be known as The Patrick Smith joint

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Ditch Improvement. The following laterals were located by the Joint Board, viz: - Beginning on the lands of F. M. and Oliver Overturf; thence running in a general north westerly course to and through the Kennedy and W. W. Phellis lands and entering main ditch at a point on the Kennedy lands.

Lateral No. 1 of 1: - Beginning on the lands of F. M. and Oliver Overturf; running thence in a north-erly course, entering the main ditch on the Ken-nedy lands.

Lateral No. 2: Beginning on the Ken-nedy lands; running thence in a westerly course about 130 rods and entering the main ditch on the Kennedy lands.

Lateral No. 3: - Beginning on the lands of W. B. and O. B. Sparks; running thence in an easterly course to and across the Rosedale and Irwin Road; thence continuing across the Sparks lands and entering the main ditch at a point about 15 rods north of the Kennedy- Sparks line.

Lateral No. 4 - Beginning on the Blockner lands; thence running in a general north-west-erly course to and through the Sparks lands and entering the main ditch at the Sparks-Smith line.

Lateral No. 5: - Beginning on the Sparks land; running thence in a general north easterly direction to and across the Smith-Sparks line and entering the main ditch at a point about 10 rods from the Smith-Sparks line.

Lateral No. 6: - Beginning on the Blockner lands; running thence in a gener-al south-westerly course to and through the Smith-Sparks lands and entering the main ditch at a point about 20 rods from the Smith-Sparks line.

Lateral No. 7: - Beginning on the S. A. Hudson lands; thence running in an easterly course to and across the Rosedale-Irwin Road into and across the Smith lands and entering the main ditch at a point about 90 rods from the Smith-Sparks line.

Lateral No. 8: - Beginning on the Blockner lands at a point about 65 rods east of the Blockner-Smith line; running thence in a general north-westerly course to and through the Smith lands and entering the main ditch at a point about 100 rods from the Smith-Sparks line.

Lateral No. 9: - Beginning on the Blockner lands at a point about 200 rods from the Blockner-Smith line; thence running in a general north westerly course to and through the Smith lands and entering the main ditch at a point about 150 rods from the Smith-Sparks line.

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Lateral No. 10: - Beginning on the Blockner lands, running thence in a general north westerly course to and through the Smith lands and entering the main ditch at a point about 200 rods from the Smith - Sparks line. Lateral No. 11: - Beginning on the Blockner lands at a point about 60 rods east of the Smith - Blockner line; running thence to and through the Smith lands and entering the main ditch at a point about 250 rods from the Smith - Sparks line. We also find that due and legal notice has been given to each person or corporation affected by said proposed improvement. It was moved by Mr. Davis and seconded by Mr. Robinson that J. H. Asher, County Surveyor of Madison County, Ohio, be appointed engineer of the proposed ditch. The vote being called for on the adoption of this motion, the same was declared adopted, all members of the joint Board voting "aye". It is ordered that the engineer above appointed make a careful examination of all tile now in and make such repairs or alterations, if any, as in his judgment may seem necessary to secure the object of the improvement. It is further ordered that the water shed for which this ditch furnishes drainage, shall be held to include not only that territory drained by the laterals above mentioned, but also $\frac{1}{2}$ of that territory tributary to a ditch beginning on the Haddis lands at a point about rods east from the Van Ness road; running thence in an easterly direction to and through the Phellis lands to and across the Rosedale and Irwin Road, at a point rods north east from the Phellis house; thence in an easterly direction through the Phellis lands to a stone monument course rods from the center of the bridge on the Rosedale and Irwin road at a point where said ditch crosses said road: said stone monument designating a point where the waters of Barren Run divide, one half flowing south and entering Little Darby on the Weaver lands and one half flowing north and entering Little Darby on the Bates land. And we do hereby order the Auditor of Madison County, to enter this our finding, in writing on the Commissioners' Journal of said County of Madison. And we do further authorize said Auditor to enter upon said journal an order directing the County Surveyor appointed by us, to go upon the line as described in the petition and survey and

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

level the same, and set a stake at every hundred feet numbering down stream, and to embody in said order direction to the said Surveyor to make and return a schedule of all lots or lands and public or corporate roads and railroads that will be benefited and an apportionment of the estimated cost of locating and constructing said improvement, in money, according to the benefits which will result to each and to perform such other duties as are required in Sections 4454, 4455 and 4456 R. S. as now in force and effect, and to file his report with the County Auditor on or before the time hereinafter fixed for hearing the same. It is further ordered that the 15th day of December, 1903, at 10 o'clock, A. M. at the Commissioners' Office in London, Ohio, is hereby fixed for the hearing of applications for any appropriations of land taken for said improvement and damages said parties affected by said improvement or any one of them may sustain thereby and for the approval of the report of the Surveyor, to which time and place the proceedings herein now stand adjourned. On the question of the adoption of the foregoing entry, orders and findings relating to said ditch improvement, Messrs. Lowe, Davis, Robinson, Markley, Bradley and Roberts voted "aye".

President of the joint Board of Commissioners of Union and Madison Counties, Ohio.

I certify the foregoing to be correctly copied from the record of the proceedings of the Board of Commissioners of Union and Madison Counties, Ohio.

B. A. Taylor, Auditor of Madison County Ohio and Clerk of the joint Board of Commissioners, Auditor's Office, Madison County, Ohio.

In the matter of the joint Ditch Imp. Petitioned for by Patrick Smith et al. Filed Dec. 15th A. D. 1903.

Report and Schedules of Engineer.

To the Honorable, the joint Board of Commissioners of Madison and Union Counties, Ohio: The

undersigned engineer, in obedience to the direction of your honorable body, made on the 5th day of November, 1903, has proceeded in the above matter and has made a level and survey of the line of said proposed ditch improvement, and set a stake at every hundred feet numbering down stream, and I have made a note of the intersection of lines and boundaries of lands, townships and county lines,

Report and Schedules of Engineer

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement

land marks, bench marks, and road and rail-road crossings; and I herewith make report of same with profile and plat and an estimate of the number of cubic yards of earth or other substance to be removed, and the cost per cubic yard for each working section and each section of one hundred feet. I have also made and return herewith, a schedule of all the lots and lands, and public and corporate roads and rail-roads, together with the owners of such rail road companies, and the name of the lessees operating the same, that will be benefited by said improvement; and an apportionment of the cost of locating and construction, in money, to each lot and tract of land, road and rail road, according to the benefits which will result to each from the said improvement; and in apportioning the cost of such improvement, the benefits to any lots or lands by diking the same have been by me considered with other benefits; and a specification of the manner in which the improvement shall be made and completed; the number of flood gates, water ways, farm crossings and bridges, including kinds and dimensions thereof, and such other matters as the undersigned deems important; The said survey, level reports and schedules are herewith attached and made a part hereof. The following is an itemized cost bill made by me in the proper discharge of my duty under your order.

J. H. Asher per W. S. Mc Cafferty, Engineer, 9 1/2 days at \$4.00 per day,	\$38.00
Jesse Paine, Rodman, 3 days at \$1.25 per day,	\$3.75
James D. Goldsberry, Chairman, 1 day at \$1.25 per day,	\$1.25
B. B. Sparks, Chairman, 2 days at \$1.25 per day,	\$2.50
M. C. Sparks, Chairman, 2 days at \$1.25 per day,	\$2.50
Geo. Smith, Chairman, 1 day at \$1.25 per day,	\$1.25
Patrick Smith, Rodman, 2 days at \$1.25 per day,	\$2.50
Other expenses:	:-
Bunham and Bordin, (team hauling stakes)	\$3.00
Wood & Peirce, stakes	\$4.07
Total,	\$58.82

The foregoing cost bill allowed by us this 15th day of December, 1903.

John M. Love, President of the Joint Board of Commissioners of Union and Madison Counties, Va.

J. H. Asher, County Surveyor.

Filed December, 15th 1903.

B. A. Taylor, County Auditor.

Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement.

Report of Engineer Schedule "A"	Report of Engineer						Course Distance	Remarks
	Stake over 100 feet marked down stream	Surface Elevation	Grade Elevation	Total Fall from Stake	Entrance Depth	Exit		
0	98.06	94.00	-.29		4.06	4.06	N. 20 1/2° E. 0 to 1500	Beginning on lands of Nellie A. Phellis et al
1	97.59	93.71	.29		3.88	3.88		
2	9686	93.41	.59		3.45	3.45		
3	9661	93.11	.89		3.50	3.50		
4	9741	92.82	1.18		4.59	4.59		
5	9599	92.53	1.47		3.46	3.46		
B.	10000							
6	9598	92.48	1.52		3.50	3.50		
7	9573	92.43	1.57		3.30	3.30		
8	9521	92.38	1.62		2.83	2.83		
9	95.17	92.33	1.67		2.84	2.84		
10	95.17	92.28	1.72		2.89	2.89		
11	95.38	92.23	1.77		3.15	3.15		
12	9559	92.18	1.82		3.41	3.41		
+70	9551	92.14	1.86		3.37	3.37		
13	9561	92.13	1.87		3.48	3.48		
14	9580	92.08	1.92		3.72	3.72		
B.	9816							
15	9560	92.03	1.97		3.57	3.57	N. 37° E. 1500 to 2489	Line J. W. & J. B. Kennedy
16	9568	91.98	2.02		3.70	3.70		
17	9619	91.93	2.07		4.26	4.26		
18	9603	91.88	2.12		4.15	3.50		
19	9609	91.83	2.17		4.26	3.50		
20	9613	91.78	2.22		4.35	3.60	.05	
21	9583	91.73	2.27		4.10	3.60		
22	9557	91.68	2.32		3.89	3.60		
23	9540	91.63	2.37		3.77	3.60		
24	9562	91.58	2.42		4.04	3.70		
+89	9551	91.54	2.46		3.97	3.60		
25	9573	91.53	2.47		4.20	3.50		
26	96.11	91.48	2.52		4.63	3.60		
27	9573	91.43	2.57		4.30	3.70		
28	9576	91.38	2.62		4.38	3.70		
29	95.66	91.33	2.67		4.33	3.70		
+30	9578	91.31	2.69		4.47	3.70		
30	9605	91.28	2.72		4.75	3.70		
31	9527	91.23	2.77		4.04	3.70		
32	9628	91.18	2.82		5.10	3.70		
33	9655	91.13	2.87		5.42	3.60		
34	9639	91.08	2.92		5.31	3.60	.05	
+28	9649	91.06	2.94		5.43	3.50		
35	9649	91.03	2.97		5.46	3.50		
36	9572	90.98	3.02		4.74	3.50		
+19	9574	90.97	3.03		4.77	3.50		
37	9665	90.93	3.07		5.72	3.50	N. 27° E. 3619 to 4400	

Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement

Report of Engineer Schedule 'A'	Report of Engineer							Course and Distance	Remarks
	Stake every 100 ft. - being down stations	Surface Elevation	Grade Elevation	Total Fall from station	Entire Depth	C. t.			
38	9685	9088	3.12	5.98	3.60				
39	9671	9083	3.17	5.88	3.60				
B.	9782								
40	9716	9078	3.22	6.38	3.70				
41	9650	9073	3.27	5.77	3.70				
42	9571	9068	3.32	5.03	3.90				
43	9635	9063	3.37	5.72	4.00				
44	9554	9058	3.42	4.96	4.00		N. 30 1/2° E. 4400 to 4842		
45	9564	9053	3.47	5.11	4.00				
46	9591	9048	3.52	5.43	4.00				
47	9601	9043	3.57	5.58	4.00				
48	9650	9038	3.62	6.12	4.00				
442	9585	9036	3.64	5.49	4.00		N. 1 1/2° E. 4842 to 5300		
49	9514	9033	3.67	4.81	3.90				
50	9554	9028	3.72	5.26	3.95				
51	9609	9023	3.77	5.86	3.90				
52	9587	9018	3.82	5.69	3.90				
53	9601	9013	3.87	5.88	3.90		N. 9 3/4° W. 5300 to 5784		
54	9547	9008	3.92	5.39	3.90				
55	9510	9003	3.97	5.07	3.90				
56	9472	8998	4.02	4.74	3.80				
B.	9702								
57	9441	8993	4.07	4.48	3.70				
484	9503	8989	4.11	5.14	3.70		N. 23 3/4° W. 5784 to 6876		
58	9565	8988	4.12	5.77	3.60				
59	9561	8983	4.17	5.78	3.50				
60	9542	8978	4.22	5.64	3.20				
61	9566	8973	4.27	5.93	2.90				
62	9444	8968	4.32	4.76	2.90				
63	9538	8963	4.37	5.75	2.80				
64	9523	8958	4.42	5.65	2.60				
65	9352	8953	4.47	3.99	2.50				
66	9254	8948	4.52	3.06	2.40				
67	9345	8943	4.57	4.02	2.30				
68	9301	8938	4.62	3.63	1.70				
476	9172	8934	4.66	2.38	1.60		N. 12 1/4° W. 6870 to 7000		
69	9165	8933	4.67	2.32	1.30				
70	9111	8928	4.72	1.83	1.10		N. 3 3/4° W. 7000 to 7166		
B.	9457							Distance on Patrick Smith land 4384	
71	9233	8923	4.77	3.10	.80				
466	9210	8920	4.80	2.90	2.90		N. 20° E. 7166 to 7452		
72	9226	8918	4.82	3.08	3.08				
73	9261	8913	4.87	3.48	3.48			7303 = line Bates	
74	9171	8908	4.92	2.63	2.63			7390 = line man's block	
452	9105	8905	4.95	2.00	2.00		Terminus at Little Darby Creek		

Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement

Report of Engineer Schedule "A"	Report of Engineer							Schedule "A"	
	Stake every 100 feet or less if needed	Surface Elevation	Grade Elevation	Total fall from station	Entire Depth	Cut.	Course Distance	Remarks.	
	Lateral No. 1 at Station 15 Right.								
0	10107	98.00 -3.00			3.07	2.00			
1	9828	95.00 -0.70		3.00	3.28	3.00	N. 55 1/2° W. 100 feet	On land of J. W. and J. B. Kennedy.	
2	9766	94.30		3.70	3.36	3.30	N. 75° W. 279 "		
3	9656	93.60		4.40	2.96	3.00			
+79	9560	93.00		5.00	2.60	2.60			
	Lateral No. 2 at Station 16 Right.								
B	10051								
0	9902	96.00 -1.13			3.02	3.00			
1	9730	94.87		1.13	2.43	2.40	S. 79° W. 257 feet	On land of J. W. and J. B. Kennedy.	
2	9647	93.73		2.27	2.74	2.70			
+57	9568	93.00		3.00	2.68	2.60			
	Lateral No. 3 at Station 19 Left (not staked)								
	Lateral No. 4 at Station 29.30 Right.								
0	10252	98.00 -1.15			4.52	2.50	S. 85 1/4° W. 0 to 472	Beginning on land of Marie S. Blockner.	
1	10281	97.85		.15	4.96	2.50			
2	10304	97.70		.30	5.34	2.50			
B	10357								
3	10387	97.55		.45	6.32	2.50			
4	10369	97.40		.60	6.29	2.60			
+72	10384	97.29		.71	6.55	2.60	N. 56 1/2° W. 472 to 783	Distance on Blockner land 881 feet.	
5	10359	97.25		.75	6.34	2.60			
6	10260	97.10		.90	5.50	2.60			
7	10240	96.95		1.05	5.45	2.60			
+83	10080	96.83		1.17	3.97	2.70	N. 32 1/2° W. 783 to 1242	881 = line O. B. Sparks.	
8	10245	96.80		1.20	5.65	2.70			
9	10185	96.65		1.35	5.20	2.70			
10	10148	96.50 -0.30		1.50	4.98	2.50			
11	10105	96.20		1.80	4.85	2.50			
12	10099	95.90		2.10	5.09	2.60			
+42	10121	95.78		2.22	5.43	2.60	N. 69 1/2° W. 1242 to 1766	Distance on Sparks land 927 feet.	
13	10117	95.60		2.40	5.57	2.70			
14	10071	95.30		2.70	5.41	2.70			
15	10052	95.00		3.00	5.52	2.80			
16	9971	94.70		3.30	5.01	2.70			
17	9893	94.40		3.60	4.53	2.50			
+66	9702	94.20		3.80	2.82	2.60			
18	9687	92.30		5.70	4.57	2.50	N. 47 1/2° W. 1766 to 1808		
+8	9578	91.75		6.25	4.03	2.60			

Lateral No. 5 at Station 31 - Left (not staked)

Lateral No. 6 at Station 34 + 28 - Right (not staked)

Lateral No. 7 at Station 36 Left (not staked)

Madison County Ditch Improvement Record.

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Ref Lateral No. 8 at Station 43 - Right (not staked)
 Lateral No. 9 at Station 54 - Right (not staked)
 Lateral No. 10 at Station 62 - Right (not staked)

Report of Engineer. Schedule "A.A."
 Statement of Working Sections of the Patrick Smith Joint Ditch

No. of Working Section	No. of Stakes		No. of lineal feet.	No. of cubic Yards	Price per yard	Amount		Remarks
	From	To				D.	C.	
1	74.52	50.	2452					
			148.61 rods 15 inch tile		2.80	416	11	
			148.61 rods excavation @		.75	111	26	
			Total			\$ 527	37	
2	50	25	2500					
			151.51 rods 15 inch tile		2.80	424	23	Recapitulation
			151.51 rods excavation		.80	121	21	Tile
						\$ 545	44	336.48 rods 15' @ \$2.50 = \$942.15
								115.15 rods 12" @ \$1.65 = 190.00
3	25	0	2500.					15.57 rods 10" @ \$1.25 = 19.46
			36.36 rods 15" tile		2.80	101	8.1	132.54 rods 6" @ .50¢ = 66.27
			115.15 rods 12 inch tile		1.65	190	0.0	\$1217.88
			115.15 rods excavation		.75	113	6.3	Excavation \$431.13
						\$ 405	44	Stone wall \$30.00
								Total \$1679.01
4.			Lateral No. 4					
	18.08	0	1808					
			109.57 rods 6 inch tile		.50	54	7.9	
			109.57 rods excavation		.60	65	7.4	
						\$ 120	5.3	
			Lateral No. 2.					
	2.57	0	2.57					
			15.57 rods 10 inch tile		1.25	19	4.6	
			15.57 rods excavation		.50	7	7.9	
						\$ 27	2.5	
			Lateral No. 1					
	3.79	0	3.79					
			22.97 rods 6 inch tile		.50	11	4.9	
			22.97 rods excavation		.50	11	4.9	
						\$ 22	9.8	
			Section 5 Stone wall per Specifications 7 x 4 1/2 x 4					\$300.00
			Total Estimate			\$ 1679	01	

Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement.

Report of Engineer Schedule "B"	Report of Engineer		Schedule "B"							
	Owners' Name as found on Duplicate	No. of Survey	Description	Acres Owned	Acres Benefitted	Estimated Cost	Cost of Construction	Estimated Cost at Location	Total Cost	Apportioned
/	Gaddis Ruth Ann	7946 9502	Madison County, Pike Township		180	80 00		2 80	82 80	
/	Erwin Thomas (Estate)	8425	" "	46.50	10	5 00		18	5 18	
	Hudson Samuel A. & Lizzie	8454	" "	102	10	10 00		35	10 35	
	Burnham D. B.	10700	" "	485.80	70	35 00		123	36 23	
	Phellis Nellie A. et al.	8425	" "	404.50	845	325 00		1139	336 39	
/	Sharks M. L.	8454	" "	121.31	115.31	115 00		403	119 03	
	Overturf F. M. & Elmer	12131	" "	130.04	18	18 00		63	18 63	
	Gay Alice R. & Eva	12131	" "	578	15	15 00		53	15 53	
	Kennedy J. W. & J. L.	12131	" "	122	100	100 00		350	103 50	
	Blockner Marie B.	12131	" "	187.40	126	118 00		413	122 13	
/	Sharks O. B.	12131	" "	120.75	105.75	210 00		736	217 36	
	Smith Patrick	8454	" "	135.35	110	310 25		1086	321 11	
	Madison County		Drainage along pikes, Lateral No. 4.			15 00		53	15 53	
	Blockner Marie B.		Pike Township			73 98		259	76 57	
	Smith Patrick		" "			15 00		53	15 53	
	Sharks O. B.		" "			40 00		141	41 41	
	Kennedy J. W. & J. L.		" "			2 50		09	2 59	
	Kennedy J. W. & J. L.		Lateral No. 2, Pike Township			19 75		70	20 45	
	Gay Alice R. & Eva		" "			3 50		12	3 62	
	Overturf F. M. & Elmer		" "			4 00		14	4 14	
	Overturf F. M. & Elmer		Lateral No. 1, Pike Township			2 50		09	2 59	
	Kennedy J. W. & J. L.		" "			18 77		67	19 44	
	Phellis Nellie A. et al.		" "			4 00		14	4 14	
	Blockner Marie B.	8414	Union County		59	60 00		190	61 90	
	Smith Patrick	5291	" "		39	90 00		292	92 92	
	Dates Orintha	5291	" "		1	2 00		07	2 07	

The within report and apportionment approved as amended this 15th day of December, 1903.
J. M. Lowe, President of Joint Board of Commissioners of Union and Madison Counties, Ohio

Report of Engineer Schedule "B"
Auditor's Office, Madison County, Ohio,
In the matter of the joint Ditch Imp. Petitioned for by Patrick Smith et al. } Specifications of the manner of construction.
December, 13th 1903.
The within ditch and laterals must be cut fully down to the grade line at all points and the grade must be made to conform to the gradients shown on profile and in the report. It is included in the estimate, that the contractor shall leave the old

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement

channel and make a new one, cut wherever the engineer shall so designate; and he is also to fill in all earth removed in the cutting of the trenches, after the tile has been laid therein, and jointed within 4 inch and examined and accepted by the engineer in charge of the work. Any green trees standing outside of the ditch banks are to be deadened by the contractor for the cutting, provided they be closer than 20 feet of the center line of the ditch as constructed. The tile to be either a first class quality of hard burned, cylindrical, well tempered drain tile or selected second class sewer pipe. The estimated cost of the tile includes furnishing of all $\$$'s needed in the construction of said ditch. All bushes, trees and saplings standing inside the banks of the old channel are to be removed by grubbing by the land owner or whose premises they are found. If this is not done in 20 days after, he shall receive notice from said engineer; then the same will be done at the expense of the land owner at fault. The contractor for the cutting shall place all $\$$'s in position. At the end of the tile a protection wall, 7 feet long, $4\frac{1}{2}$ feet high and 4 feet wide will be built of good two man hand stone and cement mortar, made of Portland cement, 1 part, and clean, sharp sand 3 parts, all joints and voids to be thoroughly slushed with mortar prepared as above. Especial care being taken to have a perfect water proof wall so that no water flowing through said ditch can in any way pass through said wall. The wall to be completed with a covering or capping of 6 inch stone. All connections of tile ditches to be made by the contractor for the cutting, provided they shall not be over $\frac{1}{2}$ rod in length and wherever they exceed this length, then he shall receive reasonable compensation therefor, - to be allowed by the Engineer. All tile for this purpose to be furnished by the land owner or whose premises the connection is to be made. All tile to be delivered on line of ditch each size in its proper place as follows:

^{Main Ditch} Station 0 to Station 19 - 12 inch tile.

Station 19 to Station 74+52 - 15 inch tile.

Lateral No. 1 - 6 inch tile

Lateral No. 2 - 10 inch tile

Lateral No. 4 - 6 inch tile and all $\$$'s to be delivered according to Engineer's orders. Any expense caused by any improper delivery of tile will be charged against the tile contractor and deducted therefrom

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

Binding of Commissioners on Report of Engineer

at time of settlement. A clear right of way of 15 feet on each side of the ditch is reserved for the delivery of the tile and the construction of the ditch.

Auditor's Office, Madison County, Ohio. December, 15th A. D. 1903.

In the matter of the Ditch Impv. Petitioned for by Patrick Smith et al.

Findings of Commissioners on Report of Engineer.

This day the Board of Commissioners being in joint session, present, Messrs. Love, Davis and Robinson, Commissioners of Union County and Messrs. Markley, Bradley and Roberts, Commissioners of Madison County, and this being the day adjourned to by said board for the hearing of the report and apportionment of the Engineer of the above styled matter, the Board after proper examination, do find that due notice has been given for the length of time required by law, to all lot and land owners and to the authorities of all municipal and private corporations affected by said improvement, notifying them of the pendency, substance and prayer of the petition for said improvement. Said Board also find that no person has made application in writing for compensation and damages; After having examined the report of the Engineer, with the apportionment by him made, and the claims, exceptions and said Board do find, that said report and apportionments are not in all respects fair and just, according to the benefits to be derived from the proposed improvement by the owners of each lot and tract of land, and by municipal and private corporations and rail-road companies. It is therefore ordered that said report and apportionment be and the same are hereby changed in the following manner, to wit:

Lateral No. 4.

Add \$15.00 to the assessment of Marie B. Blockner making assessment \$91.57
Deduct \$5.00 from the assessment of Patrick Smith making assessment, \$10.53
Deduct \$10.00 from the assessment of O. B. Sparks, making assessment \$31.41
And that said estimate and assessments are hereby confirmed, as follows, to wit:

Madison County.

Gaddis Ruth Ann.	\$82.80
Erwin Thomas Estate	\$ 5.18
Hudson Samuel A and Lizzie	\$10.35
Burnham D. D.	\$36.23
Phillis Nellie A. et al.	\$336.39
Sparks M. W.	\$119.03
Overturf J. M. and Oliver,	\$ 18.63
Guy Alice R. and Eva,	\$ 15.53

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

Kennedy J. W. and J. B.	\$ 103.50
Blockner Marie B.	\$ 122.13
Sparks O. B.	\$ 217.36
Smith Patrick	\$ 321.11
Madison County, Lateral No. 4.	\$ 15.53
Blockner Marie B.	\$ 91.57
Smith Patrick	\$ 10.53
Sparks O. B.	\$ 31.41
Kennedy J. W. and J. B.	\$ 2.59
Lateral No. 2.	
Kennedy J. W. and J. B.	\$ 20.45
Guy Alice R. and Eva	\$ 3.62
Overture F. M. and Oliver	\$ 4.14
Lateral No. 1.	
Overture F. M. and Oliver	\$ 2.59
Kennedy J. W. + J. B.	\$ 19.44
Phillis Nellie A. et al.	\$ 4.14
Union County, Ohio.	
Blockner Marie B.	\$ 61.90
Smith Patrick	\$ 92.92
Bates Orintha	\$ 2.07
B. A. Taylor, Auditor Madison County and Clerk of Joint Board.	John M. Lowe, President Joint Board of Commissioners Union and Madison Counties, Ohio.
Commissioners' Office, Madison County, London, Ohio, December, 15 th 1903.	

Hearing on Re-
port of Engineer
Commissioners
Journal Vol. 8
Page 246.

In the matter of the Ditch Imp. Petitioned for by Patrick Smith et al. }
Hearing on Report of Engineer, }
This day, December, 15th 1903, }
the joint Board of Commissioners of Union and Madison Counties met in adjourned session pursuant to the adjournment of November, 5th 1903, to consider the report and affirmance of the Engineer of the above styled improvement, there were present Messrs Lowe, Davis and Robinson of the Union County Board, and Messrs. Markley, Bradley and Roberts of the Madison County Board, Mr. Lowe, of Union County occupied the Chair, The joint Board, after proper examination do find that due notice has been given for the length of time required by law, to all lot and land owners and to the authorities of all municipal and private corporations affected or benefited by said improvement notifying them of the pendency substance and prayer of the petition for said improvement. Said Joint Board also find that no person has made application, in writing, for compensation and damages. The engineer having submitted his report, and after having examined

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

the report of the Engineer, with the apportionment by him made, said Joint Board find that said report and apportionment are not in all respects fair and just according to the benefits to be derived from the proposed improvement by the owner of each lot and tract of land and by municipal and private corporations and rail road companies. It is therefore ordered that said report and apportionment be and the same are hereby changed. in the following manner; to wit:

Lateral No. 4.

Deduct \$5.00 from Patrick Smith's Assessment, making assessment \$10 53
Deduct \$10.00 from O. B. Sparks's assessment, making assessment \$ 31 41
Add \$15.00 to Marie B. Blockner's assessment, making assessment \$ 91 57

The roll being called for the approval of the foregoing assessments, as changed, Messrs. Long, Davis, Robinson, Markley, Bradley and Roberts voted "Aye"

The Joint Board further find that the following assessments are in all respects fair and just according to the benefits to be derived from the proposed improvement by the owner of each lot and tract of land, viz:

Main Ditch - Madison County

Gaddis Ruth Ann	\$ 82 80
Erwin Thomas Estate	\$ 5 18
Hudson Samuel A. and Lizzie	\$ 10 35
Burnham D. D.	\$ 36 23
Phellis Nellie A. et al.	\$ 336 39
Sparks M. B.	\$ 119 03
Overturf F. M. and Elmer	\$ 18 63
Guy Alice R. and Eva	\$ 15 53
Kennedy J. W. and J. B.	\$ 103 50
Blockner Marie B.	\$ 122 13
Sparks O. B.	\$ 217 36
Smith Patrick	\$ 321 11
Madison County	\$ 15 53

Lateral No. 4.

Kennedy J. W. and J. B.	\$ 2 59
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Lateral No. 2.

Kennedy J. W. and J. B.	\$ 20 45
Guy Alice R. and Eva	\$ 3 62
Overturf F. M. and Elmer	\$ 4 14

Lateral No. 1.

Overturf F. M. and Elmer	\$ 2 59
Kennedy J. W. and J. B.	\$ 19 44
Phellis Nellie A. et al.	\$ 4 14

Union County

Blockner Marie B.	\$ 61 90
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Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement

Smith Patrick

\$92.92

Bates Oantha

\$ 2.07

Upon call of roll for the approval of the above assessments, all members of the joint Board voted "Aye". And it appearing to the joint board that no appeal has been taken; It is now and therefore ordered, that the 30th day of December, 1903 at 10 o'clock, A.M. of said day be fixed as the time for commencing the sale of the work of constructing said improvement, and that the same be sold at public outcry. The place of said sale is fixed on the line of the ditch and said sale to commence with the working section constituting the mouth of said improvement at the place above named, and from that point to continue to the starting point; each section shall be offered at public outcry, until all the sections are offered, said work will be sold in sections of not less than one hundred nor more than twenty-five hundred feet in length. And it also ordered that the Auditor of said County give notice of said sale by circulating hand bills. And it is also ordered and directed that J. H. Asher, County Surveyor, attend at time and place of said sale, and conduct the same and receive all bids for the performance of said work, and that he make contracts with the lowest responsible bidder, and take good and sufficient bonds for the labor of said improvement, conditioned for the faithful performance of said contract so to be made and for the completion of the work within the time fixed by the contract and for all damage which may occur by reason of a failure to complete the same within the time stipulated in said contract in a sum not less than double the estimated value of the work and labor of constructing the portion bid off by said contracting party. It is further ordered that for the purpose of raising money necessary to pay for the expense of said improvement, that bonds of the county be issued for amounts to be hereinafter determined. Bonds to run five (5) years. On the question of the adoption of the foregoing orders and findings relating to said ditch improvement, Messrs. Lowe, Davis, Robinson, Markley, Bradley and Roberts voted "Aye".

John M. Lowe, President of the joint Board of Commissioners of Union and Madison Counties, Ohio.

Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement.

Order to
Sell the
Labor of
Construction

Auditor's Office, Madison County, Ohio,
December 15th A. D. 1903.
In the matter of the Patrick Smith Joint Ditch Improvement
Petitioned for by Patrick Smith et al.

Order to Sell the Labor of Construction.
This day, this matter came before the Board in joint Session, present, Messrs. Lowe, Davis, Robinson, Markley, Bradley and Roberts, and it appearing to the board that no appeal has been taken; - It is now and therefore ordered that the 30th day of December 1903, at 10 o'clock A. M. of said day, be fixed as the time for commencing the sale of the work of constructing said improvement at the hour above named, and from that point to continue to the starting point; each section shall be offered at public outcry until all the sections are offered; said work shall be sold in sections of not less than one hundred feet nor more than twenty five hundred feet in length. And it is also ordered that the Auditor of said County give notice by circulating hand bills. And it is also ordered and directed that the County Surveyor, J. H. Asher, attend at the time and place of said sale, and conduct the same and receive all bids for the construction of said work; and that he make contracts with the lowest responsible bidder and take good and sufficient bonds for the labor of said improvement, conditioned for the faithful performance of said contract so to be made, and for the completion of the work within the time fixed by the contract, and for all damage which may occur by reason of a failure to complete the same within the time stipulated in said contract, in a sum not less than double the estimated value of the work and labor of construction of the portion bid off by said contracting party.

B. A. Taylor, Auditor of Madison County and Clerk of Joint Board.
John M. Lowe, President of Joint Board of Commissioners of Union & Madison Counties, Ohio.
Ditch Sale - Notice to Contractors

Ditch
Sale.

The undersigned Engineer, will sell at public outcry on Wednesday, December, 30th 1903, at 10 o'clock P. M. Standard Time, to the lowest responsible bidder therefor, the work of furnishing the tile and constructing the Patrick Smith Joint Ditch Improvement, located in Pike Township, Madison County, Ohio, and Union

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

Township, Union County, Ohio. Said work will be sold in sections as follows:

Main Ditch.

Section 1 - From Station 74.52 to Station 50
 148.61 rods of 15-inch tile, at \$2.80 per rod, \$416.11
 148.61 rods excavation, at 75¢ per rod, \$111.26
 Total \$527.37

To be completed February 15" 1904

Section 2 - From Station 50 to Station 25,
 151.51 rods 15 inch tile at \$2.80 per rod, \$424.23
 151.51 rods excavation at 80¢ per rod, \$121.21
 Total \$545.44

To be completed March 15" 1904.

Section 3 - From Station 25 to Station 0
 36.36 rods 15 inch tile at \$2.80 per rod, \$101.81
 115.15 rods 12 inch tile at \$1.65 per rod, \$190.00
 151.51 rods excavation @ 75¢ per rod, \$113.63
 Total, \$405.44

To be completed April 15" 1904.

Laterals No. 1, 2, + 4.

Section 1 - Lateral 4 - 109.57 rods 6 inch tile at 50¢ per rod, \$54.79
 109.57 rods excavation at 60¢ per rod, \$65.74
 Lateral No. 2 - 15.57 rods 10-inch tile at \$1.25 per rod, \$19.46
 15.57 rods excavation @ 50¢ per rod, \$7.79
 Lateral No. 1 - 22.97 rods 6-inch tile at 50¢ per rod, \$11.49
 22.97 rods excavation, at 50¢ per rod, \$11.49
 Total \$170.76

To be completed May 1" 1904.

Section 5 - Limestone protection wall, 7 feet by 4 1/2 feet
 by 4 feet, to be laid in cement mortar, \$30.00

To be completed May, 10" 1904.

The furnishing of tile and the construction of ditch will each constitute a separate contract, and the delivery of tile must begin within ten days after date of sale. Bidders to meet at the point where the main ditch crosses the lands owned by J. W. and J. B. Kennedy, and located about two miles north of Rosedale, Madison County, Ohio. A cash deposit of \$20.00 - no checks taken, will be required of bidders as a guaranty of good faith before any bid will be received. The right to reject any or all bids is reserved. Specifications are now on file in the Office of the Auditor of Madison County, Ohio, and will be with the Engineer on day of sale. Bidders desiring to view the line of ditch should do so prior to the day of sale.

By order of the joint Board of Commissioners of Madison and Union
 B. A. Taylor, Auditor Madison County, Ohio. J. H. Asher, Engineer.
 Dwight B. Edwards, Auditor Union County, Ohio.
 (Please Post)

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

Report
of Sale

Auditor's Office, Madison County, Ohio.
 In the matter of the } December 30th A. D. 1903.
 Ditch Imp. Petitioned for } Report of Sale of the Labor of Construction,
 by Patrick Smith et al. } To the Honorable Commissioners
 of Madison and Union Counties, Ohio:

Gentlemen: In obedience to your direction and also in pursuance of the notice, duly given by the Auditor of the sale of the work of constructing the above styled improvement, at the time and place therein specified, I offered the said several working sections for sale to the lowest responsible bidder at public outcry and sold the same to the persons hereinafter named, at the prices herein stated, and took their contracts and bonds respectfully conditioned according to law, and return the same herewith for your approval.

Working Sections Nos. 1, 2, 3 & 4 were sold to Walter Orabe for the sum of Three hundred and seventy one and $\frac{53}{100}$ Dollars, (\$371.⁵³) Amount for which it was estimated Four hundred and thirty one and $\frac{12}{100}$ Dollars. To be completed August 1st 1904.

Working Section No. 5 was sold to O. B. Sparks for the sum of Thirty Dollars (\$30.⁰⁰) Amount for which it was estimated Thirty Dollars (\$30.⁰⁰). To be completed August 1st 1904. The furnishing of tile for working sections

Nos. 1, 2, 3 and 4 was sold to The Van Blevé Clay Manufacturing Company for the sum of Twelve hundred and seventeen and $\frac{88}{100}$ Dollars, (\$1217.⁸⁸) Amount for which it was estimated Twelve hundred and seventeen and $\frac{88}{100}$ Dollars (\$1217.⁸⁸) To be completed July 1st 1904.

J. H. Asher, County Surveyor.

Auditor's Office, Madison County, Ohio.

Contract of
O. B. Sparks

In the matter of the } December 30th A. D. 1903.
 Ditch Imp. Petitioned } Contract for Labor of Construction,
 for by Patrick Smith et al. } Whereas, The above styled improve-
 ment has been duly ordered and advertised for sale according to law, and the construction of working section No. 5, of 1 stone wall was sold by the County Surveyor on the 30th day of December, 1903, to the undersigned for Thirty Dollars, pursuant to said order and notice. Now, in consideration of the premises it is agreed by me, to and with whomsoever may be interested therein, that I will do and perform all the labor of constructing said improvement, in accordance with the specifications for constructing the same as shown on the record of the proceedings thereof, the same to be completed on or before the First day of August 1904. Provided however this contract shall be of no force and effect until

Madison County Ditch Improvement Record.

The Patrick Smith joint Ditch Improvement

approved by the Board of Commissioners of Madison County, Ohio, and Union County Ohio.

J. H. Fisher, County Surveyor, O. B. Sparks, Contractor.
Contractor's Bond.

Contractor's Bond.
O. B. Sparks.

In the matter of the Auditor's Office, Madison County, Ohio.
Ditch Imp. Petitioned for December, 30th A. D. 1903.

by Patrick Smith et al) Contractor's Bond.

Know all men by these presents, That O. B. Sparks as principal and Wm. Blellan Sparks and as sureties, are firmly held and bound unto the State of Ohio, in the penal sum of Sixty Dollars good and lawful money, signed and dated this 30th day of December, A. D. 1903. The condition of the above obligation is such however that whereas, the above bound principal contractor has bid off the labor of constructing working section No. 5, has duly entered into the annexed contract subject to the condition that the same shall be approved by the Commissioners of said Madison and Union Counties and has agreed to fully do and perform all labor of constructing said improvement, in accordance with the plans and specifications of said improvement, as shown on the record of said proceedings, on or before the first day of August, 1904, now, if the said O. B. Sparks shall well and truly perform all the obligations of his said contract and complete the same within the time fixed by said contract, and pay all damages which may accrue by reason of a failure to complete the same within the time agreed upon in said contract, and pay for all labor and material and for all debts incurred in the performance of this contract, then this obligation shall be void, otherwise to be in full force and effect in law. O. B. Sparks

This contract and bond and Wm. Blellan Sparks.

Sureties on said Bond approved this 8th day of January, 1904. J. M. Lowe, President Board of Com-

J. H. Fisher, County Surveyor. misioners Union & Madison Counties, Ohio.

Approval of Contract and Bond.

Commissioner's Office, Madison County, London, Ohio. January 8th 1904.

Approval of Contract and Bond of O. B. Sparks.
Commissioner's Journal Vol. 8 - Page 264

The Commissioners of Union and Madison Counties met today in joint session at the office of the Board of Commissioners of Madison County.

Present: Messrs. Lowe, Davis and Robinson of the Union County Board and Messrs. Markley, Bradley and Roberts of the Madison County Board. Mr. Lowe, of Union County occupied the chair.

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

In the matter of the Patrick Smith Joint Ditch Impv. } Approval of Contract and Bond. J. H. Asher, the County Surveyor, having made his report of the sale of the work of construction of the above styled improvement, and having within the time required by law, filed the contract entered into with O. B. Sparks, for the construction of working section No. 5, and the bond of said contractor, which contract and bond have been examined and approved by this board and they are ordered to be filed according to law.

And the Auditor of Madison County is hereby ordered to notify said contractor of the approval of his contract and bond and that he is required to comply therewith.

On the question of the adoption of the foregoing entry relating to said joint Ditch Improvement, Messrs. Lowe, Davis, Robinson, Markley, Bradley and Roberts voted "aye"

B. A. Taylor, Auditor Madison County. J. M. Lowe, President joint Board and Clerk Joint Board. Commissioners Union of Madison Counties, Ohio.

Notice of Approval of Contract and Bond for Constructing Ditch. Auditor's Office, Madison County, Ohio.

January 8th A. D. 1904.

To O. B. Sparks, Contractor: You are hereby notified that the Contract and Bond made and taken between you and the Engineer for construction of working section No. 5 of the Ditch Improvement petitioned for by Patrick Smith Ditch et al, now on file with the Auditor of Madison County, has been duly approved by the Commissioners. B. A. Taylor, County Auditor.

Contract for Labor of Construction.

In the matter of the ditch } Auditor's Office, Madison County, Impv. Petitioned for by } London, Ohio, December, 30th A. D. 1903. Patrick Smith et al. } Contract for Labor of Construction.

Whereas, The above styled improvement has been duly ordered, and advertised for sale according to law, and the construction of working sections Nos. 1, 2, 3 & 4 of 9896 feet and sold by the duly appointed Engineer on the 30th day of December, A. D. 1903, to the undersigned for Three Hundred and Seventy one and 5/100 Dollars, pursuant to said order and notice. Now, in consideration of the premises, it is agreed by me, to and with whomsoever may be interested therein, that I will do and perform all the labor of constructing said improvement, in accordance with the specifications for constructing the same, as shown on the record of the proceedings thereof, the same to be completed on or before the First Day of August, A. D. 1904.

Notice of Approval of Contract &c

Contract of Walter Lorable

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement

Provided this contract shall be of no force and effect until approved by the Joint Board of Commissioners of Madison and Union Counties, Ohio.

J. H. Asher,
Engineer.

Sections
1 - \$101.05
2 - \$113.63
3 - \$106.06
4 - \$60.79
\$381.53
less \$11.53 on whole
\$370.00

Walter Brable,
Contractor.

Bond of
Walter Brable

In the matter of the Auditor's Office, Madison County, Ohio, December 30th A. D. 1903.
Ditch Imp. Petitioned for by Patrick Smith et al. Contractor's Bond.

Know all men by these presents, that Walter Brable, as principal, and William Wagner and Henry Kaufman as sureties, are jointly and severally held and bound unto the State of Ohio, in the penal sum of Seven Hundred & Forty Three Dollars, good and lawful money. Signed and Dated this 30th day of December, A. D. 1903.

The condition of the above obligation is such, however, that whereas, the above bounden principal contractor, has bid off the labor of constructing working sections Nos. 1, 2, 3 & 4, has duly entered into the annexed contract, subject to the condition that the same shall be approved by the Board of Commissioners of said Madison and Union Counties, and has agreed to fully do and perform all labor of constructing said improvement in accordance with the plans and specifications of said improvement, as shown on the record of said proceedings on or before the First day of August, A. D. 1904. Now, if the said Walter Brable shall well and truly perform all the obligations of his said contract and complete the same within the time fixed by said contract and pay all damage which may occur by reason of a failure to complete the same within the time agreed upon in said contract, then this obligation shall be void, otherwise to be in full force and effect in law.

This Contract and Bond and

Walter Brable,

Sureties on said Bond approved

William Wagner

this 8th day of January, A. D. 1904.

Henry Kaufman

J. H. Asher,
Engineer.

J. M. Love, Chairman of the
Joint Board Com. Union & Madison Counties, Ohio.

Approval of
Contract & Bond.

Commissioner's Office, Madison County,
London, Ohio, January 8th 1904.

Commissioners
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Page 264

The Commissioners of Union and Madison Counties met today in joint session at the Office of the Board of Commissioners of Madison County.
Present: Messrs. Love, Davis and Robinson of the Union County Board and Messrs. Bradley, Markley and Roberts of the Madison County Board.
Mr. Love, of Union County, occupied the chair.

Madison County Ditch Improvement Record.

The Patrick Smith Ditch Improvement

In the matter of the }
 Patrick Smith joint } Approval of Contracts and Bond.
 Ditch Improvement. } J. H. Asher, the County Sur-
 veyor, having made his report of the sale of the
 work of constructing the above styled improve-
 ment, and having, within the time required by law
 filed the contract entered into with Walter Brable
 for the construction of working sections Nos. 1, 2, 3 + 4,
 and the Bond of said contractor, which contract
 and bond have been examined by this Board and
 they are ordered filed according to law.

The Auditor of Madison County is hereby directed
 to notify said contractor of the approval of said
 contract and bond and that he is required
 to comply therewith.

On the question of the adoption of the foregoing
 entry relating to said joint Ditch Improvement,
 Messrs. Lowe, Davis, Robinson, Markley, Bradley and
 Roberts voted "aye". John M. Lowe President of

Joint Board of Commissioners Union of Madison Counties Ohio.

B. A. Taylor, Auditor Madison County Ohio, Joint Board.

Notice of Approval of Contract and Bond for Constructing Ditch.

Auditors Office, Madison County, Ohio.

January 8th A. D. 1904.

To Walter Brable, Contractor, You are hereby notified
 that the contract and bond made and taken between
 you and the Engineer for the construction of work-
 ing section Nos. 1, 2, 3 + 4, of the joint Ditch Improve-
 ment petitioned for by Patrick Smith et al, now on
 file with the Commissioners has been duly ap-
 proved by the joint Board. B. A. Taylor, Auditor.

Contract for Drain Tile.

Auditors Office, Madison County, Ohio,

In the matter of the } December 30th A. D. 1903.

Ditch Imp. Petitioned for } Contract for Drain Tile.

by Patrick Smith et al. Whereas, the above styled im-

provement has been duly ordered and advertised for

sale according to law, and ^{the furnishing of tile for} the construction of work-

ing sections Nos. 1, 2, 3, and 4 of 9896 feet sold by the County

Surveyor, on the 30th day of December, 1904 to The Van Blev

Blay Manufacturing Company. Now, in consideration

of the premises, it is agreed by me, to and with

whomsoever may be interested therein, that I will

furnish 366.48 rods of 15 inch Drain Tile from Station

19 to Station 74.52; and 115.15 rods of 12 inch Drain Tile

from Station 0 to Station 19; and 132.54 rods 6 inch tile,

109.57 rods on Lateral No. 4 and 22.97 rods on Lateral No. 1

and 15.57 rods 10 inch tile on Lateral No. 2 for Twelve

Hundred and Seventeen and ⁸⁸/₁₀₀ Dollars, delivered on

Notice of
Approval of
Contract re.

Contract of
Van Blev
Blay Mfg. Co.

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement

line of above styled improvement in lots as needed, the same to be delivered on or before the first day of July, A.D. 1904; provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison and Union County, Ohio.

J. H. Asher, County Surveyor. Van Cleve, Blay Manufacturing Company, Contractor.

Bond of the Van Cleve Blay Mfg. Co.

Contractors Bond for Drain Tile.

Auditors Office, Madison County, Ohio,

In the matter of the Ditch Imp. Petitioned for by Patrick Smith et al. Know all men by these presents, That the Van Cleve Blay Manufacturing Company as principal and William Gilbert and Clark Van Cleve as sureties are firmly held and bound unto the State of Ohio, in the penal sum of Twenty Four Hundred and Thirty Five and 7/100 Dollars, good and lawful money. Signed and dated this 4th day of January A.D. 1904.

The condition of the above obligation, is such, however, that whereas, the above bounden principal contractor has bid off the furnishing and delivering the drain tile for constructing working sections nos. 1, 2, 3 + 4, has duly entered into the annexed contract, subject to the condition that the same shall be approved by the Commissioners of said County now, if the said Van Cleve Blay Manufacturing Company shall well and truly perform all the obligations of their said contract, and complete the same within the time fixed by said contract, and pay all damage which may occur by reason of a failure to complete the same within the time agreed upon in said contract, then this obligation shall be void; otherwise to be in full force and effect in law.

This Contract and Bond and Sureties on said Bond. Van Cleve Blay Mfg. Co. Wm Gilbert

approved this 8th day of Jan'y. A.D. 1904. J. H. Asher, County Surveyor. J. M. Lowe, President Joint Board of Commissioners Union & Madison Counties Ohio. Clark Van Cleve.

Approval of Bond of Van Cleve Blay Mfg. Company

Commissioners Office, Madison County, London, Ohio, January 8th 1904.

The Commissioners of Union and Madison Counties met today in joint session at the Office of the Board of Commissioners of Madison County, Present Messrs. Lowe, Davis and Robinson, of the Union County Board and Messrs. Markley, Bradley and Roberts of the Madison County Board.

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Madison County Ditch Improvement Record.

The Patrick Smith joint Ditch Improvement

Mr. Lowe, of Union County occupied the chair. In the matter of the Patrick Smith joint Ditch Improvement. Approval of Contracts and Bonds. J. H. Asher, the County Surveyor, having made his report of the sale of the work of constructing said improvement, and having within the time required by law, filed the contract entered into with The Van Blevé Clay Manufacturing Company for furnishing tile for working sections Nos. 1, 2, 3 and 4 and the bond of said contractor, which contract and bond have been examined and approved by this board and they are ordered filed according to law.

The Auditor of Madison County is directed to notify said contractor of the approval of said contract and bond and that he is required to comply therewith.

On the question of the adoption of the foregoing entry relating to said joint Ditch Improvement, Messrs. Lowe, Davis, Robinson, Mackley, Bradley and Roberts voted "aye".

Joint Board adjourned to meet at call of President, B. B. Taylor, Auditor Madison County and Clerk of Joint Board. J. M. Lowe, President Joint Board of Commissioners of Union & Madison Counties, Ohio.

Notice of Approval of Contract and Bond.

Notice of Approval of Contract and Bond for Constructing Ditch. Auditor's Office, Madison County, London, Ohio, January 8th 1904.

To the Van Blevé Clay Manufacturing Company, Contractors: You are hereby notified that the Contract and bond made and taken between you and the Engineer for furnishing tile for working sections Nos. 1, 2, 3 & 4 of the ditch improvement petitioned for by Patrick Smith et al, now on file with the Auditor of said County, has been duly approved by the Commissioner B. B. Taylor, County Auditor. Commissioner's Office, Madison County, London, Ohio, January 23rd 1905.

Order of Issue and Sale of Bonds

Board of Commissioners met today in regular session. Present: H. E. Bradley, Jno. E. Roberts and W. P. Chenoweth.

Commissioners Journal Vol. 8 Page 490.

In the matter of the Issue and sale of various Ditch Improvement Bonds. Order of Issue and Sale of Bonds. This day the Board considered the matter of issuing and selling county bonds to meet the expense of the following improvement, to wit: "The Patrick Smith joint Ditch Improvement". It was moved by Jno. E. Roberts and seconded by W. P. Chenoweth, that for the purpose of raising money to meet the expense of said improvement, and in fur

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch Improvement.

in pursuance of the authority granted by Sections 4479, 4481, 4482 of the Revised Statutes of Ohio, and the laws amendatory thereof and supplementary thereto, that bonds of the County be issued for said improvement, as follows:

The Smith Joint Ditch Improvement.

One Bond for \$170, due Sept. 1st 1905.

One Bond for \$170, due March 1st 1906.

One Bond for \$170, due Sept. 1st 1906.

One Bond for \$170, due March 1st 1907.

One Bond for \$170, due Sept. 1st 1907.

One Bond for \$170, due March 1st 1908.

One Bond for \$170, due Sept. 1st 1908.

One Bond for \$170, due March 1st 1909.

One Bond for \$170, due Sept. 1st 1909.

One Bond for \$170, due March 1st 1910.

Total amount of said bonds, Seventeen Hundred (\$1700.) Dollars.

That said Bonds will bear date of March 1st 1905, and will bear interest from date at the rate of five (5) per cent. per annum, represented by coupons payable as follows:

First installment due September 1st 1905, and payable semi-annually thereafter and due March 1st and

September 1st of each year. That said bonds are issued in pursuance of the authority granted by Sections

4479, 4481 and 4482 of the Revised Statutes of Ohio, and the laws amendatory thereof and supplementary thereto.

That bids will be received for the entire issue or any part thereof and no bonds will be sold for less than their face value. That bidders be required to state the

gross amount they will pay for said bonds or any portion or part thereof. That said bonds and interest

will be payable at the County Treasurer's Office in London, Ohio, and said bonds will be delivered to the

successful bidder or bidders at said Treasurer's Office upon the payment of purchase price together with

any accrued interest. That no bids will be considered unless accompanied by a certificate of the County

Treasurer, showing that cash amounting at least to five (5) per cent of the amount of bonds bid for, has

been deposited; said deposit being required to bind the purchase. The deposited amount of the unsuccessful

bidders will be returned to the owners. The Commissioners reserve the right to reject any or all bids, that the County Auditor be directed

to cause legal notice of such proposed bond sale to be published in "The London Times" a newspaper

printed and of general circulation in Madison County and "The Ohio State Journal," a newspaper

printed and of general circulation in the State of Ohio. On the question of the adoption of the foregoing

Madison County Ditch Improvement Record.

The Patrick Smith Joint Ditch

motion relating to said proposed bond sale, the roll being called, H. E. Bradley, Jno. E. Roberts and W. P. Chenoweth voted "Aye".

H. E. Bradley, Pres. }
 Jno. E. Roberts, } Commissioners
 W. P. Chenoweth }
 of
 Madison County.

B. A. Taylor, Auditor & Clerk.

Notice of Bond Sale.

Notice of Bond Sale.

Notice is hereby given that the Board of County Commissioners of Madison County, Ohio, will receive sealed bids filed with the Auditor of said County, in London, Ohio, up to twelve o'clock, noon, on Saturday, February, 25th 1905, for the purchase by the highest bidder of certain bonds amounting in the aggregate to \$—

Said bonds are for the purpose of raising money for the purposes hereinafter mentioned, and are specifically described as follows.

- One Bond for \$170, due Sept. 1st 1905.
- One Bond for \$170, due March 1st 1906.
- One Bond for \$170, due Sept. 1st 1906.
- One Bond for \$170, due March 1st 1907.
- One Bond for \$170, due Sept. 1st 1907.
- One Bond for \$170, due March 1st 1908.
- One Bond for \$170, due Sept. 1st 1908.
- One Bond for \$170, due March 1st 1909.
- One Bond for \$170, due Sept. 1st 1909.
- One Bond for \$170, due March 1st 1910.

Said Bonds will bear date of March 1st 1905, and will bear interest from date at the rate of five (5) per cent per annum, represented by coupons payable as follows. First installment due September 1st 1905, and payable semi-annually thereafter and due March 1st and September 1st of each year. Said bonds are issued in pursuance of the authority granted by Sections 4479, 4482 & 4481 of the Revised Statutes of Ohio, and the laws amendatory thereof and supplementary thereto. Bids will be received for the entire issue or any part thereof and no bonds will be sold for less than their face value. Bidders will be required to state the gross amount they will pay for said bonds or any portion or part thereof. Bonds and interest are payable at the County Treasurer's Office in London, Ohio, and said bonds will be delivered to the successful bidder or bidder at said Treasurer's Office upon the payment of purchase price together with any accrued interest. No bid will be received or considered unless accompanied by a certificate of the County Treasurer, showing that cash amounting at least to five (5) per cent of the amount of bonds bid for has been deposited; said deposit being required to be made to bind the purchase. The deposited amount of the unsuccessful bidders will be returned to the owners. The Commissioners reserve the right to reject any or all bids.

Madison County Ditch Improvement Record.
The Patrick Smith Joint Ditch Improvement

Proof of Publication
"The London Times"

By Order of the Board of Commissioners of Madison County, Ohio.
B. A. Taylor, Auditor Madison County, Ohio.
The State of Ohio, Madison County ss:
M. F. Dunn, being duly sworn, says he is the Publisher of "The London Times", a weekly newspaper printed and in general circulation in said county, and that a notice, of which the annexed is a copy, was published in said newspaper, for at least 3 consecutive weeks prior to the 25th day of February, 1905.
M. F. Dunn.

Proof of Publication
"The Ohio State Journal"

Sworn to and subscribed before me this 17th day of Feb. 1905.
B. A. Taylor, Auditor.
Proof of Publication.
State of Ohio, Franklin County, ss:
Paul Eisela, Clerk for the Ohio State Journal, a newspaper printed at Columbus, Franklin County, Ohio, personally appeared and made oath that the attached printed advertisement was published for four consecutive weeks in said newspaper from and after Jan. 26th 1905, and that said paper is of general circulation in said county and state.
Paul Eisela

Sale of Bonds.

Subscribed and sworn to this 16th day of Feb. 1905.
W. H. Bible.
Notary Public in and for Franklin County, Ohio.
Commissioner's Office, Madison County,
London, Ohio, Feb. 25th 1905.

Commissioners Journal Vol. 8 Page 508

Board met today in special session.
Present: H. E. Bradley, Jno. E. Roberts and N. P. Wheroweth.
In the matter of the }
Sale of Various Ditch } Sale of Bonds.
Improvement Bonds. } This being the day fixed by the Board for the sale of the various ditch improvement bonds, which bonds are specifically described in the order for the sale of the same, dated January 23rd 1905 and described on pages 499, 491, 492 + 493 this volume of the proceedings of the Commissioners. And the Board being satisfied that said sale of bonds has been duly and legally advertised, proceeded to conduct said sale in accordance with the aforesaid order.
For record of bids see page 508, Vol. 8, Commissioners Journal.
After due consideration of all the bids, it was moved by Jno. E. Roberts and seconded by N. P. Wheroweth that the bid of The Central Bank, be accepted and that the County Auditor be directed to prepare the bonds so sold. The roll being called on the adoption of the above motion relating to said bond sale, H. E. Bradley, Jno. E. Roberts and N. P. Wheroweth voted "aye".
B. A. Taylor, Auditor & Clerk.
H. E. Bradley, Pres. Commissioners
Jno. E. Roberts
N. P. Wheroweth, Madison County